

**NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

**SEQR NEGATIVE DECLARATIONS
FOR THE
DRAFT MODIFICATIONS
HAZARDOUS WASTE MANAGEMENT FACILITY
PART 373 PERMIT**

FOR THE

**CWM CHEMICAL SERVICES, L.L.C.
MODEL CITY, NEW YORK FACILITY**

**Addition of Tanks T-165 & T-220
and
Replacement of PCB Warehouse Drum Storage Containment**

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PART II – ENVIRONMENTAL ASSESSMENT (PCB Warehouse) 9-2934-00022/00097

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

No adverse effect. The existing PCB Warehouse is currently allowed to store a maximum 2,338 55 gallon drums, solid or liquid, with secondary containment provided by a coated concrete floor and curb. A total of four containment pans, each 9 feet wide by 50 feet long by 2 inches high, capable of storing up to 40 drums (55 gallons or equivalent) each, are to be installed to replace the secondary containment presently provided for liquid waste by the building's coated concrete floor and curb. Each pan is to be constructed of ¼ inch thick, continuously welded, ASTM Grade A36 carbon steel, coated with vinyl ester. The utilization of the four pans for secondary containment would limit liquid container storage capacity to 160 drums, and reduce the total storage capacity (liquid and solid containers) to 1,358 drums (980 drums less than the currently allowed maximum of 2,338 drums). Each pan would be designed to contain the capacity of a single drum and 10 percent of all drums stored within the pan, as required by Department regulations. The new containment pans, within the PCB Warehouse, will not adversely affect air quality, surface or ground water quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

No adverse effect. No aesthetic, agricultural, historic, or other natural or cultural resources will be affected since the new containment pans are within the existing PCB Warehouse. The project is consistent with the existing landfill operations within the building and will not change the outdoor setting and character of the property.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No adverse effect. No threatened or endangered species will be impacted by this proposal; nor will significant or unique habitat be destroyed.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No adverse effect. The PCB Warehouse is an existing building within the Town of Porter, and should not conflict with the Town of Porter's existing plans or goals as officially adopted, or result in a change in use or intensity of land use or other natural resources at the property.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No adverse effect. The project will not induce growth or subsequent development to any significant degree; nor will it generate a need for additional services or require significant expansion in local infrastructure.

PART II – ENVIRONMENTAL ASSESSMENT (Tank T-165) 9-2934-00022/00097

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

Yes X No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes X No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

No significant adverse effect. Tank T-165 would be installed outside the southeast corner of the RMU-1 Landfill and be used for the storage of contaminated stormwater run-off from the operational area of the RMU-1 Landfill. Accumulated run-off would be pumped to Tank T-165 from a retention basin within the RMU-1 Landfill during storm events, and then pumped after storm events (at a slower rate) through the RMU-1 Landfill leachate transmission piping to the facility's Leachate Tank Farm and Aqueous Waste Treatment Facility. Presently, the waste/fill progression plans for the RMU-1 Landfill require a sequential advancement of the RMU-1 Landfill's final cover to decrease the volume of contaminated run-off before allowing already permitted waste placement in the retention basin, which would reduce its run-off storage capacity.

The addition of Tank T-615 would allow the removal of contaminated stormwater from the retention basin within the RMU-1 Landfill at a faster rate than currently possible through the existing piping systems, thereby reducing the size of the retention basin needed to contain contaminated run-off from the 25-year design storm event. Waste could then be placed in the retention basin before sequential cover placement, without any increase in the potential for excursions of contaminated stormwater out of the RMU-1 Landfill. Proposed Tank T-165 is a new circular Glass Fused Steel (GFS) tank, which is approximately 70 feet in diameter by 31 feet high, on a coated concrete foundation. It would be an open top tank with a designed capacity of 876,800 gallons. Required secondary containment for Tank T-165 would be provided by a circular vault consisting of a coated concrete base and GFS walls, which is designed to hold greater than 100 percent of Tank T-165's capacity. Both Tank T-165 and the secondary containment walls would be assembled on-site by bolting and sealing the GFS panels together. The Tank T-165 system would also include leak detection channels under the tank, pumps, piping and other miscellaneous equipment.

Although the construction of the T-165 tank system will fill in a small portion of an existing drainage channel to Twelvemile Creek, which is located within a floodplain area, that channel is to be rerouted and will provide a net 17 cubic yard gain in the compensatory flood storage volume. As a result of the rerouting of the drainage channel there will be no adverse impact on the floodplain. New measures for soil sediment control will be implemented as part of the rerouting of the drainage channel.

