

## LAND CLEARING DEBRIS LANDFILL ANNUAL REPORT

Submit the Annual Report no later than March 1, 2018. This

annual report is for the year of operation from January 01, 2017 to December 31, 2017

### SECTION 1 – FACILITY INFORMATION

FACILITY INFORMATION			
<b>FACILITY NAME:</b> John K. Triller			
<b>FACILITY LOCATION ADDRESS:</b> 46 Elm St	<b>FACILITY CITY:</b> Champlain	<b>STATE:</b> NY	<b>ZIP CODE:</b> 12919
<b>FACILITY TOWN:</b> Champlain	<b>FACILITY COUNTY:</b> Clinton	<b>FACILITY PHONE NUMBER:</b> 518-572-0989	
<b>FACILITY NYS PLANNING UNIT:</b> (A list of NYS Planning Units can be found at the end of this report).			<b>NYSDEC REGION #:</b> 510
<b>360 REGISTRATION DATE ISSUED:</b> July 2, 2012		<b>NYS DEC ACTIVITY CODE OR REGISTRATION NUMBER:</b> 10d18	
<b>FACILITY CONTACT:</b> John K. Triller	<input type="checkbox"/> public <input checked="" type="checkbox"/> private	<b>CONTACT PHONE NUMBER:</b> 518-572-0989	<b>CONTACT FAX NUMBER:</b> 518-298-4090
<b>CONTACT EMAIL ADDRESS:</b>			
OWNER INFORMATION			
<b>OWNER NAME:</b> John K. Triller	<b>OWNER PHONE NUMBER:</b> 518-572-0989	<b>OWNER FAX NUMBER:</b> 518-298-4090	
<b>OWNER ADDRESS:</b> 46 Elm St	<b>OWNER CITY:</b> Champlain	<b>STATE:</b> NY	<b>ZIP CODE:</b> 12919Same
<b>OWNER CONTACT:</b> Same	<b>OWNER CONTACT EMAIL ADDRESS:</b> Same		
OPERATOR INFORMATION			
<b>OPERATOR NAME:</b> <input checked="" type="checkbox"/> same as owner		<input type="checkbox"/> public <input checked="" type="checkbox"/> private	
PREFERENCES			
<b>Preferred address to receive correspondence:</b> <input type="checkbox"/> Facility location address <input checked="" type="checkbox"/> Owner address <input type="checkbox"/> Other (provide):			
<b>Preferred email address:</b> <input type="checkbox"/> Facility Contact <input checked="" type="checkbox"/> Owner Contact <input type="checkbox"/> Other (provide):			
<b>Preferred individual to receive correspondence:</b> <input type="checkbox"/> Facility Contact <input checked="" type="checkbox"/> Owner Contact <input type="checkbox"/> Other (provide):			

**Did you operate in 2017?**  Yes; Complete this form.

No; Complete and submit Sections 1 and 7. If you no longer plan to operate and wish to relinquish your permit/registration associated with this solid waste management activity, also complete the "Inactive Solid Waste Management Facility or Activity Notification Form" located at: <http://www.dec.ny.gov/chemical/52706.html>.

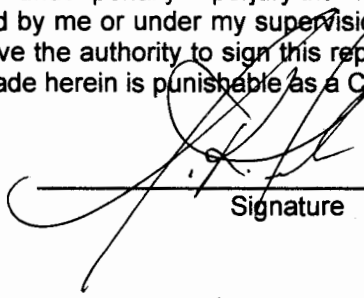
**SECTION 7 - SIGNATURE AND DATE BY OWNER OR OPERATOR**

Owner or Operator must sign, date and submit the completed form by email or mail to the appropriate Regional Office (See attachment for Regional Office email & mailing addresses and Solid Waste Contacts.)

The Owner or Operator must also submit one copy by email, fax or mail to:

**New York State Department of Environmental Conservation  
Division of Materials Management  
Bureau of Permitting and Planning  
625 Broadway  
Albany, New York 12233-7260  
Fax 518-402-9041  
Email address: SWMFannualreport@dec.ny.gov**

I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have the authority to sign this report form pursuant to 6 NYCRR Part 360. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

  
\_\_\_\_\_  
Signature

3/01/18  
Date

JOHN K. TRICURAN  
Name (Print or Type)

Owner/Operator  
Title (Print or Type)

trooperkt@aol.com  
Email (Print or Type)

46 Elm St  
Address

Champlain  
City

NY, 12919  
State and Zip

(518) 572-0989  
Phone Number

ATTACHMENTS:  YES  NO  
(Please check appropriate line)

John K. Triller  
46 Elm Street  
Champlain, NY 12919  
(518) 572-0989

March 1, 2018

NYDEC  
Division of Materials Management  
Albany, NY 12233

Gentlemen:

This land fill has become inactive due to the misrepresentation of my property by DEC Region 5, particularly Erin Donhauser, Environmental Analyst1, Division of Environmental Permits, Region 5.

