Hyland Facility Associates

October 23, 2007

Mr. Steven J. Doleski
Regional Permit Administrator
New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, NY 14203

Re: Permit Modification Application
Increase in Approved Design Capacity
Hyland Landfill, Angelica, New York

Dear Mr. Doleski:

We are seeking a permit modification to establish a design capacity of 1790 tons per day, or 140,000 tons per quarter, based on 6-day per week operation, for the Hyland Landfill. This modification represents a 49 percent increase over the currently approved design capacity of 1200 tons per day. We are also requesting an increase in the annual disposal limit from 312,000 tons to 465,000 tons, which also represents a 49 percent increase. Enclosed please find the Application for a Solid Waste Management Facility Permit, requesting the modification (Attachment A), and a Full Environmental Assessment Form (Attachment B).

To evaluate the status of this application with respect to the requirements of 6 NYCRR Part 360, we are providing the following analysis of the proposed design capacity increase with respect to Sections 1.8(e)(1) Permit Modifications and 1.9(c) Modification Applications:

6 NYCRR Part 360 Section 1.8 (e) Permit Modifications:

(1) For the purpose of Part 621 of this Title, an application to modify a permit for a solid waste management facility must be treated as a new application if any of the following thresholds are met or exceeded:

(i) Expansion of operation. Expansion of the disposal operation beyond the limits of the solid waste authorized by the existing permit.

Compliance Comment: This threshold is not met nor exceeded since this application requests neither an expansion vertically or horizontally as an expansion is defined for landfills in Section 360 - 1.2(b)(61).

(ii) Increase in quantity of solid waste received. In the event no approved design capacity is set forth in the permit; any increase of the total quantity of solid waste received during any quarter at the facility by 50 percent or more over the total quantity of solid waste received during the comparable quarter of the preceding year. In the event an approved design capacity is set forth in the permit; any increase that results in the exceedance of the approved design capacity by 50 percent.

6653 Herdman Road, Angelica, NY 14709
Phone: 585.466.7271 Fax: 585.466.3206

Compliance Comment: The proposed increase in the approved design capacity for the Hyland Landfill to 1790 tons per day is 49 percent more than the existing approved design capacity of 1200 tons per day. Similarly, the increase in the annual limit, from 312,000 tons to 465,000 tons also represents an increase of 49 percent. Therefore, this threshold is not met nor exceeded.

(iii) Installation of additional equipment. Expansion of the facility by the installation of additional processing or treatment equipment that increases the approved design capacity of the facility or changes in the facility process that may result in a significant environmental impact.

Compliance Comment: No new equipment will be required for the modifications requested. In addition, no significant environmental impacts will result from the modification requested. Attachment C presents a summary environmental assessment of potential impacts of the proposed modification. This assessment demonstrates that the existing facility has received and processed waste at rates approximating the proposed design capacity, with existing equipment.

6 NYCRR Part 360 Section 1.9 (c) Modification Applications: An application to modify a permit issued pursuant to this Part must include and address the following:

(1) a description of the proposed modification;

Compliance Comment: The proposed modification will establish a design capacity of 1790 tons per day, or 140,000 tons per quarter, for the Hyland Landfill. This modification represents a 49 percent increase over the currently approved design capacity of 1200 tons per day. We are also requesting an increase in the annual disposal limit from 312,000 tons to 465,000 tons, which also represents a 49 percent increase.

(2) the reasons for the modification

Compliance Comment: The proposed permit modification is requested to respond to current market conditions, and to more fully utilize the facilities available at the Hyland Landfill.

(3) a description of the impacts from the proposed modification upon the facility as presently permitted; and

Compliance Comment: A report assessing the potential environmental impacts of the proposed modification is included with this letter as Attachment C. This report concludes that the proposed permit modification will not result in significant environmental impacts.

(4) a demonstration that, as modified, the facility will be capable of compliance with the applicable requirements of the ECL and this Part.

Compliance Comment: The proposed permit modification does not impact the facility's approved design volume, design configuration (i.e., footprint area, elevations, slopes, etc.) or construction. The waste

handling and placement procedures described in the approved operations and maintenance manual will continue to be implemented. Therefore, the facility is capable of complying with the ECL and 6 NYCRR Part 360.

If there is any further information that you require or if you have any questions, please contact me at (585) 466-7271.

Sincerely,

HYLAND FACILITY ASSOCIATES

Joseph R. Boyles
Senior Project Manager
Permits, Compliance & Engineering

Attachment A - Application for a Solid Waste Management Facility Permit Modification
Attachment B - Full Environmental Assessment Form
Attachment C – Environmental Assessment Report
Attachment D – Traffic Study

cc: Ms. Mary Hohmann – NYSDEC Env. Permits – Region 9 – Allegany (2 copies)
Mr. Larry Shilling – Casella
Mr. Larry Lackey – Casella w/o enc.
Mr. Jerry Leone – Casella w/o enc.
Mr. Tim Cretney w/o enc.
Mr. Michael Mann, MMCE
Mr. Tom West – The West Firm, PLLC
Mr. Martin Leonard

ATTACHMENT A - Application for a Solid Waste Management Facility Permit Modification

47-19-2 (11/89)—10e

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID WASTE

APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY PERMIT

Please read all instructions before completing this application

Please **TYPE** or **PRINT** clearly

DEPARTMENT USE ONLY
DEC APPLICATION NUMBER
FACILITY CODE

1. TYPE OF APPLICATION (Check All Applicable Boxes):
☐ Permit to Construct ☐ Permit to Operate ☐ Initial (New) ☐ Subsequent Stage (New) ☐ Renewal ☑ Modification

2. APPLICANT IS THE:
☐ Facility Owner ☑ Facility Operator

3. FACILITY OWNER'S NAME	4. FACILITY OPERATOR'S NAME	5. ENGINEER'S NAME AND P.E. LICENSE NO.
Hyland Facility Associates	New England Waste Services of N.Y., Inc.	Michael J. Mann / 059917
Address: 25 Greens Hill Lane	Address: 6653 Herdman Road	Firm Name: McMahon & Mann Cons. Eng., P.C.
City: P.O. Box 866, Rutland	City: Angelica	Address: 2495 Main Street, Suite 432
State/Zip Code: Vermont, 05702	State/Zip Code: New York, 14709	City/State/Zip Code: Buffalo, New York 14214
Telephone Number: (802)775-0325	Telephone Number: (585)466-7271	Telephone Number: (716)834-8932

6. FACILITY NAME AND LOCATION (Attach USGS Topo Map showing exact location)
Name: Hyland Landfill
Street: 6653 Herdman Road
City, State, Zip Code: Angelica, New York 14709
Town: Angelica County: Allegany
Coordinates NYTM—E 252.0 NYTM—N 4685.8

7. SITE OWNER'S NAME: Same as #3
Address:
City:
State/Zip Code:
Telephone ( )

8. TYPE OF FACILITY (Check all applicable boxes)
☑ Landfill (Specify category) Sanitary Landfill
☐ Research, Development and Demonstration
☐ Land Application ☐ Transfer Station
☐ Solid Waste Incineration ☐ Medical Waste
☐ Refuse Derived Fuel Processing ☐ Waste Tire Storage
☐ Composting ☐ Landfill Gas Recovery
☐ Recyclables Handling and Recovery ☐ Waste Oil
☐ Other (Describe)

