



Rummage through Long Island's waste.

Months after a mother went to court, the closure of Brookhaven Landfill is still at stake

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Jane Montalto / WSHU

Javien Coleman, 13, attended Frank P. Long Intermediate School when he was diagnosed with cancer. He died last year.

Outside Nacole Hutley's home there is a shrine to her son, Javien Coleman. Decorated for each holiday, it is a place where the family can honor him with photos and his football jersey, number 21.

Inside the house, photographs of young Javien fill the walls and tables, keeping his memory and smile alive.

13-year-old Javien died in 2022, a year after being diagnosed with lymphoma. Just a year before his diagnosis, he had begun attending Frank P. Long Intermediate School, half a mile from the Brookhaven Landfill.

"My heart goes out to any human being who has to go through what we went through, what Javien went through," Hutley said. "Nobody should have to go through that."



Ashley Pavlakis / WSHU

The vast mountain of trash is surrounded by a homeless shelter, a prison and residential neighborhoods in North Bellport. Residents have long voiced their concerns regarding odors and emissions from the landfill.

Students and teachers have fallen ill, prompting fears that exposure to hazardous waste may be to blame. Now Hutley intends to [sue](#) the Town of Brookhaven and the school district before the next school year over the death

of her son. She blames pollution from the landfill for Javien's cancer diagnosis.

Closure promises

The 192-acre landfill is set to reach capacity in a few years and is earmarked for closure. But residents say they have been fobbed off with promises to shut it down before. The site is due to stop accepting construction and demolition debris next year, but will continue to take in waste that is burned into ash for at least two more years.

However, Brookhaven Town Councilman Dan Panico, the Republican candidate for town supervisor, estimated the landfill could finally close by 2028. The town did not respond to requests for comment.

In 2018, a group of teachers, parents and neighbors filed a lawsuit for "dereliction of duty" against the Town of Brookhaven, alleging toxins from the landfill were damaging their health. More than 30 teachers have been diagnosed with cancer since 1998, and more than a dozen have died. "I firmly believe that if this [school] was in a different community it would have been closed a long time ago," said E. Christopher Murray, the lawyer for the teachers and Hutley.

Now several months after filing her "notice of claim" to sue lawsuit, Hutley shared, "He never complained. He was such a strong individual." Javien had extensive rounds of treatments, including a bone marrow transplant from his older brother. Hutley recalled how Javien was before his illness.

"He was so active, a strong little boy. There was no stopping him. He'd be outside everyday after school playing football or basketball. He loved playing [and] he loved school. He'd get up every morning early to go."



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The Hutley Family

Nacole Hutley and her late son Javien Coleman, who died from

After his diagnosis, Hutley remembers Javien investigating the history of the landfill and its dangers for himself on his computer. “It broke my heart,” she recalled. “He said, ‘If I would have known that, I wouldn’t have went to school there.’”

Cheryl Butler, Javien's grandmother, added, "Had something been done when cases first happened, Javien would have still been here. What does it take? Another kid to die? Ten, 20 more kids to die?"

At the launch of her legal action on January 23, 2023, Hutley insisted, "The school really needs to be shut down. They are jeopardizing a lot of kids. Not just



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Her lawyer noted that medical reports for Javien identified the presence of two toxic chemicals, benzene and trichloroethylene (TCE), in his body. "The type of toxins that have been found at Frank P. Long School are the types of toxins that can cause cancer," Murray said. "Javien had no other predisposition to those types of cancer. And the type of cancer he developed is also something that is caused by environmental, as opposed to genetic reasons."

The family seeks unspecified monetary damages and urges the district to relocate the intermediate two-year school.

The Town of Brookhaven was unable to be reached about the pending lawsuit. The town and the school district do not comment about ongoing litigation. Through the "notice of claim" process, Murray said the municipality had the opportunity in July to explore and respond to the allegations. A formal lawsuit is expected within the next month.

South Country Central School District Superintendent of Schools Antonio Santana said in a statement after the press conference that "the loss of a child is extremely heartbreaking."

