

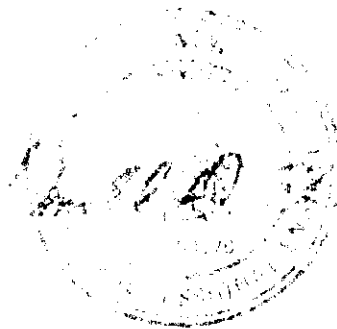
ENGINEERING REPORT

LEVITT'S COMMERCIAL CONTAINERS  
SOLID WASTE MANAGEMENT FACILITY  
6NYCRR PART 360 PERMIT APPLICATION

NEW YORK STATE ROUTE 5S FACILITY

CITY OF UTICA

ONEIDA COUNTY, NEW YORK



Prepared By:

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August, 1995

# CONSULTING CIVIL ENGINEER



*Donald DeWolfe Ehre, P.E.*

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NEW HARTFORD, NEW YORK 13413  
315-797-6087  
315-797-6190 (FAX)

August 29, 1995

Mr. Joseph Homburger  
New York State Department of  
Environmental Conservation  
207 Genesee Street  
Utica, New York 13501

RE: Levitt's Commercial Containers  
Title 6NYCRR Part 360 Permit Application  
NYS Route 5S Facility

Dear Mr. Homburger:

At the request of our client, Levitt's Commercial Containers, Inc., and in accordance with the meeting held on August 14, 1995, we herewith submit an application for a Solid Waste Management Facility on behalf of Levitt's Commercial Containers, Inc., for their NYS Route 5S Facility, located in the City of Utica, Oneida County, New York.

Included with the application is an Engineering Report, which includes a plan of the facility, and a Full Environmental Assessment Form, as required to satisfy the State Environmental Quality Review Act.

It is our understanding that this facility will be reviewed under the requirements for a Transfer Station and the applicable sections of the Recyclable Handling and Recovery Facilities. Further, in accordance with our August 14, 1995 meeting, it is our understanding that this facility will be considered as a minor facility based on its annual throughput of solid waste.

Page 2  
Mr. Joseph Homburger

If you have any questions, please do not hesitate to contact me.

Respectfully submitted,



Donald D. Ehre, P.E.

DDE/cc

cc: Mr. David Levitt - Levitt's Commercial Containers, Inc.  
Mr. B. Andrew Levitt - Levitt's Commercial Containers, Inc.  
Mark Levitt, Esquire  
Mr. Robert Senior, NYS Dept. of Environmental Conservation -  
Solid Waste Management Division  
Mr. Julius Fuks, NYS Dept. of Environmental Conservation -  
Solid Waste Management Division