9. IS APPLICATION BEING FILED BY OR ON BEHALF OF A MUNICIPALITY?
☐ Yes ☑ No If yes, name.

10. FEE AMOUNT ENCLOSED
$ N/A

11. NAME(S) OF ALL MUNICIPALITIES SERVED
Various municipalities are served throughout New York State and the north eastern states

12. SOLID WASTE HANDLED
a. List wastes to be accepted MSW incinerator ash, MSW, and non-hazardous industrial wastes
b. Quantity (Specify Units)
Existing "approved design capacity" 1200 tons/day
Proposed "approved design capacity" 1790 tons/day

13. PROVIDE THE FOLLOWING INFORMATION WHERE APPLICABLE
a. Facility area proposed in the application: no change acres
b. Facility area ultimately planned: no change acres
c. Ultimate facility height above existing ground level: no change feet
d. Total site area: no change acres
e. Existing landfill area on this site and adjacent properties: no change acres

14. IS A VARIANCE REQUESTED FROM ANY PROVISION OF 6 NYCRR PART 360?
☐ Yes ☑ No If yes, cite the specific provision(s),

15. CERTIFICATION:
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 or am authorized as Vice President (title) of New England Waste Services of N.Y., Inc. (Entity) to sign this application 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.

Date | Signature | Larry Lackey (Print Name)

REGIONAL DRA COPY

ATTACHMENT B - Full Environmental Assessment Form

617.20
Appendix A
State Environmental Quality Review
FULL ENVIRONMENTAL ASSESSMENT FORM

Purpose: The full EAF is designed to help applicants and agencies determine, in an orderly manner, whether a project or action may be significant. The question of whether an action may be significant is not always easy to answer. Frequently, there are aspects of a project that are subjective or unmeasurable. It is also understood that those who determine significance may have little or no formal knowledge of the environment or may not be technically expert in environmental analysis. In addition, many who have knowledge in one particular area may not be aware of the broader concerns affecting the question of significance.

The full EAF is intended to provide a method whereby applicants and agencies can be assured that the determination process has been orderly, comprehensive in nature, yet flexible enough to allow introduction of information to fit a project or action.

Full EAF Components: The full EAF is comprised of three parts:

Part 1: Provides objective data and information about a given project and its site. By identifying basic project data, it assists a reviewer in the analysis that takes place in Parts 2 and 3.

Part 2: Focuses on identifying the range of possible impacts that may occur from a project or action. It provides guidance as to whether an impact is likely to be considered small to moderate or whether it is a potentially-large impact. The form also identifies whether an impact can be mitigated or reduced.

Part 3: If any impact in Part 2 is identified as potentially-large, then Part 3 is used to evaluate whether or not the impact is actually important.

THIS AREA FOR LEAD AGENCY USE ONLY

DETERMINATION OF SIGNIFICANCE -- Type 1 and Unlisted Actions

Identify the Portions of EAF completed for this project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF (Parts 1 and 2 and 3 if appropriate), and any other supporting information, and considering both the magnitude and importance of each impact, it is reasonably determined by the lead agency that:

☐ A. The project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration will be prepared.

☐ B. Although the project could have a significant effect on the environment, there will not be a significant effect for this Unlisted Action because the mitigation measures described in PART 3 have been required, therefore a CONDITIONED negative declaration will be prepared.*

☐ C. The project may result in one or more large and important impacts that may have a significant impact on the environment, therefore a positive declaration will be prepared.

*A Conditioned Negative Declaration is only valid for Unlisted Actions

Ontario County Landfill - App. to Increase Disposal Rate

Name of Action

Name of Lead Agency

Print or Type Name of Responsible Officer in Lead Agency

Title of Responsible Officer

Signature of Responsible Officer in Lead Agency

Signature of Preparer (If different from responsible officer)

Date

PART 1--PROJECT INFORMATION
Prepared by Project Sponsor

NOTICE: This document is designed to assist in determining whether the action proposed may have a significant effect on the environment. Please complete the entire form, Parts A through E. Answers to these questions will be considered as part of the application for approval and may be subject to further verification and public review. Provide any additional information you believe will be needed to complete Parts 2 and 3.

It is expected that completion of the full EAF will be dependent on information currently available and will not involve new studies, research or investigation. If information requiring such additional work is unavailable, so indicate and specify each instance.

Name of Action: Hyland Landfill - Increase in Approved Design Capacity

Location of Action (include Street Address, Municipality and County)

6653 Herdman Road
Town of Angelica, Allegany County

Name of Applicant/Sponsor: New England Waste Services of N. Y., Inc.

Address: 6653 Herdman Road

City / PO: Angelica State: New York Zip Code: 14709

Business Telephone: (585) 466-7271

Name of Owner (if different): Hyland Facility Associates

Address: 25 Greens Hill Lane, P.O. Box 866

City / PO: Rutland State: VT Zip Code: 05702

Business Telephone: (802) 775-0325

Description of Action:

This proposed modification to the Solid Waste Management Facility (SWMF) Permit for the Hyland Landfill would increase the approved design capacity from 1200 tons per day to 1790 tons per day, an increase of 49 percent. Corresponding 49 percent increases in the quarterly waste disposal limit, from 93,660 tons per quarter to 140,000 tons per quarter, and in the annual waste disposal limit, from 312,000 tons per year to 465,000 tons per year, are also being requested.

Establishing an increase approved design capacity will provide the landfill operator, New England Waste Services of New York, with the ability to deal with increased demand for disposal services.

These changes will require a modification to SWMF Permit Number 9-0232-0003/00002.

Please Complete Each Question--Indicate N.A. if not applicable

A. SITE DESCRIPTION

Physical setting of overall project, both developed and undeveloped areas.

1. Present Land Use: ☐ Urban ☐ Industrial ☐ Commercial ☐ Residential (suburban) ☑ Rural (non-farm)
   ☑ Forest ☐ Agriculture ☑ Other Municipal Solid Waste Landfill
   Landfill Gas to Energy Facility

Note: In the following sections, N.C. denotes "No Change" to existing conditions.

2. Total acreage of project area: N. C. acres.

APPROXIMATE ACREAGE	PRESENTLY	AFTER COMPLETION
Meadow or Brushland (Non-agricultural)	_____ acres	_____ acres
Forested	_____ acres	_____ acres
Agricultural (Includes orchards, cropland, pasture, etc.)	_____ acres	_____ acres
Wetland (Freshwater or tidal as per Articles 24,25 of ECL)	_____ acres	_____ acres
Water Surface Area	_____ acres	_____ acres
Unvegetated (Rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (Indicate type) There will be no change in land use.	_____ acres	_____ acres

3. What is predominant soil type(s) on project site? N.C.

   a. Soil drainage: ☐ Well drained _____% of site ☐ Moderately well drained _____% of site.
   ☐ Poorly drained _____% of site

   b. If any agricultural land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? _____ acres (see 1 NYCRR 370).

4. Are there bedrock outcroppings on project site? ☐ Yes ☐ No N.C.

   a. What is depth to bedrock _____ (in feet)

5. Approximate percentage of proposed project site with slopes: N.C.

   ☐ 0-10% _____% ☐ 10- 15%_____% ☐ 15% or greater_____%

6. Is project substantially contiguous to, or contain a building, site, or district, listed on the State or National Registers of Historic Places? ☐ Yes ☐ No N.C.

