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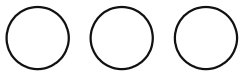


NEWS

State's no-dumping mandate complicates park waste handling

Gwendolyn Craig Adirondack Explorer

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**1 of 5**

New York Gov. George Pataki, front, reacts to applause at the end of his State of the State message in 1998. Pataki's late 1990's goal was Pataki's goal was to close all of the Adirondack dumps. Behind Pataki are Lt. Gov. Betsy McCaughey Ross, Comptroller H. Carl McCall and state Senate Majority Leader Joseph Bruno, R-Brunswick.

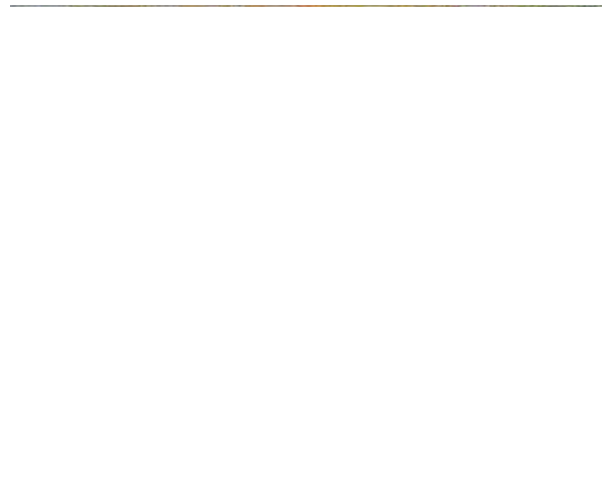
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The Adirondack Park's 6 million acres of pristine waters, mountain peaks and forestlands were not always the main attraction for all vacationers.

Some came for the dumps.

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In the 1960s and '70s, nearly every Adirondack Park town had its own dump or landfill. With lax regulations, black bears would descend on these pits and feast on garbage. Tourists and residents descended, too. They lugged cameras, set up lawn chairs and took the family out for a night of wildlife viewing — some of the bears close enough to touch.

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“It was a big attraction on a Saturday morning,” said Kevin Hajos, superintendent of public works for Warren County. Hajos used to go with his grandparents to watch the bears at the North Creek landfill.

That was before Gov. George Pataki and his administration decided in the 1990s that the Adirondack Park was not the place for trash.

For the last couple of decades, New Yorkers have spent millions of dollars keeping dumps out of the public-private park. Annual subsidies have helped the two

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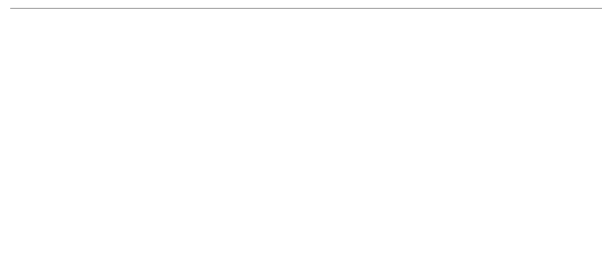
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load on park residents as local officials figure out how to tackle garbage in the future.

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Before Pataki, trash was a growing problem under Gov. Mario Cuomo's administration. It was a water quality threat across the state, with many dumps lacking protective liners. Sludge and juice, commonly known as leachate, were leaking into aquifers. State and local officials worried, too, that bear and human interactions could take a turn for the worse.

The state tightened rules for building and safeguarding landfills. Anticipating soaring costs for upgrading local dumps, many closed.

Cleaning up

As part of the 1996 Clean Air/Clean Water Bond Act, Pataki allocated \$50 million for solid waste projects, including the "Adirondack landfill project." Pataki's goal was to close all of the Adirondack dumps.