"The passing of Javien Coleman is a tragedy. We offer condolences again to all of the family and friends affected by his untimely passing," Santana said. However, the district nor the Board of Education will comment on pending litigation.

Jane Montalto / WSHU

Nacole Hutley, mother of Javien Coleman, stands beside photos of her late son on Jan. 23, 2023.

Social justice

School children still play in the shadow of the Brookhaven Landfill. The district has rejected previous efforts to move or close the school.

“This is about social justice,” Adrienne Esposito, executive director of the Citizens Campaign for the Environment, said when the lawsuit was filed. “Let’s be honest: if this school was in an affluent community, do you think it would be located at the base of a landfill? Or do you think they would have moved the school? We think they would have moved the school.”

In 2020, the town agreed to pay a nearly \$250,000 fine as part of a settlement with the Justice Department and the Environmental Protection Agency for violations of the federal Clean Air Act. Officials have said they would spend millions of dollars to contain noxious odors from the landfill.

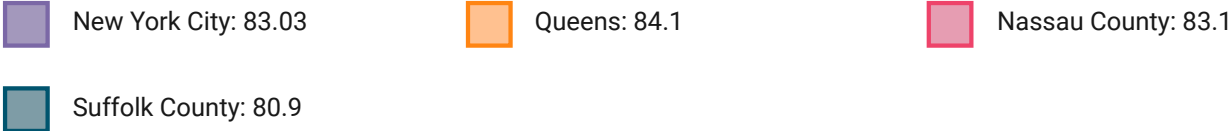
Separately, the state health department’s Cancer Surveillance Program found no correlation between the landfill emissions and the presumed cancer cluster.

"Odors are not just an irritant. They are not just a nuisance. They are in fact a health hazard," Esposito said.

Isabella Gascon, a sophomore at Stony Brook University, attended the intermediate school in North Bellport from 2012-2014. She remembers the constant stench wafting through the halls.

"They shut down the school [a few times] because the smell from the dump was so bad on a hot day that it made students pass out and teachers get sick," Gascon said.

Life Expectancy for Long Island and New York City (in years)



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The North Bellport community has among the lowest life expectancy rates on Long Island at approximately 73 years. In comparison, the average life expectancy for the whole of Suffolk County is almost 81 years.

“It’s just sad. It’s one of the poorest communities on Long Island and you have no choice but to live near the dump and have a lower life expectancy,” said Gascon.

Health reports

Ashley Pavlakis / WSHU

However, it is difficult to distinguish the impact of pollution from other factors, such as socioeconomic disadvantage.

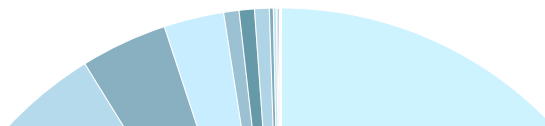
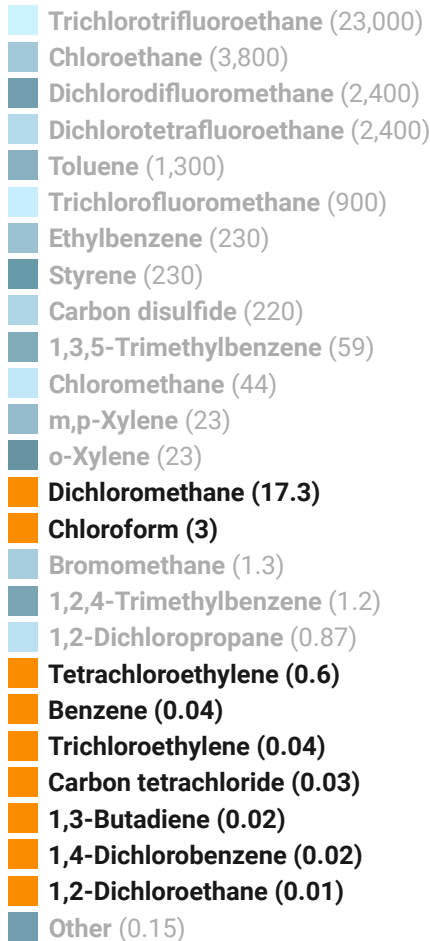
Based on criteria established by the Centers for Disease Control and Prevention (CDC), Frank P. Long Intermediate School does not have a statistically significant number of cancer cases, according to a 2019 health report by the New York State Department of Health, which looked at cases from 2004 to 2017.