7. Is project substantially contiguous to a site listed on the Register of National Natural Landmarks? ☐ Yes ☐ No N.C.

8. What is the depth of the water table? N.C. (in feet)

9. Is site located over a primary, principal, or sole source aquifer? ☐ Yes ☐ No N.C.

10. Do hunting, fishing or shell fishing opportunities presently exist in the project area? ☐ Yes ☐ No N.C.

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered? ☐ Yes ☐ No ☐ N.C.

According to:

Identify each species:

12. Are there any unique or unusual land forms on the project site? (i.e., cliffs, dunes, other geological formations?

☐ Yes ☐ No ☐ N.C.

Describe:

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?

☐ Yes ☐ No ☐ N.C.

If yes, explain:

14. Does the present site include scenic views known to be important to the community? ☐ Yes ☐ No ☐ N.C.

15. Streams within or contiguous to project area: ☐ N.C.

a. Name of Stream and name of River to which it is tributary

16. Lakes, ponds, wetland areas within or contiguous to project area: ☐ N.C.

b. Size (in acres):

17. Is the site served by existing public utilities? ☐ Yes ☐ No N.C.

a. If YES, does sufficient capacity exist to allow connection? ☐ Yes ☐ No

b. If YES, will improvements be necessary to allow connection? ☐ Yes ☐ No

18. Is the site located in an agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☐ No N.C.

19. Is the site located in or substantially contiguous to a Critical Environmental Area designated pursuant to Article 8 of the ECL, and 6 NYCRR 617? ☐ Yes ☐ No N.C.

20. Has the site ever been used for the disposal of solid or hazardous wastes? ■ Yes ☐ No

B. Project Description There will be no change to the physical features of the landfill.

1. Physical dimensions and scale of project (fill in dimensions as appropriate).

a. Total contiguous acreage owned or controlled by project sponsor: _____ acres.

b. Project acreage to be developed: _____ acres initially; _____ acres ultimately.

c. Project acreage to remain undeveloped: _____ acres.

d. Length of project, in miles: _____ (if appropriate)

e. If the project is an expansion, indicate percent of expansion proposed. _____ %

f. Number of off-street parking spaces existing _____; proposed _____

g. Maximum vehicular trips generated per hour: _____ (upon completion of project)?

h. If residential: Number and type of housing units:

	One Family	Two Family	Multiple Family	Condominium
Initially				
Ultimately				

i. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; _____ length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? _____ ft.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site? _____ tons/cubic yards. N.C

3. Will disturbed areas be reclaimed ☐ Yes ☐ No ☐ N/A N.C

a. If yes, for what intended purpose is the site being reclaimed?

b. Will topsoil be stockpiled for reclamation? ☐ Yes ☐ No

c. Will upper subsoil be stockpiled for reclamation? ☐ Yes ☐ No

4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from site? N.C. acres.

5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?

☐ Yes ☐ No N.C.

6. If single phase project: Anticipated period of construction: _____ months, (including demolition)

7. If multi-phased:

   a. Total number of phases anticipated _____ (number)

   b. Anticipated date of commencement phase 1: _____ month _____ year, (including demolition)

   c. Approximate completion date of final phase: _____ month 2024 year.

   d. Is phase 1 functionally dependent on subsequent phases? ☐ Yes ☐ No

8. Will blasting occur during construction? ☐ Yes ☐ No N.C.

9. Number of jobs generated: during construction N.C. ; after project is complete

10. Number of jobs eliminated by this project N.C. .

11. Will project require relocation of any projects or facilities? ☐ Yes ☐ No N.C.

    If yes, explain:

12. Is surface liquid waste disposal involved? ☐ Yes ☐ No N.C.

    a. If yes, indicate type of waste (sewage, industrial, etc) and amount _____

    b. Name of water body into which effluent will be discharged _____

13. Is subsurface liquid waste disposal involved? ☐ Yes ☐ No Type N.C.

14. Will surface area of an existing water body increase or decrease by proposal? ☐ Yes ☐ No N.C

    If yes, explain:

15. Is project or any portion of project located in a 100 year flood plain? ☐ Yes ☐ No N.C

16. Will the project generate solid waste? ☐ Yes ■ No

    a. If yes, what is the amount per month? _____ tons

    b. If yes, will an existing solid waste facility be used? ☐ Yes ☐ No

    c. If yes, give name _____ ; location _____

    d. Will any wastes not go into a sewage disposal system or into a sanitary landfill? ☐ Yes ☐ No

e. If yes, explain:

17. Will the project involve the disposal of solid waste? ■ Yes ☐ No

    a. If yes, what is the anticipated rate of disposal? 46,500 tons/month.

    b. If yes, what is the anticipated site life? 14 - 17 years.

18. Will project use herbicides or pesticides? ☐ Yes ☐ No N.C.

19. Will project routinely produce odors (more than one hour per day)? ■ Yes ☐ No

20. Will project produce operating noise exceeding the local ambient noise levels? ■ Yes ☐ No

21. Will project result in an increase in energy use? ☐ Yes ■ No

    If yes, indicate type(s)

Although additional disposal capacity would increase the use of fuels for waste transport and disposal operations at the Hyland Landfill, this increase should be off-set by a reduction in fuel use for transport and disposal at other regional landfills. The total amount of waste requiring disposal will not be affected by this proposed action.

22. If water supply is from wells, indicate pumping capacity _____ gallons/minute. N.C.

23. Total anticipated water usage per day _____ gallons/day. N.C.

24. Does project involve Local, State or Federal funding? ☐ Yes ■ No

    If yes, explain:

25. Approvals Required:

			Type	Submittal Date
City, Town, Village Board	☐ Yes	■ No		
City, Town, Village Planning Board	☐ Yes	■ No		
City, Town Zoning Board	☐ Yes	■ No		
City, County Health Department	☐ Yes	■ No		
Other Local Agencies	☐ Yes	■ No		
Other Regional Agencies	☐ Yes	■ No		
State Agencies	■ Yes	☐ No	NYSDEC SWMF Permit Modification	
Federal Agencies	☐ Yes	■ No		

C. Zoning and Planning Information

1. Does proposed action involve a planning or zoning decision? ☐ Yes ■ No

If Yes, indicate decision required:

☐ Zoning amendment ☐ Zoning variance ☐ New/revision of master plan ☐ Subdivision

☐ Site plan ☐ Special use permit ☐ Resource management plan ☐ Other

2. What is the zoning classification(s) of the site?

N.C.

3. What is the maximum potential development of the site if developed as permitted by the present zoning?

N.C.

4. What is the proposed zoning of the site?

N.C.

5. What is the maximum potential development of the site if developed as permitted by the proposed zoning?

N.C.

6. Is the proposed action consistent with the recommended uses in adopted local land use plans? ☐ Yes ☐ No

Not Applicable

7. What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?

N.C.

8. Is the proposed action compatible with adjoining/surrounding land uses with a ¼ mile? ■ Yes ☐ No

9. If the proposed action is the subdivision of land, how many lots are proposed? Not Applicable

   a. What is the minimum lot size proposed? _____

10. Will proposed action require any authorization(s) for the formation of sewer or water districts? ☐ Yes ■ No

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection?