On June 6, 2016 I telephoned Region 5 DEC Division of Materials and requested a permit to install 200' of 4' diameter pipe in my landfill site to pipe a Class "D" Stream. I was referred to Ms. Donhauser, Division of Environmental Permits as it was not within their responsibilities. I again inquired as to placing a pipe in the lowest portion of the property along a Class "D" stream to allowing filling the entire site of 1.84 acres. I was advised by Donhauser I did not need a DEC permit to place the pipe. I requested written acknowledgement from her, before proceeding with the installation of the pipe. She furthered her conversation with a written response (attached) stating "she did not see any mapped protected streams on the parcel" acknowledging that "a class "D" Stream did not require a Protection of Waters permit from the Department". I had already spoken to the Material Management Division who made the referral to Ms. Donhauser, stating that placing the pipe was not within their division. I requested the information from Donhauser in writing to protect myself and the installing contractor should the pipe installation be contested at a later date. At no time was I advised by anyone at Region 5 that DEC was "NOT" the controlling regulatory agency for streams in NY State and that I needed to apply to the US Army Corp of Engineers.

I coordinated the installation with the permission and cooperation of the Town of Champlain Highway Department Supervisor. He allowed me to attach my pipe to a Town owned pipe beneath the adjoining roadway.

I subsequently purchased and had the 200' of 4' pipe installed within the landfill site costing me an estimated \$15,000.00. The town installed a new section of 20' x 4' pipe to their existing pipe to facilitate connecting my pipe. In 2016' I continued to fill thousands of tons of earth over the pipe attempting to level the property and neared completion of filling the 200' x 30' deep fill site.

It was not until February of 2017 that I was advised by the Clinton County Highway Department Engineer that The US Army Corp of Engineers had regulatory authority over my fill site, "NOT DEC" and I would need their approval, not, the approval of NY DEC to fill the site and place a pipe in the stream.

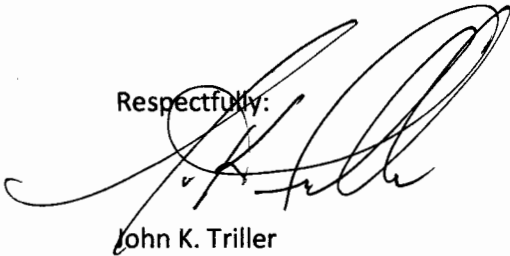
I contacted US Corps of Army Engineers and was refused a permit by them and was "Ordered" to not only remove the pipe but to empty and restore the fill site to its original configuration. I now have an

estimated \$50,000.00+ in costs for removal of the pipe, excavating the fill site property and restoring the site with a new grade, far exceeding it's original grade. The new pipe was installed only months before it's removal could not be salvaged and was destroyed during removal.

My expenses have risen above \$50,000.00 and are expected reach \$75,000.00. The finalization of the project is still incomplete. A final grade and soil compaction is required, along with the replanting of the site.

The site will require grinding of remaining stumps and removal of the 200' of pipe debris before being totally closed.

Respectfully:

A handwritten signature in black ink, appearing to read 'John K. Triller', written over the word 'Respectfully:'.

John K. Triller

Subj: **Fwd: FW: Stream Map**  
Date: 2/7/2017 10:04:16 P.M. Eastern Standard Time  
From: [TROOPERKT@aol.com](mailto:TROOPERKT@aol.com)  
To: [John.R.Connell@usace.army.mil](mailto:John.R.Connell@usace.army.mil)

I have forwarded the email I made reference to:

Kevin Triller

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From: [erin.donhauser@dec.ny.gov](mailto:erin.donhauser@dec.ny.gov)  
To: [trooperkt@aol.com](mailto:trooperkt@aol.com)  
Sent: 2/6/2017 1:23:51 P.M. Eastern Standard Time  
Subj: FW: Stream Map

Mr. Triller,

As we discussed, this is the only email I sent you. Let me know if you have questions.