Air sample tests were also conducted by the state Department of Environmental Conservation to determine whether there were above-regulation levels of toxins at the school. The presence of long-term, including several carcinogenic, gases were found, as shown by the pie chart below. Individually, these carcinogens were not at high enough levels to cause concerns, according

to the state agency.

Long-Term Health-Based Air Concentration Values (parts per billion)

This shows the concentration values of chemicals found in Brookhaven/Bellport area from air samples. The recorded values here show only the chemicals that are present long-term in these air samples. The thin sliver of orange represents all the carcinogens found.



However, chemical toxicologist Harold Zeliger said he believes the state is looking for answers in the wrong direction. “There are a large number of chemicals in that landfill,” he explained. “When you have low levels [of chemicals] causing problems . . . then you look for mixtures. And we have an

incredible mixture here.”

Zeliger added, “A given chemical would not necessarily cause cancer or cause any respiratory effects. When mixed with other chemicals [it] indeed can cause such effects.” He believes a public health survey is needed to determine if people living close to the Brookhaven Landfill are experiencing more health side effects than those living elsewhere.

“You have to look at it as a public health issue,” he said.

Contributing reporting by Harriet Jones and J.D. Allen.

WSHU’s Trash Talkin’ series is produced in collaboration with Stony Brook University’s School of Communication and Journalism.

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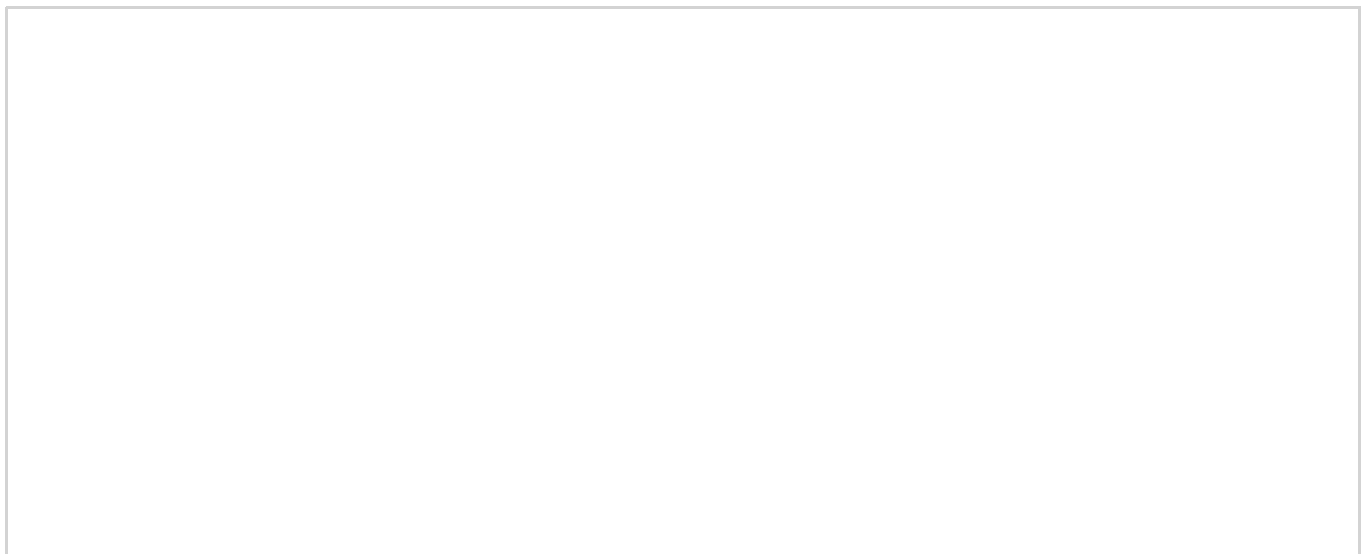
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