

PERMIT PROFILE: SOLID WASTE MANAGEMENT FACILITIES (non-hazardous wastes)

TECHNICAL PROGRAM: Divisions of Solid Waste

STATUTORY AUTHORITY: Article 27, Title 7 of the Environmental Conservation Law

APPLICABLE REGULATIONS: 6NYCRR Part 360

LEGISLATIVE INTENT:

To encourage the development of projects for the present and future collection, treatment, and management of refuse consistent with protection of the public health.

REGULATED ACTIVITIES:

! The processing, recovery, reclamation or disposal of solid waste, defined as any garbage, refuse, sludge or other waste material not exempted in 6NYCRR Part 360, or regulated under Part 382 or 383 or defined as a hazardous waste.

EXEMPT ACTIVITIES:

These facilities and operations are exempt provided that they do not involve treatment or disposal of waste oil:

- ! Disposal areas located within the property boundaries of a single-family residence or farm for solid waste generated from that residence or farm.
- ! Disposal areas for waste pesticides by the farmer who used them, if the farmer complies with 6NYCRR Sections 325.4 and 325.5.
- ! Disposal areas located within the property boundaries of a farm for crop residuals, animal and aquacultural manure, animal and aquacultural carcasses, and parts generated from a farm and other similar solid waste generated by farm activities.
- ! Transfer, temporary storage, treatment, incinerator, and processing facilities (except regulated medical waste treatment facilities) located at a single or multiple-family residence, school, park, industry, hospital, commercial establishment, correctional facility or farm and used exclusively for solid wastes generated at that location or at a location under the same ownership within a single region of the Department. In certain cases where the Department determines that these activities pose an adverse impact on public health, safety, or the environment, the Department may set time limitations on the activities covered under this exemption. For excavated petroleum contaminated soils, on-site storage is limited to 60 days unless otherwise approved by the Department.
- ! Transfer, temporary storage, treatment, incinerator, and processing (except composting or other distribution and marketing facilities) located at publicly-owned treatment works or other sewage treatment plants, and used exclusively for sewage sludge, septage or leachate. Storage is limited to 18 months.
- ! The initial site used for the collection of household hazardous waste and household medical waste for a cleanup day or similar event if specified provisions are followed.
- ! Facilities for land spreading or lagooning of septage or sewage sludge when permitted under 6NYCRR Part 364 (scheduled for repeal 1995).
- ! A transporter storing shipments of non-putrescible industrial and non-putrescible commercial waste, other than regulated medical waste, in containers or in vehicles at its own transfer facility for a period of five calendar days or less, if the transporter meets certain requirements.
- ! A facility that exclusively treats wastewater that is regulated under Parts 750 thru 757 of this Title.
- ! Solid waste from non-hazardous inactive landfills which have been excavated as part of a construction project and is being returned to the same excavation or other excavations containing similar solid waste or otherwise located within the landfill's existing footprint, provided the handling, relocation and disposal practices are deemed acceptable to the Department in writing in advance.
- ! Disposal areas for road killed animals on local roads and State and County highways under the jurisdiction of government agencies. Such disposal areas must, however, be located on property owned by the government agency and within the highway right of way. Disposal areas must be a minimum of 50 feet from any residence, surface water or any other disposal area for road killed animals. Road killed animals placed in disposal areas must be covered with at least three feet of excavated soil material and in no case shall be placed within groundwater. Mass burial of road killed animals is not exempt from the provisions of this Part. Acceptable alternatives for the disposal of road killed animals include disposal at a Department-approved solid waste landfill, disposal at a rendering facility or other means as approved by the Department.
- ! Open burning of solid waste conducted in compliance with a restricted burning permit issued by the Department.
- ! Individual graves for burial of animals, including pet cemeteries, provided mass burial of animal carcasses is not practiced.
- ! Facility-specific exemptions may apply - see applicable regulations.

(Cont.)

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MINOR PROJECTS:

! Landfills used exclusively for disposal of construction and demolition debris that are three acres or less in size.

- ! Yard waste composting facilities.
- ! Transfer stations receiving less than 50,000 cubic yards or 12,500 tons of solid waste annually.
- ! Construction of subsequent stages of a solid waste management facility when the facility was previously approved to be constructed in stages and the environmental impacts associated with the entire facility, including the specific proposed stage, were previously addressed in accordance with SEQR.

All other projects are considered major.

PROGRAM SPECIFIC COMPLETENESS REQUIREMENTS:

- ! Hydro geologic investigations for landfills.
- ! Engineering plans, reports, and specifications that comprehensively address the project in its environmental setting.
- ! Plan of operations and maintenance, contingency plans for waste control.
- ! Certified location of property boundaries.
- ! Detailed closure plans for the facility.
- ! For resource recovery facilities, information on the landfill which will receive the residue/bypass waste as detailed in 6NYCRR 360.3.

PUBLIC NOTICE REQUIREMENTS:

- ! Environmental Notice Bulletin and newspaper publication required for major projects.

STANDARDS FOR ISSUANCE:

- ! Negative Declaration has been issued or can meet the requirements of SEQR findings.
- ! When subject to an EIS under SEQR, decision making must include a consideration of consistency with New York State Solid Waste Management Plan objectives.
- ! Demonstration of compliance with all applicable requirements of 6NYCRR Part 360.
- ! Liner and leachate collection systems must be installed under any new landfill or under the lateral expansion of an existing landfill, regulated under subpart 360.2 "landfills."
- ! Siting restrictions and/or prohibitions apply to new facilities located in agricultural lands, flood plains, critical habitats for endangered or threatened species, wetlands, and watersheds. Additional restrictions apply for siting landfills over primary water supply or principal aquifers, near airports, in unstable/unmonitorable/unremediable areas, in fault areas or seismic impact zones.
- ! For all disposal facilities: submission of an acceptable facility closure plan.
- ! For all landfills regulated under Part 360-2, an acceptable form of financial surety.

REFERENCE MATERIALS/SOURCES OF INFORMATION:

- ! Solid Waste Management Plan
- ! Solid Waste Technical and Administrative Guidance Memoranda