



COUNTY OF ALBANY
COUNTY LEGISLATURE

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CHARLES E. HOUGHTALING
CHAIRMAN

PAUL T. DEVANE
CLERK

March 15, 2007

Dr. James B. Crucetti, Commissioner
Albany County Department of Health
175 Green Street
Albany, NY 12201

Dear Commissioner Crucetti:

Residents who live near the City of Albany's Rapp Road landfill have long complained about the stench emanating from the rotting garbage, but their more immediate concern is whether the air they breathe, the water they drink and the soil in which they grow their fruits and vegetables is safe.

We are enclosing an article in Wednesday's Times Union and asking you to gather air samples and conduct water and soil tests to assess any dangers to the health of neighbors of the landfill.

We thank you for your immediate attention to this matter and request a timely response.

Sincerely,

Frank J. Commisso
12 District Legislator

William M. Clay
13th District Legislator

cc: Honorable Gerald D. Jennings, Mayor of the City of Albany
Willard Bruce, Commissioner of General Services, Albany
Residents of the Albany/Colonie landfill neighborhood
Honorable Michael J. Aidala, 27th District Legislator
Honorable Frank A. Leak, Mayor of the Village of Colonie
Honorable Kenneth D. Runion, Jr.
Donald J. Reeb, McKownville Neighborhood Association

Paying through the nose? Let's talk

Neighbors of Rapp Road landfill will be told how they can file a lawsuit against city of Albany

By **KATE PERRY**

Staff writer *3-14-09 AU*

COLONIE — There's nothing like a soft spring breeze blowing through the window, but not for Ken Hart and his family.

The Harts live in the village of Colonie, about a mile north of the city of Albany's Rapp Road landfill, and in warm weather, the stench often forces them to keep their windows closed. At least 60 percent of the time, Ken Hart said, the smell is a problem.

Save the Pine Bush is offering residents plagued by the gassy odor a legal option at a public meeting tonight. The environmental group's attorney, Peter Henner, will tell people how they can sue the city, which owns the landfill, for the toll it takes on their lives.

"I believe people who live near the landfill, and have been forced to live with the stench of the landfill, have suffered in a lot of ways. Some may have had health problems; others have seen their property values go down," Henner said. "They have legal rights in respect to those damages."

The smell is caused by rotting

Rap about Rapp

■ **What:** Meeting to discuss legal options for residents bothered by the smell of the Rapp Road landfill

■ **When:** 7 tonight

■ **Where:** Village of Colonie Family Recreation Center, 2 Thunder Road

garbage inside the landfill, which generates methane gas. While the gas itself is odorless, it carries the smell of garbage as it escapes into the air.

The city earns about \$13 million a year — one-tenth of its annual budget — by taking trash from private haulers and the 11 other communities in the ANSWERS consortium: Rensselaer, Watervliet, Berne, Bethlehem, Guilderland, Knox, New Scotland, Rensselaerville, Westerlo, Green Island and Altamont.

Fervor over the stink has increased with the intensity of the smell, which many say got worse around mid-2005, but tempers are really flaring now that the city is seeking to expand the landfill.

The city wants to enlarge it by 15 acres because, at its current rate, it will be full by 2009. The expansion is expected to extend the

dump's life by about 10 years.

Village of Colonie Mayor Frank Leak and other critics say the city needs to get the odor under control before it expands the operation.

The problem has cost the city more than its reputation with neighbors. In 2005, the state Department of Environmental Conservation fined Albany \$50,000 for dump odors, for allowing garbage into drainage ditches and for allowing leachate — liquid formed by rotting garbage — to collect on the ground. Nine years before that, the DEC fined the city \$2,500 for the odors.

Albany Commissioner of General Services Bill Bruce said the city hopes to dramatically reduce the odor by the end of this year.

"We do take the odor problem very seriously; we have an engineering firm working on it," he said. "We're going to be spending over \$1 million to do closure and capping of about 15 acres."

Bruce said gases in capped portions of the fill will be forced into a collection system so they can't escape into the air. About 5 acres on the west side of the fill will be capped with an impermeable clay cove. Ten acres on the northern end will be covered with impermeable plastic, and gas collection lines will run underneath.

Engineers have assured the city

there is no health risk from the smell, but after a recent public meeting at which dozens of residents questioned the safety of the gases emitted, the city hired a company to test air quality in nearby neighborhoods, Bruce said.

Countless residents in Albany, Colonie and Guilderland surrounding the fill are subject to the stink, and Leak said the smell reaches at least one-third to half of the 3,000 homes in the village.

It's worse on damp, still days when the whole village is fouled. Leak said he can sometimes smell it at his house, close to 3 miles away.

One day, a neighbor of his called National Grid because he thought he had a natural gas leak in his home; Hart said. While he loves his neighborhood, he said he never would have built a home there six years ago if the smell was this bad then.

"We have a tough time in the summertime and on the nice spring and fall days opening the windows for fresh air," Hart said.

It's bad enough, Hart said, that he'll join a class-action lawsuit if one is filed.

► *Kate Perry can be reached at 454-5092 or by e-mail at kperry@timesunion.com*