☐ Yes ■ No

a. If yes, is existing capacity sufficient to handle projected demand? ☐ Yes ☐ No

12. Will the proposed action result in the generation of traffic significantly above present levels? ■ Yes ☐ No

a. If yes, is the existing road network adequate to handle the additional traffic. ■ Yes ☐ No

D. Informational Details

Attach any additional information as may be needed to clarify your project. If there are or may be any adverse impacts associated with your proposal, please discuss such impacts and the measures which you propose to mitigate or avoid them.

E. Verification

I certify that the information provided above is true to the best of my knowledge.

Applicant/Sponsor Name _____ Date _____

Signature _____

Title _____

If the action is in the Coastal Area, and you are a state agency, complete the Coastal Assessment Form before proceeding with this assessment.

PART 2 - PROJECT IMPACTS AND THEIR MAGNITUDE

Responsibility of Lead Agency

General Information (Read Carefully)

! In completing the form the reviewer should be guided by the question: Have my responses and determinations been **reasonable?** The reviewer is not expected to be an expert environmental analyst.

! The **Examples** provided are to assist the reviewer by showing types of impacts and wherever possible the threshold of magnitude that would trigger a response in column 2. The examples are generally applicable throughout the State and for most situations. But, for any specific project or site other examples and/or lower thresholds may be appropriate for a Potential Large Impact response, thus requiring evaluation in Part 3.

! The impacts of each project, on each site, in each locality, will vary. Therefore, the examples are illustrative and have been offered as guidance. They do not constitute an exhaustive list of impacts and thresholds to answer each question.

! The number of examples per question does not indicate the importance of each question.

! In identifying impacts, consider long term, short term and cumulative effects.

Instructions (Read carefully)

a. Answer each of the 20 questions in PART 2. Answer **Yes** if there will be **any** impact.

b. **Maybe** answers should be considered as **Yes** answers.

c. If answering **Yes** to a question then check the appropriate box(column 1 or 2)to indicate the potential size of the impact. If impact threshold equals or exceeds any example provided, check column 2. If impact will occur but threshold is lower than example, check column 1.

d. Identifying that an Impact will be potentially large (column 2) does not mean that it is also necessarily **significant**. Any large impact must be evaluated in PART 3 to determine significance. Identifying an impact in column 2 simply asks that it be looked at further.

e. If reviewer has doubt about size of the impact then consider the impact as potentially large and proceed to PART 3.

f. If a potentially large impact checked in column 2 can be mitigated by change(s) in the project to a small to moderate impact, also check the **Yes** box in column 3. A **No** response indicates that such a reduction is not possible. This must be explained in Part 3.

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
Impact on Land			
1. Will the Proposed Action result in a physical change to the project site? NO ☐ YES ☐			
Examples that would apply to column 2			
• Any construction on slopes of 15% or greater, (15 foot rise per 100 foot of length), or where the general slopes in the project area exceed 10%.	☐	☐	☐ Yes ☐ No
• Construction on land where the depth to the water table is less than 3 feet.	☐	☐	☐ Yes ☐ No
• Construction of paved parking area for 1,000 or more vehicles.	☐	☐	☐ Yes ☐ No
• Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.	☐	☐	☐ Yes ☐ No
• Construction that will continue for more than 1 year or involve more than one phase or stage.	☐	☐	☐ Yes ☐ No
• Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e., rock or soil) per year.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Construction or expansion of a santary landfill.	☐	☐	☐ Yes ☐ No
• Construction in a designated floodway.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

2. Will there be an effect to any unique or unusual land forms found on the site? (i.e., cliffs, dunes, geological formations, etc.)
   ☐ NO ☐ YES

• Specific land forms:	☐	☐	☐ Yes ☐ No

Impact on Water

3. Will Proposed Action affect any water body designated as protected? (Under Articles 15, 24, 25 of the Environmental Conservation Law, ECL)
   ☐ NO ☐ YES

Examples that would apply to column 2

• Developable area of site contains a protected water body.	☐	☐	☐ Yes ☐ No
• Dredging more than 100 cubic yards of material from channel of a protected stream.	☐	☐	☐ Yes ☐ No
• Extension of utility distribution facilities through a protected water body.	☐	☐	☐ Yes ☐ No
• Construction in a designated freshwater or tidal wetland.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

4. Will Proposed Action affect any non-protected existing or new body of water?
   ☐ NO ☐ YES

Examples that would apply to column 2

• A 10% increase or decrease in the surface area of any body of water or more than a 10 acre increase or decrease.	☐	☐	☐ Yes ☐ No
• Construction of a body of water that exceeds 10 acres of surface area.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change

5. Will Proposed Action affect surface or groundwater quality or quantity?

☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action will require a discharge permit.	☐	☐	☐ Yes	☐ No
• Proposed Action requires use of a source of water that does not have approval to serve proposed (project) action.	☐	☐	☐ Yes	☐ No
• Proposed Action requires water supply from wells with greater than 45 gallons per minute pumping capacity.	☐	☐	☐ Yes	☐ No
• Construction or operation causing any contamination of a water supply system.	☐	☐	☐ Yes	☐ No
• Proposed Action will adversely affect groundwater.	☐	☐	☐ Yes	☐ No
• Liquid effluent will be conveyed off the site to facilities which presently do not exist or have inadequate capacity.	☐	☐	☐ Yes	☐ No
• Proposed Action would use water in excess of 20,000 gallons per day.	☐	☐	☐ Yes	☐ No
• Proposed Action will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.	☐	☐	☐ Yes	☐ No
• Proposed Action will require the storage of petroleum or chemical products greater than 1,100 gallons.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow residential uses in areas without water and/or sewer services.	☐	☐	☐ Yes	☐ No
• Proposed Action locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change

6. Will Proposed Action alter drainage flow or patterns, or surface water runoff?
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would change flood water flows	☐	☐	☐ Yes	☐ No
• Proposed Action may cause substantial erosion.	☐	☐	☐ Yes	☐ No
• Proposed Action is incompatible with existing drainage patterns.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow development in a designated floodway.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON AIR

7. Will Proposed Action affect air quality?
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action will induce 1,000 or more vehicle trips in any given hour.	☐	☐	☐ Yes	☐ No
• Proposed Action will result in the incineration of more than 1 ton of refuse per hour.	☐	☐	☐ Yes	☐ No
• Emission rate of total contaminants will exceed 5 lbs. per hour or a heat source producing more than 10 million BTU's per hour.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow an increase in the amount of land committed to industrial use.	☐	☐	☐ Yes	☐ No
• Proposed Action will allow an increase in the density of industrial development within existing industrial areas.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON PLANTS AND ANIMALS

8. Will Proposed Action affect any threatened or endangered species?
☐ NO ☐ YES

Examples that would apply to column 2

• Reduction of one or more species listed on the New York or Federal list, using the site, over or near the site, or found on the site.	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Removal of any portion of a critical or significant wildlife habitat.	☐	☐	☐ Yes ☐ No
• Application of pesticide or herbicide more than twice a year, other than for agricultural purposes.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

9. Will Proposed Action substantially affect non-threatened or non-endangered species?
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action would substantially interfere with any resident or migratory fish, shellfish or wildlife species.	☐	☐	☐ Yes ☐ No
• Proposed Action requires the removal of more than 10 acres of mature forest (over 100 years of age) or other locally important vegetation.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will Proposed Action affect agricultural land resources?
☐ NO ☐ YES