Thank you,

Erin Donhauser

**From:** Donhauser, Erin M (DEC)  
**Sent:** Friday, July 22, 2016 11:15 AM  
**To:** 'trooperkt@aol.com' <[trooperkt@aol.com](mailto:trooperkt@aol.com)>  
**Subject:** Stream Map

Hello,

Please see the attached map. If this is the parcel in question, I do not see any mapped protected streams located on the parcel. The stream would be a Class C if it runs year round, or a Class D if it is seasonal. Class C and D streams do not require a Protection of Waters permit from the Department, but as we discussed, water quality standards still apply to the stream. Please be sure to speak with the Division of Materials management in regards to any changes to your solid waste registration.

Thank you,



**Erin Donhauser**

Environmental Analyst 1, Division of Environmental Permits

**New York State Department of Environmental Conservation**

1115 NYS Route 86, PO Box 296, Ray Brook, NY 12977

P: (518) 897-1234 | F: (518) 897-1394 | [erin.donhauser@dec.ny.gov](mailto:erin.donhauser@dec.ny.gov)

[www.dec.ny.gov](http://www.dec.ny.gov) |  | 



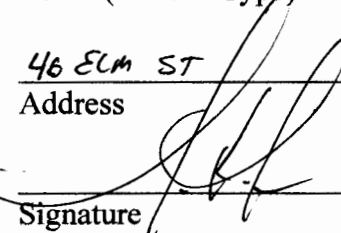
RECEIVED  
 NYS DEC  
 MAR 22 2018  
 DIVISION OF  
 MATERIALS MANAGEMENT

**INACTIVE SOLID WASTE MANAGEMENT  
 FACILITY OR ACTIVITY NOTIFICATION FORM**

FACILITY NAME: <u>John K. Trillen</u>		
FACILITY ADDRESS: <u>46 Elm St</u>		
FACILITY CITY: <u>Champlain NY</u>	STATE: <u>NY</u>	ZIP CODE: <u>12919</u>
TYPE OF INACTIVE FACILITY OR ACTIVITY: (Check all applicable boxes)		
<input type="checkbox"/> C&D processing – permit <input type="checkbox"/> C&D processing – registration <input type="checkbox"/> Household Hazardous Waste <input type="checkbox"/> Landfill – Construction & Demolition Debris <input type="checkbox"/> Landfill – Industrial/Commercial <input checked="" type="checkbox"/> Landfill – Land Clearing Debris <input type="checkbox"/> Landfill – Long Island <input type="checkbox"/> Landfill – Municipal Solid Waste <input type="checkbox"/> Municipal Waste Combustor <input type="checkbox"/> Recyclable Handling & Recovery <input type="checkbox"/> Regulated Medical Waste – Radiopharmacy <input type="checkbox"/> Regulated Medical Waste – Onsite Treatment <input type="checkbox"/> Regulated Medical Waste – Commercial Treatment <input type="checkbox"/> Regulated Medical Waste – Transfer Station <input type="checkbox"/> Transfer Station – permit <input type="checkbox"/> Transfer Station – registration <input type="checkbox"/> Waste Tire Storage – Dealer <input type="checkbox"/> Waste Tire Storage – New Product Manufacturing <input type="checkbox"/> Waste Tire Storage – Onsite Energy Recovery <input type="checkbox"/> Waste Tire Storage – permitted <input type="checkbox"/> Waste Tire Storage – Retreader <input type="checkbox"/> Other _____		
DEC ACTIVITY CODE(S) OR REGISTRATION NUMBER(S): <u>10018</u>	FACILITY COUNTY: <u>Clinton</u>	NYSDEC REGION #: <u>5</u>

This document certifies that the type of facility or activity identified above is no longer operational. The owner/operator relinquishes their NYSDEC permit/registration and retains no other permit, registrations, or licenses related to the identified activity. It is recognized that in order to resume operation, a new permit application or registration form must be submitted to the Department for processing and approval. This notification does not excuse the facility from any closure, post-closure, or other requirements identified in 6 NYCRR Part 360.

I hereby affirm under penalty of perjury that information provided on this form was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have the authority to sign this form pursuant to 6 NYCRR Part 360. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

John K. Trillen  
 Name (Print or Type)  
46 Elm St  
 Address  
  
 Signature

owner/operator  
 Title (Print or Type)  
Champlain  
 City  
3/1/18  
 Date

(518) 572-0989  
 Phone Number  
NY 12919  
 State and Zip