The construction of a primary or accessory/appurtenant non-residential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls is a Type II action in accordance 6 NYCRR 617.5. The gross floor area of the approximate 70 foot diameter tank is 3,846.5 square feet. Consequently, the T-165 tank system, itself, likely fits those Type II actions, which have been determined not to have a significant impact on the environment or are otherwise precluded from environmental review under Environmental Conservation Law, Article 8.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly:

No significant adverse effect. No aesthetic, agricultural, historic, or other natural or cultural resources are known to exist at the site of the proposed T-165 tank system installation. The project is consistent with the present landfill operations and the setting and character of the property.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No significant adverse effect. No threatened or endangered species will be impacted by this proposal; nor will significant or unique habitat be destroyed.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No significant adverse effect. The installation site for the T-165 tank system is not presently mapped or proposed to be mapped by the Federal Emergency Management Agency (FEMA) and was only caused to be mapped by the Department, to ensure that the RMU-1 Landfill would not be adversely affected by floodwaters.

The Town of Porter Local Law No. 2 "Flood Damage Prevention Law" applies to all areas of special flood areas within the Town. The local law (consistent with recommendations of the Federal Emergency Management Agency) allows development within the floodplain contingent upon the issuance of a floodplain development permit from the Town.

The CWM proposed changes for current RMU-1 Landfill operations will not result in a change in use or intensity of land use or other natural resources at the property and, therefore, should be compatible with the community's plans and goals in respect to present landfill activities.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly:

No significant adverse effect. The project will not induce growth or subsequent development to any significant degree; nor will it generate a need for additional services or require significant expansion in local infrastructure.

C6. Long term, short term, cumulative, or other effects not identified in C1-C5? Explain briefly: No identified significant adverse impacts.

No evidence exists that suggests that this action would have significant long term, secondary, or cumulative adverse impacts.

C7. Other impacts (including changes in use of either quantity or type of energy)? Explain briefly:

There will be no significant change in the use or quantity of energy consumption as a result of the construction of the Tank T-165 tank system.

D. WILL THE PROJECT HAVE AN IMPACT ON THE ENVIRONMENTAL CHARACTERISTICS THAT CAUSED THE ESTABLISHMENT OF A CRITICAL ENVIRONMENTAL AREA (CEA)?

Yes No If yes, explain briefly:

PART II – ENVIRONMENTAL ASSESSMENT (Tank T-220 and Treatment Tanks) 9-2934-00022/00097

A. DOES ACTION EXCEED ANY TYPE I THRESHOLD IN 6NYCRR, PART 617.12? If yes, coordinate the review process and use the FULL EAF.

Yes No

B. WILL ACTION RECEIVE COORDINATED REVIEW AS PROVIDED FOR UNLISTED ACTIONS IN 6NYCRR, PART 617.6? If No, a negative declaration may be superseded by another involved agency.

Yes No

C. COULD ACTION RESULT IN ANY ADVERSE EFFECTS ASSOCIATED WITH THE FOLLOWING:

C1. Existing air quality, surface or groundwater quality or quantity, noise levels, existing traffic pattern, solid waste production or disposal, potential for erosion, drainage or flooding problems? Explain briefly:

No significant adverse effect. Tank T-220 was previously in operation but was subsequently closed with an approved closure, and removed from the Part 373 Permit. Replacement of that tank with a new Aqueous Wastewater Treatment System (AWTS) tank T-220, and correcting the usage of several tank systems to be consistent with current regulations, will not adversely affect air quality, surface or ground water quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems. The new 30,000 gallon Fiberglass Reinforced Plastic (FRP) Tank T-220 would be used as a treatment tank to blend compatible aqueous wastes from various sources prior to further treatment. This blending process is identical to the treatment conducted by existing Tanks T-210 and T-230. Therefore, Tank T-220 would serve to supplement existing treatment capacity and would allow for backup capacity should Tank T-210 or T-230 have to be removed from service or maintenance. Secondary containment for Tank T-220, sufficient to contain greater than 100 percent of its capacity, would be provided by an existing coated concrete vault that presently provides secondary containment for Tanks T-210, T-230, T-310 and T-320. The Tank T-220 system would also include leak detection channels under the tank, piping and other miscellaneous equipment.

C2. Aesthetic, agricultural, archaeological, historic, or other natural or cultural resources; or community or neighborhood character? Explain briefly: No adverse effect.

No significant aesthetic, agricultural, historic, or other natural or cultural resources are known to exist at the installation site of tank T-220. The project is consistent with the landfill operations, the setting and character of the property.

C3. Vegetation or fauna, fish, shellfish or wildlife species, significant habitats, or threatened or endangered species? Explain briefly:

No adverse effect. No threatened or endangered species will be impacted by this proposal; nor will significant or unique habitat be destroyed.

C4. A community's existing plans or goals as officially adopted, or a change in use or intensity of use of land or other natural resources? Explain briefly:

No adverse effect. The addition of tank T-220 and correcting the usage of several Tank systems to be consistent with current regulations should not conflict with the Town of Porter's existing plans or goals as officially adopted, or result in a change or intensity of land use or other natural resources at the property.

C5. Growth, subsequent development, or related activities likely to be induced by the proposed action? Explain briefly: No adverse effect.

The project will not induce growth or subsequent development to any significant degree; nor will it generate a need for additional services or require significant expansion in local infrastructure.