Examples that would apply to column 2

• The Proposed Action would sever, cross or limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc.)	☐	☐	☐ Yes ☐ No
• Construction activity would excavate or compact the soil profile of agricultural land.	☐	☐	☐ Yes ☐ No
• The Proposed Action would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• The Proposed Action would disrupt or prevent installation of agricultural land management systems (e.g., subsurface drain lines, outlet ditches, strip cropping); or create a need for such measures (e.g. cause a farm field to drain poorly due to increased runoff).	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON AESTHETIC RESOURCES

11. Will Proposed Action affect aesthetic resources? (If necessary, use the Visual EAF Addendum in Section 617.20, Appendix B.)
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed land uses, or project components obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.	☐	☐	☐ Yes ☐ No
• Proposed land uses, or project components visible to users of aesthetic resources which will eliminate or significantly reduce their enjoyment of the aesthetic qualities of that resource.	☐	☐	☐ Yes ☐ No
• Project components that will result in the elimination or significant screening of scenic views known to be important to the area.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON HISTORIC AND ARCHAEOLOGICAL RESOURCES

12. Will Proposed Action impact any site or structure of historic, prehistoric or paleontological importance?
☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action occurring wholly or partially within or substantially contiguous to any facility or site listed on the State or National Register of historic places.	☐	☐	☐ Yes ☐ No
• Any impact to an archaeological site or fossil bed located within the project site.	☐	☐	☐ Yes ☐ No
• Proposed Action will occur in an area designated as sensitive for archaeological sites on the NYS Site Inventory.	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON OPEN SPACE AND RECREATION

13. Will proposed Action affect the quantity or quality of existing or future open spaces or recreational opportunities?
☐ NO ☐ YES

Examples that would apply to column 2

• The permanent foreclosure of a future recreational opportunity.	☐	☐	☐ Yes ☐ No
• A major reduction of an open space important to the community.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

IMPACT ON CRITICAL ENVIRONMENTAL AREAS

14. Will Proposed Action impact the exceptional or unique characteristics of a critical environmental area (CEA) established pursuant to subdivision 6NYCRR 617.14(g)?
☐ NO ☐ YES

List the environmental characteristics that caused the designation of the CEA.

Examples that would apply to column 2

• Proposed Action to locate within the CEA?	☐	☐	☐ Yes ☐ No
• Proposed Action will result in a reduction in the quantity of the resource?	☐	☐	☐ Yes ☐ No
• Proposed Action will result in a reduction in the quality of the resource?	☐	☐	☐ Yes ☐ No
• Proposed Action will impact the use, function or enjoyment of the resource?	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change

IMPACT ON TRANSPORTATION

15. Will there be an effect to existing transportation systems?
☐ NO ☐ YES

Examples that would apply to column 2

• Alteration of present patterns of movement of people and/or goods.	☐	☐	☐ Yes	☐ No
• Proposed Action will result in major traffic problems.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON ENERGY

16. Will Proposed Action affect the community's sources of fuel or energy supply?

☐ NO ☐ YES

Examples that would apply to column 2

• Proposed Action will cause a greater than 5% increase in the use of any form of energy in the municipality.	☐	☐	☐ Yes	☐ No
• Proposed Action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

NOISE AND ODOR IMPACT

17. Will there be objectionable odors, noise, or vibration as a result of the Proposed Action?

☐ NO ☐ YES

Examples that would apply to column 2

• Blasting within 1,500 feet of a hospital, school or other sensitive facility.	☐	☐	☐ Yes	☐ No
• Odors will occur routinely (more than one hour per day).	☐	☐	☐ Yes	☐ No
• Proposed Action will produce operating noise exceeding the local ambient noise levels for noise outside of structures.	☐	☐	☐ Yes	☐ No
• Proposed Action will remove natural barriers that would act as a noise screen.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change

IMPACT ON PUBLIC HEALTH

18. Will Proposed Action affect public health and safety?
☐ NO ☐ YES

• Proposed Action may cause a risk of explosion or release of hazardous substances (i.e. oil, pesticides, chemicals, radiation, etc.) in the event of accident or upset conditions, or there may be a chronic low level discharge or emission.	☐	☐	☐ Yes	☐ No
• Proposed Action may result in the burial of “hazardous wastes” in any form (i.e. toxic, poisonous, highly reactive, radioactive, irritating, infectious, etc.)	☐	☐	☐ Yes	☐ No
• Storage facilities for one million or more gallons of liquefied natural gas or other flammable liquids.	☐	☐	☐ Yes	☐ No
• Proposed Action may result in the excavation or other disturbance within 2,000 feet of a site used for the disposal of solid or hazardous waste.	☐	☐	☐ Yes	☐ No
• Other impacts:	☐	☐	☐ Yes	☐ No

IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD

19. Will Proposed Action affect the character of the existing community?
☐ NO ☐ YES

Examples that would apply to column 2

• The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.	☐	☐	☐ Yes	☐ No
• The municipal budget for capital expenditures or operating services will increase by more than 5% per year as a result of this project.	☐	☐	☐ Yes	☐ No
• Proposed Action will conflict with officially adopted plans or goals.	☐	☐	☐ Yes	☐ No
• Proposed Action will cause a change in the density of land use.	☐	☐	☐ Yes	☐ No
• Proposed Action will replace or eliminate existing facilities, structures or areas of historic importance to the community.	☐	☐	☐ Yes	☐ No
• Development will create a demand for additional community services (e.g. schools, police and fire, etc.)	☐	☐	☐ Yes	☐ No

	1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated by Project Change
• Proposed Action will set an important precedent for future projects.	☐	☐	☐ Yes ☐ No
• Proposed Action will create or eliminate employment.	☐	☐	☐ Yes ☐ No
• Other impacts:	☐	☐	☐ Yes ☐ No

20. Is there, or is there likely to be, public controversy related to potential adverse environment impacts?
☐ NO ☐ YES

If Any Action in Part 2 Is Identified as a Potential Large Impact or If you Cannot Determine the Magnitude of Impact, Proceed to Part 3

Part 3 - EVALUATION OF THE IMPORTANCE OF IMPACTS

Responsibility of Lead Agency

Part 3 must be prepared if one or more impact(s) is considered to be potentially large, even if the impact(s) may be mitigated.

Instructions (If you need more space, attach additional sheets)

Discuss the following for each impact identified in Column 2 of Part 2:

1. Briefly describe the impact.

2. Describe (if applicable) how the impact could be mitigated or reduced to a small to moderate impact by project change(s).

3. Based on the information available, decide if it is reasonable to conclude that this impact is **important**.

   To answer the question of importance, consider:

   - The probability of the impact occurring
   - The duration of the impact
   - Its irreversibility, including permanently lost resources of value
   - Whether the impact can or will be controlled
   - The regional consequence of the impact
   - Its potential divergence from local needs and goals
   - Whether known objections to the project relate to this impact.

Reset

ATTACHMENT C - Environmental Assessment Report

ENVIRONMENTAL ASSESSMENT

INCREASED DISPOSAL RATE

HYLAND LANDFILL ANGELICA, NEW YORK

Prepared for:
Hyland Facility Associates
6653 Herdman Road
Angelica, New York 14709

October 2007

Prepared by:
McMahon & Mann Consulting Engineers, P.C.
2495 Main Street
Buffalo, New York 14214

TABLE OF CONTENTS

1.1 OBJECTIVE

This document provides an assessment of the potential environmental impacts associated with an increase in the approved design capacity of the Hyland Landfill. This proposed modification to the operation of the landfill would increase the approved design capacity from 1200 tons per day to 1790 tons per day, an increase of 49 percent. Corresponding 49 percent increases in the quarterly waste disposal limit, from 93,660 tons per quarter to 140,000 tons per quarter, and in the annual waste disposal limit, from 312,000 tons per year to 465,000 tons per year, are also being requested. No other changes to the design or operation of the facility are addressed in this document.