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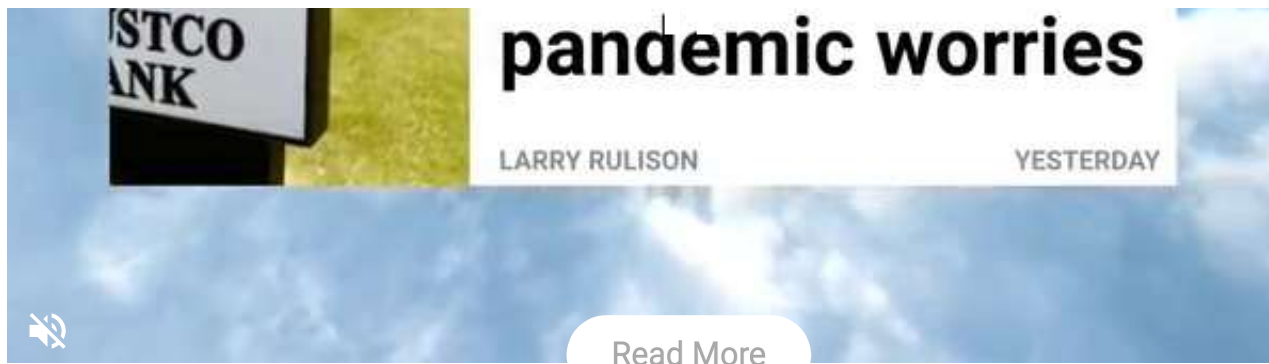
Starting that year, state taxpayers subsidized the two counties that couldn't open landfills outside of the park because their jurisdictions were entirely within it. But a 20-year funding agreement has since ended, leaving Hamilton and Essex counties to lobby year-to-year for continued state assistance.

The latest state budget included \$150,000 for Hamilton County and \$300,000 for Essex County in the Environmental Protection Fund. The Department of Environmental Conservation has said it is not pursuing additional long-term agreements with either county.

The tenuous funding frustrates Shaun Gilliland, chairman of the Essex County Board of Supervisors. His county, home to popular High Peaks trailheads and Lake Placid resorts, houses a number of state offices including the Olympic Regional Development Authority, the Adirondack Park Agency, a State Police post and a DEC regional headquarters. Trash ebbs and flows with the tourists, but there's nowhere in the county's 1,916 square miles to put it.

"To me, it's extraordinarily unfair," Gilliland said of the lack of a formal, long-term state funding solution. "They (the state) are essentially foisting the disposal of their solid waste on the backs of Essex County taxpayers."





Looking back

There were about 1,600 landfills operating in the state in 1963, said Luann Meyer, president of the New York chapter of the Solid Waste Association of North America. Just after the Solid Waste Management Act of 1988, the number declined to 250.

There were multiple reasons for that, Meyer said. It took more labor and effort for a county to operate a landfill under the new regulations, and municipalities were turning to a regional disposal model. By the 1990s, there were three municipal landfills left in the park: two operating in Hamilton County, at Lake Pleasant and Indian Lake, and one in Essex County, at Lewis.

Over lunch at the Willsboro Diner in Essex County this spring, Pataki talked about why his administration had prioritized closing Adirondack dumps. Pataki, who owns an Adirondack farm at Essex, called former Gov. Mario Cuomo's requirement for every county to have its own solid waste solution an "idiotic policy" and an unfunded state mandate.

"It was typical of the arrogance of a distant, big government," Pataki, a Republican, said of his Democratic predecessor.

In some ways, Hamilton County Supervisor Bill Farber said, the landfills were like the Park's jails and prisons. Counties managed waste from throughout the state to

afford the cost of building landfills, just as their prisons and jails held people from other counties. It was a way “to try and make the dollars meet,” he said.

Burning money

Warren, Washington and Saratoga counties banded together to build a trash incinerator on the Hudson River in Hudson Falls, just outside the park. That was in response to the state’s orders to find a way to deal with their trash, and it began operation in 1991.

Fred Monroe, communications director for the Adirondack Park Local Government Review Board, was the chairman of Warren County’s Solid Waste Committee then. He said Saratoga County bowed out of the agreement to transport its trash to the Hudson Falls plant, leaving the smaller populations of Warren and Washington counties to feed and finance the incinerator. For a while, the counties turned to New York City for its trash—and its tipping dollars. Monroe said they were taking all kinds of junk.

The burn plant turned from what some local officials thought would be a sensible energy solution to a financial debacle with a high interest rate and too little trash to support it. The plant was a public health problem, too. A 2019 report by The New School’s Tishman Environment and Design Center in New York City listed the Hudson Falls trash plant as the top lead-emitting incinerator in the country.

Pataki said Hamilton and Essex counties didn’t have the resources to build state-of-the-art landfills. Though Essex County dug its last pit in Lewis in 1992, residents in the area feared that the dump was contaminating their drinking water.

Essex County had already built six landfill cells that were ready and permitted to collect garbage. The county sued the state to keep operating when the Pataki administration wanted its landfill closed. In 1998, the parties settled

Administration wanted its landfill closed. In 1996, the parties settled.

Through funds from the 1996 Bond act, the state provided Essex County with \$16 million for closing the landfill and paying off the county's associated debts. It was the last landfill in the park. The DEC still monitors the groundwater on and off the site.

