



Sierra Club Atlantic Chapter

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MEDIA RELEASE

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Groups File Legal Challenge Asserting DEC and Town of Campbell Ignored Evidence of Radium and Radon in Hakes Landfill

Concerned citizens filed suit in Steuben County Supreme Court in Bath on Tuesday asking that the Final Supplemental Environmental Impact Statement (FSEIS) for the expansion of the Hakes C&D landfill and a recent Town of Campbell zoning law amendment be annulled. The petitioners allege that the New York State Department of Environmental Conservation (DEC) and the Town of Campbell violated the requirements of the State Environmental Quality Review Act (SEQRA) when they failed to take a hard look at the scientific evidence presented by the petitioners of radium and radon in the landfill. The evidence is based on the presence of radium breakdown products in the landfill's own leachate test results.

The case, *Sierra Club v. DEC*, case no. E2019-0441CV, is scheduled to be heard by Justice Robert Wiggins on May 20th in Bath. Petitioners Sierra Club, Concerned Citizens of Allegany County, Inc., People for a Healthy Environment, Inc., John Culver and Brian and Maryalice Little are represented by attorneys Richard Lippes from Buffalo and Rachel Treichler from Hammondsport.

“The neighbors of the landfill don’t want to be guinea pigs,” said Kate Bartholomew, chair of the Sierra Club Atlantic Chapter. “There are obvious tests DEC could require at the landfill to see if radon gas is being circulated in landfill gas collection system and emitted to the atmosphere, but DEC has not required these tests. Why not?”

“Similar evidence of radium and radon is contained in the leachate test results of the Chemung County landfill,” said Gary McCaslin, President of People for a Healthy Environment, Inc. “It is imperative that DEC investigate why the leachate test results at the two landfills in New York taking the greatest volume of drill cuttings from gas drilling operations in the Marcellus shale in Pennsylvania show evidence of high levels of radium and radon,” McCaslin said. “An obvious first step is to require testing for radon in the landfills’ gas collection systems.”