1.2 REASONS FOR PROPOSED MODIFICATION

The primary reasons for the requested increase in approved design capacity are related to the economics of facility operation and customer service. The current permit (issued in December 2006) specifies an approved design capacity of 1,200 tons per day, with a limit of 93,660 tons per quarter, and 312,000 tons per year. Strong demand for waste disposal services at Hyland so far during calendar year 2007, has resulted in monthly disposal rates averaging 26,000 tons, which, projected through the end of the year, would result in an annual disposal rate of 312,000 tons, 100 percent of the permitted amount. During the most recent three-month period (May, June and July), waste disposal totaled 93,160 tons, or 99.5 percent of the permitted quarterly limit. The high demand for waste disposal in the western New York region, has resulted in the Hyland facility operating at permitted capacity in the first year of its new permit.

A concern expressed during early discussions with NYSDEC representatives regarding this proposed modification earlier this year, is that a design capacity increase is being requested less than one year after issuance of a permit modification for a lateral cell expansion and an increase in maximum disposal rate from 232,440 tons per year to 312,000 tons per year. The reason for this requested modification following so soon after the December 2006 permit modification, is that the previous design capacity increase was actually requested in April 2002, when the Permit Modification Application and Full Environmental Assessment Form were filed for the landfill expansion. In the intervening five years, demand for waste disposal has continued to be strong,

while landfills have continued to close, creating the need for higher disposal rates at the remaining facilities.

Experience during past peak disposal periods have indicated that existing equipment and personnel are adequate to support much higher disposal rates (the maximum daily disposal rate so far in 2007 was 2059 tons on June 20). Therefore, revenues and operating efficiency could be increased, with only a moderate increase in operating expenses related to equipment and personnel.

1.3 SCOPE

Since the proposed modification to the operation of the Hyland Landfill only involves an increase in approved design capacity, no additional field investigations or technical studies have been performed, with the exception of a supplemental traffic study, and preparation of a Title V air permit application. The Title V application was required as a condition of the Hyland Permit modification for a 48-acre lateral expansion, but the gas generation rate is affected by the proposed increase in design capacity, requiring modifications to the application.

Reference is made to the Draft Supplemental Environmental Impact Statement (DSEIS) prepared for the lateral expansion of this project approved in 2006 (Reference 1). The DSEIS, together with information developed in the supplemental traffic study, provide sufficient information on which to base the evaluations contained herein.

2.1 HYLAND LANDFILL

The Hyland Landfill has approximately 76 acres of landfill cell area, with a total disposal capacity of approximately 15 million cubic yards. Landfill cells are being constructed with composite liners, and leachate collection systems. There are also approximately 100 acres of ancillary facilities on the site, including leachate storage facilities, stormwater retention/sedimentation ponds, office/maintenance building, soil borrow area, access roads and parking areas, etc.

The facility is located at 6653 Herdman Road, in the Town of Angelica, Allegany County, New York. The facility site plan is shown on Figure 2-1.

2.2 PROPOSED MODIFICATION

The modification addressed in this document consists of an increase in the approved design capacity of the landfill from 1200 tons per day (6 days per week basis) to 1790 tons per day. This 49% increase is below the threshold defined in 6 NYCRR Part 360-1.8, that allows this application be processed by the New York State Department of Environmental Conservation (NYSDEC) as a non-material modification.

The most significant operational effect of this proposed change would be that the landfill would fill up more rapidly. The presently estimated remaining life of the permitted disposal capacity is approximately 20 to 25 years. This life would be reduced to approximately 14 to 17 years if the increased disposal rate were fully utilized. The size of the cells would not change, nor would the active working area within the active cell.

The only regulatory approvals required by this change would be modifications to the NYSDEC Operating Permit and the Air State Facility Permit. The air permit will transition to a Title V permit due to the recently approved expansion of the landfill, but the application also includes the impact of this proposed design capacity increase, as described below in Section 3.3.

The discussion of potential environmental impacts in this section follows the general sequence and approach used in the "Full Environmental Assessment Form" found in 6 NYCRR Part 617. That document is used by NYSDEC to determine if an action may have a significant effect on the environment.

3.1 ZONING AND LAND USE

The Town of Angelica presently has no zoning ordinance. The current land use on and in the vicinity of the Hyland Landfill site would not be affected by the proposed increase in design disposal rate. With the exception of the landfill itself, most of the land area within one mile of the disposal area is forested, meadow, or brushland.

Hyland Landfill and the Town of Angelica have an on-going Host Community Agreement in place. This modification does not require any action or modification of that standing agreement.

3.2 WATER RESOURCES

Water resources on and in the vicinity of the Hyland Landfill would not be affected by the proposed increase in design disposal rate.

Leachate from the landfill is collected in tanks, and periodically transported by tanker truck to several Wastewater Treatment Plants for processing prior to discharge. Leachate generation rates will not be affected materially since the active fill area (the area that intercepts the precipitation that eventually becomes leachate) will not be increased.

Stormwater control facilities and procedures, as defined in the facility's "Stormwater Pollution Prevention Plan" (Reference 2), will not be affected by the proposed change.

3.3 AIR RESOURCES

The major potential impacts on air resources are dust generation by construction activities and waste transport vehicles, and landfill gas generation. Construction activities would not be materially different from those currently occurring at the facility, although the intervals between construction of cells would be shortened due to the higher disposal rate.

With respect to waste transportation related dust, the full length of Herdman Road is now paved, and Peacock Hill Road has been upgraded to provide wider paved shoulders. Although some increase in dust generation may occur due to increased truck traffic, the use of on-site water trucks for dust control on unpaved roadways, and the improved surface conditions of Peacock Hill Road and Herdman Road should mitigate any dust problems.

The second potential air resource impact is related to landfill gases (mainly methane) generated by the decomposition of putrescible materials in the waste stream. It is expected that the disposal of larger quantities of waste within a given time period will result in an increased rate of landfill gas generation. To mitigate the impacts of landfill gas generation, Hyland has prepared a gas collection plan to control landfill gasses and the associated odors. In addition, this facility has considerable buffer distances between the disposal area and off-site receptors (at least one-half mile in all directions), which will mitigate potential impacts. A Title V Air Permit Application, incorporating the increased rate of projected peak air emissions, has been prepared and submitted to NYSDEC. This Title V application was required as part of the landfill expansion permit modification, issued in 2006, but the increased gas generation rates associated with this proposed increase in waste disposal rate have been incorporated into the application in anticipation of this increase. All applicable landfill gas control and air emissions permitting requirements established by NYSDEC will be met by Hyland.

Air resources on and in the vicinity of the Hyland Landfill will not be significantly affected by the proposed increase in approved design capacity.

The addition of the recently permitted landfill gas to energy plant will have a positive effect in reducing Green House Gas emissions by destroying the methane collected at the facility, and generating energy without burning fossil fuels.