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): <input checked="" type="checkbox"/> Permit to Construct <input type="checkbox"/> Initial (New) <input type="checkbox"/> Renewal <input checked="" type="checkbox"/> Permit to Operate <input type="checkbox"/> Subsequent Stage (New) <input type="checkbox"/> Modification		2. APPLICANT IS THE: <input checked="" type="checkbox"/> Facility Owner <input type="checkbox"/> Facility Operator	
3. FACILITY OWNER'S NAME Levitt's Comm.Containers		4. FACILITY OPERATOR'S NAME David N. Levitt, Pres.	
5. ENGINEER'S NAME AND P.E. LICENSE NO. Donald D. Ehre, P.E.		6. FACILITY NAME AND LOCATION (Attach USGS Topo Map showing exact location) Name Levitt's Commercial Containers Inc. Street 2145 Dwyer Avenue City, State, Zip Code Utica NY 13501 Town City of Utica Coordinates NYTM-E 273,000 NYTM-N 1,126,500	
7. SITE OWNER'S NAME B.Andrew Levitt, Pres.		8. TYPE OF FACILITY (Check all applicable boxes) <input type="checkbox"/> Landfill (Specify category) _____ <input type="checkbox"/> Research, Development and Demonstration <input type="checkbox"/> Land Application <input checked="" type="checkbox"/> Transfer Station <input type="checkbox"/> Solid Waste Incineration <input type="checkbox"/> Medical Waste <input type="checkbox"/> Refuse Derived Fuel Processing <input type="checkbox"/> Waste Tire Storage <input type="checkbox"/> Composting <input type="checkbox"/> Landfill Gas Recovery <input checked="" type="checkbox"/> Recyclables Handling and Recovery <input type="checkbox"/> Waste Oil <input type="checkbox"/> Other (Describe) _____	
9. IS APPLICATION BEING FILED BY OR ON BEHALF OF A MUNICIPALITY? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No      If yes, name. _____		10. FEE AMOUNT ENCLOSED \$ 0.00	
11. NAME(S) OF ALL MUNICIPALITIES SERVED Private business, contractors individuals throughout the Oneida, Herkimer County area.		12. SOLID WASTE HANDLED a. List wastes to be accepted <u>Construction and demolition debris and transfer of MSW</u> b. Quantity (Specify Units) Existing "approved design capacity" <u>12,000 tons/yr. with max. of 60 ton/day.</u> Proposed "approved design capacity" <u>12,500 tons/yr. with max. of 60 tons/day.</u>	
13. PROVIDE THE FOLLOWING INFORMATION WHERE APPLICABLE a. Facility area proposed in the application <u>3.7</u> acres b. Facility area ultimately planned <u>3.7</u> acres c. Ultimate facility height above existing ground level <u>N/A</u> feet d. Total site area <u>3.7</u> acres e. Existing landfill area on this site and adjacent properties <u>0</u> acres		14. IS A VARIANCE REQUESTED FROM ANY PROVISION OF 6 NYCRR PART 360? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> 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 _____ (title) of _____ (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	
		Print Name	

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Levitt's Commercial Containers  
 North East Metals Site

Location Map

Scale: 1" = 2000'

6NYCRR PART 360 ENGINEERING REPORT  
LEVITT'S HARDWARE & SUPPLY COMPANY, INC.

I. Introduction

Levitts' Commercial Containers, Inc., presently operates a private commercial container company located on NYS Route 5 in the Town of Schuyler, Herkimer County, New York. This facility, as described by the Title 6 New York Codes, Rules and Regulations (NYCRR), Part 360, Solid Waste Management Facilities, is a combination transfer station and recyclables handling and recovery facility.

Due to space and area constraints at their present Route 5 site, Levitts' Commercial Containers, Inc. proposes to close this existing facility and to move their operations into the former Northeast Metals building which is located at 2145 Dwyer Avenue in the City of Utica, Oneida County, New York. This 3.7± acre site contains an existing structure of masonry construction, portions of which are one and two stories in height, as shown in Exhibit 1. The existing building is sprinklered throughout.

The property is fenced along its entire perimeter with chain link fencing to which the operators will have added privacy slats to limit views into the site. Because this proposed use is similar to the prior use by North East Metals, only minor modifications are necessary to begin operations. These changes include the following:

1. Removal of the existing scale and office area in the proposed sorting floor area.
2. Installation of additional overhead doors in the westerly side of the proposed sorting floor area.
3. Reconstruction of poorly paved driveways and paving of the new driveway around the northerly end of the building.
4. Lowering the grade and construction of retaining walls along the westerly side of the building to allow materials to be loaded into the trucks for disposal or recycling.
5. Removal of the small building and loading dock in the central building area in order to open up the truck entryway into the building and accommodate turn-around movements.
6. Installation of directional and required signage.



Finally, the operators have noted the possible roofing over of the existing exterior concrete pad should future demands for additional sorting or temporary storage space become necessary due to expanding business or regulatory requirements.