In a 1998, news release, Pataki called the closure “another chapter in New York’s century-long effort to provide special protections for the Adirondack Park.” The governor also announced then that Essex County had agreed to a 30-year moratorium on any building of landfills.

Separate from the settlement and closure agreement, in 1998 the DEC entered into two 20-year memorandums of understanding with Hamilton and Essex counties. Those deals provided financial assistance with trucking their trash out of the park.

That funding has not changed over the years, though transportation and garbage tipping fees have increased. Gilliland and Farber have found themselves lobbying the state Legislature the last few years to keep the subsidies. Both would like a longer-term agreement to be renewed.

Pataki said he had not known the ending of his administration’s agreement with them. “Government should act more intelligently than crisis-to-crisis and year-to-year,” Pataki said, “which is why we want them to have a long-term program to at least be in a position to better problem solve.”

Today’s trash

With all the dumps in the park closed, waste transfer stations and private haulers have taken their place.

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Hamilton and Essex counties hauls its trash from collection points called transfer stations to Fulton County's landfill. Hamilton County spent more than \$600,000 in 2020 on waste and landfill services, according to budget records.

The site of Essex County's last landfill in Lewis is now the county's main waste transfer station. Jim Dugan, superintendent of the county's public works, said the county contracts with private hauler Serkil to transport the trash and recycling. In total the county's solid waste budget is approximately \$1.6 million, Dugan said. "Trucking all of your garbage out of the park — that does not seem to me to be a sensible or viable solution," said Robin Nagle, an anthropologist-in-residence at New York City's Department of Sanitation.

Nagle grew up in Saranac Lake, hiking and camping in the Adirondacks. She was inspired to study the dynamics of trash after a camping trip where people had left trash at a picture-perfect lean-to in the woods.

"Who the heck did they think was going to clean out for them?" Nagle recalled thinking when she saw this. "That question traveled with me."

Though her studies focused on New York City, Nagle said the only real answer for Adirondack Park communities and beyond is to stop making so much garbage in the first place. While the onus is often put on the individual to reduce waste, Nagle said one of the biggest measures Adirondack towns and villages could take would be to establish purchasing rules that require contract bidders to prove they're using recycled material, or some similar standard.

On a nationwide scale, Nagle would like to see the companies recycle or reuse their own products after consumers are done with them. She called that idea "utopian," but added, "It's not an impossibility."

New park dumps?

Since the 20-year moratorium has ended, both Hamilton and Essex counties could theoretically pursue building their own landfills at some point.

By 2028, Essex County will no longer be bound to its no-dumping agreement with the state. Farber said Hamilton County had no such agreement.

There are a couple of areas in the county that Farber said could host a landfill.

“I don’t think it’s something I would logically say the county wants to do,” Farber said. “We like the dynamic where we’re able to protect the environment, but still have a fair disposal cost for solid waste. That’s what made this a good arrangement.”

The land behind Essex County’s Lewis transfer station is still sitting there, Gilliland said. The county has thought about using it for a solar installation.

Landfills today are also not the dumps of yesterday. Meyer said they are highly engineered, and New York has stricter regulations than the federal government. There is much more monitoring of groundwater in the surrounding areas. But putting a new one anywhere, let alone the Adirondacks, would be at least a 20-year process. There would have to be investigations of the groundwater, natural resources, archaeological resources and wetlands.

Residents don’t often clamor for a new landfill, Meyer said. But rural areas and tourist communities are challenged with the seasonal influx of visitors, which can also contribute to illegal roadside dumping.

Overall, municipal waste managers are hoping for more state funding to help with trash. New York focuses more on funding waste reduction, Meyer said, but trash isn’t going to go away. Haios, who is in the midst of updating Warren County’s

solid waste management plan to include permits for private haulers and more enforcement of recycling, said state funding often requires a municipality to match some dollar amount. That can be a hardship for locals looking to build something more expensive, like a composting center.

Gilliland said DEC should come up with an overall waste plan for the Adirondacks.

A DEC spokesperson wrote that the department “continues to work with municipalities in the Adirondacks and across the state to reduce wastes.” The department also noted that there is no jurisdiction restricting the siting of a new landfill in the park, though an application for one must conform with the state’s waste laws, the Adirondack Park Agency’s rules and regulations, and local zoning.

Monroe, for one, doesn’t expect it.

“I can’t imagine the APA ever approving a landfill inside the blue line now,” he said.

A version of this story was first published by [AdirondackExplorer.org](https://www.adirondackexplorer.org).

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Written By

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