3.4 ECOLOGICAL RESOURCES

An "Ecological Evaluation" was included in the DSEIS prepared recently for the expansion of this facility (Reference 1) which confirmed the lack of any significant impacts from the facility, and the absence of any threatened or endangered species on the site. The rate of waste disposal was not a key factor in the ecological evaluation. In addition, the facility was not found to be located in or substantially contiguous to any "significant habitats". Ecological resources on and in the vicinity of the Hyland Landfill would therefore not be affected by the proposed increase in approved design capacity.

3.5 AGRICULTURAL LAND RESOURCES

Agricultural land resources on and in the vicinity of the Hyland Landfill would not be affected by the proposed increase in approved design capacity. The total area of ground surface impacted would not increase, and there are no active agricultural activities occurring in the vicinity of the disposal cells.

3.6 AESTHETIC RESOURCES

A visual impact evaluation was included in the DSEIS (Reference 1). This study determined that no off-site areas would be significantly visually impacted by the project. The change in disposal rate would not affect the conclusions of that evaluation. Aesthetic resources on and in the vicinity of the Hyland Landfill would therefore not be affected by the proposed increase in approved design capacity.

3.7 HISTORIC AND ARCHEOLOGICAL RESOURCES

An archeological assessment was included as part of the DSEIS (Reference 1). This assessment determined that there would be no significant impact on historic or archeological resources due to the construction and operation of the project. The change in disposal rate would not affect the conclusions of that study. Therefore, historic and archeological resources on and in the vicinity of the Hyland Landfill would not be affected by the proposed increase in approved design capacity.

3.8 OPEN SPACE AND RECREATION

Open space and recreation on and in the vicinity of the Hyland Landfill would not be affected by the proposed increase in approved design capacity. All land surrounding the landfill is privately owned by Hyland. Post closure plans for the facility are to maintain an open grassy area suitable for recreation or wildlife habitat. These plans will not be affected by the proposed change.

3.9 CRITICAL ENVIRONMENTAL AREAS

There are no critical environmental areas on or substantially contiguous to the Hyland Landfill.

3.10 TRANSPORTATION AND TRAFFIC

Traffic is one area of potential environmental impact where the proposed increase in design disposal rate will have a quantifiable effect. A 49% increase in disposal rate will increase the number of waste hauling trucks entering and leaving the site by a similar factor. The current average daily number of such trucks passing through the facility is 66, with a peak hourly rate of 20 to 25. These rates could be expected to increase to approximately 93 trucks per day and 30 to 38 trucks per hour, if the proposed increase in disposal rate were fully utilized. Truck traffic related to construction activities would not increase on a daily or hourly basis, although the interval between periods of cell construction would be reduced.

Although an increase in disposal rate would result in an increase in truck traffic, it does not necessarily follow that the impact on traffic conditions would be significant. Information presented during the hearings held by NYSDEC relative to the modification of the Hyland permit to allow disposal of municipal waste, indicated that much higher levels of truck traffic could occur at this facility without significant degradation of traffic conditions. In the "Summary Hearing Report" (Reference 3) it was stated that even if truck traffic reached an average of 115 trips per day (a number suggested as possible by intervenors) the level of service of affected roadways would still be acceptable. To confirm and update these earlier findings, a traffic study was performed to evaluate the impacts of this proposed increase in

disposal rate. TVGA Consultants performed a traffic assessment in March 2007 (Reference 4), which determined that there would be no significant impact on the level of service of the intersections of the I-86 (formerly Routes 17) ramps and Peacock Hill Road, and at the intersection of Peacock Hill Road and Herdman Road.

It should also be noted that considerable upgrade work has been done on both Peacock Hill Road and Herdman Road, funded by Hyland, to improve the condition and safety of these access roads. A letter from Hunt Engineers (Reference 5) indicates that the reconstructed Peacock Hill road has the structural capacity to carry more than 400 trucks per day. In addition, waste hauling trucks have been prohibited from travelling through the Village of Angelica on the way to or from the facility. Finally, it should be noted that, after exiting Route 17, traffic travels along only 0.8 miles of public roadway (Peacock Hill Road) before entering the now private Herdman Road. Given these factors, it can be reasonably concluded that traffic conditions in the vicinity of the Hyland Landfill would not be significantly impacted by the proposed increase in design disposal rate.

3.11 ENERGY

The effect of the proposed increase in approved design capacity on energy consumption would be to increase the rate of consumption of fuels (gasoline and diesel) for hauling waste to the facility, and for handling (spreading, compaction, etc.) the waste at the facility. Looking at this issue from a more "global" point of view, however, it is very unlikely that the proposed change in approved design capacity at Hyland will increase the regional rate of waste generation. Therefore, increased hauling to Hyland will result in reduced hauling to other disposal facilities. In addition, given the economics of waste transport and disposal, there is an incentive to reduce hauling distances as a means of cost control. It is possible (though not certain) that additional disposal capacity at Hyland could reduce energy consumed in waste transportation, on a regional basis, due to these economic incentives.

Energy resources, on a regional basis, would not be significantly affected by the proposed increase in approved design capacity.

3.12 NOISE AND ODOR

The change in noise impact related to the proposed increase in disposal capacity would be largely due to the increased number of waste hauling trucks on access roads. Although the noise level per truck would not increase, the number of trucks would increase, potentially increasing the annoyance factor. In the DSEIS prepared for this facility (Reference 1) noise levels from waste hauling vehicles were assessed and determined to not have a significant impact on receptors due to the minimal number of sensitive receptors, the distance between the few residences along Peacock Hill Road and the roadway, and the intermittent nature of the traffic. These factors should continue to mitigate noise impacts. With respect to on-site operations generated noise, a combination of adequate buffer distances to the site property line, and noise easements, will continue to ensure compliance with applicable noise criteria in 6 NYCRR Part 360-1.14(p).

The potential odor impact is related to landfill gases generated by the decomposition of putrescible materials in the waste stream. However, the Hyland facility utilizes an active gas collection system and a flare to control and combust landfill gas. In the future an on-site landfill gas to energy plant will combust much of the gas generated, with odor control equivalent to the existing flare. Experience at this facility to date indicates no significant odor impact at off-site locations.

Noise and odor impacts would not be significantly affected by the proposed increase in approved design capacity.

3.13 PUBLIC HEALTH

No change in the type of waste disposed at the facility is being proposed (no hazardous wastes are disposed of at Hyland). Quantities of fuels and lubricants stored on-site will not increase, and the existing "Spill Prevention, Control and Countermeasure Plan" (Reference 6) will still be effective in reducing the risk associated with release of these materials. Public health in the vicinity of the Hyland Landfill would therefore not be affected by the proposed increase in approved design capacity.

3.14 GROWTH AND CHARACTER OF COMMUNITY

Growth and character of the community in the vicinity of the Hyland Landfill would not be affected by the proposed increase in approved design capacity. It is possible that some additional employment opportunities could be created due to the increased level of facility operation, but the impact would not be significant with respect to local economy, and certainly not adverse.

4.0 SUMMARY AND CONCLUSION

The preceding sections identify potential increases in traffic, noise, and dust generated by the facility, resulting from the proposed increase in approved design capacity. Although these increases may occur, the environmental impacts will not be significant.