The company enters into agreements with contractors, businesses, etc. ("customers") to collect and dispose of construction and demolition debris as well as municipal solid waste. Dumpsters are supplied to the customers at their respective sites and are later collected and transported to the proposed Levitt's Route 5S facility. The material is then manually separated into recyclables, hard materials (bricks, stones, concrete, etc.), scraps, salvage and the remaining wastes. The wastes and majority of the recyclables are transported to the Modern/Seneca Meadows landfill and the Oneida-Herkimer Recycling Center or other nearby recycling facilities. The remaining materials are exempt from the requirements of Part 360 and are used for fill, sale or other uses.

The following sections address the applicable requirements pursuant to NYCRR Part 360 Subparts Sections 360-1, "General Provisions", 360-11, "Transfer Station" and 360-12, "Recyclables Handling and Recovery Facilities".

## II. Subpart Section 360-1.14 Requirements

- A. Applicability - The owners maintain and operate a solid waste management facility, and therefore are subject to conformance with the requirements of this section.
- B. Water -
  - 1. No solid waste is, or will be, deposited in or allowed to enter surface waters or groundwaters.
  - 2. The separation of materials occurs inside. There are floor drains in the sorting portion of the building, which collect runoff due to rainwater, snowmelt, etc. from the vehicles or containers. Currently, the floor drains are connected to the City of Utica's sanitary sewer system.
  - 3. Prohibited Siting -
    - a. Agriculture Land - Not applicable to this facility.
    - b. Flood Plains - The property is located outside of the identified floodplain of the Mohawk River.

- c. Endangered Species - The facility does not and will not cause or contribute to the taking of any endangered or threatened species or their habitats.
  - d. Wetlands - The existing facility does not and future expansions will not, encroach on any regulated wetlands.
- C. Public Access - Drop off materials are accepted by the facility during working hours only when an attendant is on duty.
- D. Control of Access - This is a private facility. A fence surrounds the operational portion of the facility. During hours of operation all visitors must report to the operator in charge at the facility.
- E. Monitoring of Waste -
  - 1. The control program to assure that only applicable wastes are accepted, begins during the initial conversation with the customer. The customer is informed of the solid waste material that will be accepted and then must show agreement with such by signing a contract ticket. In addition, if unauthorized material is identified prior to being transported to the facility, the staff of Levitt's will refuse to accept the waste.

Mr. B. Andrew Levitt, Mr. David N. Levitt and the operation manager, Mr. Kevin Healey, have been employed or operating with solid waste material for many years. All staff and new employees must be familiar with the solid waste business. In-house operating procedures and safety measures are discussed with all employees, including discussion regarding proper procedures for the safe handling of unauthorized material.

Mr. Kevin Healey has been employed and trained by the Levitt's, Andrew and David, for approximately the last ten years in all aspects of the job including the evaluation and identification of waste material. As a licensed organization permitted to transport solid waste, being able to identify wastes is an integral part of the business.

2. & 3. Unauthorized Material - During the sorting operation if any unauthorized material is recognized the operation is halted. The operation manager, Mr. Kevin Healey, is notified and determines whether the solid waste is unauthorized. He records the incident and places the unauthorized solid waste in a separate container. Mr. Healey will notify the New York State Department of Environmental Conservation where appropriate and have the material tested where necessary to assist in its identification. After any testing and identification of the waste, it will be transported within one day to the appropriate facility licensed to accept the particular material. If appropriate, the material would go to the Modern/Seneca Meadows sanitary landfill located in Model City, New York and Waterloo, New York respectively. The owner has obtained a NYSDEC 364 Waste Transporter Permit, No. 6A 159.

F. Maintenance and Operation -

1. & 2. The facility will be operated and maintained in accordance with the permit requirements. Refer to Sections III and IV of this report for further discussions on the operation and maintenance of this facility.

3. Self Inspection - The owners or operator inspect the entire facility daily for any deteriorations or malfunctions. Equipment maintenance records and daily vehicle inspection sheets are recorded.

G. Contingency Plan - For any mechanical or structural failure and any natural disaster which results in a shut down of the facility for more than 4 days, the procedures specified under Section II.W. (Closure) will be instituted until the problem can be corrected. See also, Section III.1.D. for procedures related to operating contingencies.