5.0 REFERENCES

1. McMahon & Mann Consulting Engineers, P.C., Hyland Facility Associates - Landfill Expansion Project – Draft Supplemental Environmental Impact Statement, January 2006.
2. Sanborn, Head Engineering, P.C., Hyland Facility Associates, Inc. – Stormwater Pollution Prevention Plan, 2006.
3. Frank Montecalvo, Administrative Law Judge, 1997, Summary Hearing Report, Rulings, and Order of Disposition, File No. 9-0232-00003/00002.
4. Letter from Kelly Thompson (TVGA), to Larry Shilling (Hyland Facility Associates), dated March 19, 2007. (attached)
5. William D. Roe P.E. (Hunt Engineers), May 14, 1997, Letter to Glenn Herdman regarding Peacock Hill Road reconstruction project.
6. McMahon & Mann Consulting Engineers, P.C., Hyland Facility Associates, Inc. – Spill Prevention, Control and Countermeasure Plan, 2007.

ATTACHMENT D - Traffic Study

TVGA
CONSULTANTS

2007.0030.00
March 19, 2007

Hyland Facility Associates
6653 Herdman Road
Angelica, NY 14709

Attn: Mr. Larry Schilling

Re: Hyland Facility Associates' Landfill
Traffic Impact Study Report-Modified Permit

Dear Mr. Schilling,

Pursuant to your request, we have completed the Traffic Impact Study (TIS) for the referenced Project. This TIS was conducted to evaluate the capacity along Peacock Hill Road between I-86 Ramps and Herdman Road along with the intersections of Peacock Hill Road and the I-86 eastbound and westbound ramps. In 2006, an evaluation was undertaken to compare the capacity analyses on the roadway and intersections noted above comparing the existing traffic conditions and under a proposed 34% increase in the Hyland Facility Associates' Landfill's (the Landfill) permitted tonnage. This increase in tonnage equated to an increase in truck traffic volumes as proposed by the Hyland Facility Associates and as quoted in the September 2005, "Draft Supplemental Environmental Impact Statement for The Hyland Facility Associates Landfill Expansion", report. A copy of the TIS completed for that analysis is attached for your reference.

Subsequent to your recent request, we have been engaged to analyze the same roadway and intersections based on a proposed increase of 49% in the waste volumes to be accepted at the Hyland Facility Associates' Landfill over the current permitted tonnage. Using the traffic volumes from the 2006 study, such an analysis was performed and the results provided in the following document.

INTERSECTION TURNING MOVEMENT COUNTS:

Manual intersection turning movement counts were conducted for the intersections of Peacock Hill Road with I-86 eastbound and westbound ramps. These counts were conducted on January 18, 2006 from 6 AM to 9 AM and from 11 AM to 1 PM. These traffic counts are presented in the enclosed **Appendix A – Intersection Counts**. The intent of these traffic counts was to gather the morning (AM) and Noon Peak Hour traffic information for both the Landfill truck traffic and the Background (without the Landfill trucks) traffic. The traffic counts indicated that the peak hours of the background traffic does not always coincide with the peak hours for the Landfill truck traffic. However, in order to perform a conservative analysis, this study assumes that the peak hours for Background and Landfill truck traffic occur during the same time period.

As was stated above, the manual turning movement counts were performed in 2006. In order to compare them to the current (2007) time period, the 2006 counts were compounded by a conservative growth rate obtained from the governing transportation authority, the NYS Department of Transportation, Program and Project Management Group, Region 6 Hornell. Based on this consultation with

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NYSDOT, a growth rate of 1% was applied to the 2006 turning movement counts to produce traffic volumes expected in 2007.

Based on the intersection counts taken previously and the applied growth rate, the peak hour for the morning Landfill truck traffic occurred between 8 AM to 9 AM with 12 trucks counted during that period while the Noon peak hour occurred between 11 AM to 12 PM with 14 trucks counted.

CAPACITY ANALYSES:

A Capacity Analysis was performed utilizing the methodologies stated in the Highway Capacity Manual (HCM) 2000 and using the Highway Capacity Software (HCS plus) and Synchro version 6. These analyses were performed to determine the Level of Services (LOS) for both the existing and proposed conditions at the following locations:

1. Peacock Hill Road – I-86 eastbound ramps intersection
2. Peacock Hill Road – I-86 westbound ramps intersection
3. Peacock Hill Road between I-86 ramps and Herdman Road.

Existing Condition:

The existing LOS analyses were performed for the AM and Noon peak hour traffic conditions for the aforementioned intersections and roadway segment. The following **Table 1** documents the results for the LOS analyses:

TABLE 1
LEVEL OF SERVICE – EXISTING CONDITIONS
AM AND NOON PEAK TRAFFIC CONDITIONS

	AM Peak		Noon Peak	
	LOS	DELAY (sec/veh)	LOS	DELAY (sec/veh)
Peacock Hill Road – I-86 eastbound ramps intersection * (2-Way Stop controlled)	A	9.0	A	9.6
Peacock Hill Road – I-86 westbound ramps intersection * (2-Way Stop controlled)	A	9.1	A	9.4
Peacock Hill Road between I-86 ramps and Herdman Road.	A	N/A	A	N/A
* LOS and Delay for the worst approach is presented				

The HCS analyses reports for the above stated LOS computations are presented in **Appendix B Capacity Analyses**

Proposed Conditions:

The Hyland Landfill is proposing to increase their permitted tonnage by 49% over the current permit. A 49% increase in the disposal rate (from 312,000 to 464,880 TPY) will increase the number of waste hauling trucks entering and leaving the site by an additional 27 trucks per day. Based on the existing operations, it is estimated that a total of 93 trucks could arrive on any given day, with approximately 36 trucks arriving during the morning peak hour if the permit modification is granted. Therefore, the existing

peak hour landfill truck traffic was analyzed with a projected increase to 36 trucks to depict the proposed truck traffic conditions for the Landfill. This increased truck traffic was added to the background traffic data to develop the expected Proposed conditions. Table 2 summarizes the LOS results for the Proposed condition:

TABLE 2
LEVEL OF SERVICE – PROPOSED CONDITIONS
AM AND NOON PEAK TRAFFIC CONDITIONS

	AM Peak		Noon Peak	
	LOS	DELAY (sec/veh)	LOS	DELAY (sec/veh)
Peacock Hill Road – I-86 eastbound ramps intersection * (2-Way Stop controlled)	A	9.4	A	9.7
Peacock Hill Road – I-86 westbound ramps intersection * (2-Way Stop controlled)	A	9.8	A	9.7
Peacock Hill Road between I-86 ramps and Herdman Road.	A	N/A	A	N/A
* LOS and Delay for the worst approach is presented				

The HCS analyses reports for the above stated LOS computations are presented in **Appendix B – Capacity Analyses**.

LOS COMPARISON AND CONCLUSIONS

Based on the capacity analyses results presented in Tables 1 and 2, it is evident the analyzed roadway segment and the intersections noted operate at a good LOS under both the existing and proposed traffic conditions. Subsequently, the proposed increase in the permitted tonnage is not expected to adversely impact the traffic conditions along Peacock Hill Road between the I-86 ramps and Herdman Road. Furthermore, the analysis indicates the identified segment of Peacock Hill Road and its intersections with I-86 ramps have sufficient traffic capacity. Therefore, the proposed increase of 49% in the permitted tonnage transported to the Landfill will have no adverse impact on the traffic operations in this area.

The above constitutes our traffic study findings for the subject project. Should you have any questions, please feel free to contact me at your convenience.

Very truly yours,

TVGA CONSULTANTS

Kelly M. Thompson, P.E.
Principal

Enc.

cc: 2007.0030.00