H. Monitoring and Sampling - Not applicable to this facility.

I. Recordkeeping -

1. The owners maintain general operating records pertaining to the facility, including receipts from its customers, tipping tickets received from the Oneida/Herkimer County Transfer Station and records relative to equipment breakdowns, facility shutdown, contingencies, and complaints. Records will be maintained a minimum of seven years.

2. Monitoring Records - Not applicable to this facility.

J. Confinement of Solid Waste - The owners request of their customers, that loose paper, etc. be bagged or confined. Potential blowing material at the facility can be confined with a tarp or placed in a container provided with a top. In addition, external containers containing recyclables will be covered.

K,L,M.

Vector, Dust and Odor Control - The majority of accepted waste is construction and demolition debris. As such, no specific vector or odor control requirements are necessary. The sorting operation is conducted inside the building to minimize material escape due to wind. The portion of the building used for sorting is provided with a ventilation system comprised of a series of vent pipes combined with an exhaust fan. In addition, the employees of the facility are provided with safety goggles, masks and hard hats.

N. Maintenance of Onsite Roads - The onsite driveway will be kept safe and passable at all times to maintain efficient operation of the facility.

O. Equipment Shelter - The large Bobcat and Backhoes will be kept inside the facility. When the need arises, maintenance of this equipment will be done inside.

P. Noise Levels -

1. The sorting operation for the solid waste is performed inside the facility. The machinery used during the operation does not create excessive noise levels. The facility is physically separated by roadways around the site, and the nearby properties are industrial uses. Refer to the Table of Equipment & Vehicles within this report for a list of the machinery used.

2. The facility owns, operates and maintains adequate numbers, types and sizes of equipment for their operation procedures. Suitable legal mufflers are kept on all equipment. Refer to the attached equipment list included as part of this report.

Q. Open Burning - The facility does not permit or perform any form of open burning.

- R. Department Approved Facilities - The waste accepted is generally comprised of construction and demolition material. As noted previously, any unauthorized wastes will be properly disposed.
- S. Safety Hazards - All visitors to the facility are required to report to the office, and to wear a hard hat where required. Employees are provided with protective eye glasses, masks, and hard hats. The building is sprinklered throughout. Fire extinguishers and an eye rinse area are located at the facility. Emergency telephone numbers will be conspicuously posted. These numbers are also provided in the operation and maintenance manual.
- T. Facilities - Adequate sanitary facilities, safe drinking water supply and telephone operations are provided.
- U. Facility Operator Requirements - The owners, Mr. David N. and Mr. B. Andrew Levitt, have gained extensive experience in the operation of a solid waste management facility. The Levitt family has been in the scrap and salvage business since 1905, the current owners have gained over 18 years of hands-on-experience. Mr. Kevin Healey has been employed and trained by the Levitt's over the last 10 $\pm$  years.
- V. Salvaging - Some salvaging occurs as the material is sorted. Salvaged materials will be kept within the designated area shown in Exhibit 1.
- W. Closure - Upon ceasing of operation of the facility, where in the facility has not received solid waste for a period more than one year or a declared shutdown of the facility, the operator will ensure that any remaining solid waste is removed and transported to a licensed proper disposal facility for disposal. All remaining equipment will be cleaned thoroughly. The future use of the site should not be hindered by the operation of this facility. The future use of any remaining equipment and containers will vary based on their condition. They may be sold, salvaged or used at a different location.

### III. Subpart Section 360-11.4, Transfer Station Requirements

General Operating Plan - The facility accepts mainly construction and demolition debris. The hours of operation are 5:00 a.m. - 12:00 midnight Monday through Friday and 6:00 a.m. - 12:00 p.m. on Saturday. The material is from businesses, contractors and individuals from the Oneida and Herkimer County area. Based on previous receipts and operations, the material received has the following general composition:

*Salvage and scrap material	-	20%
*Hard fill(concrete, brick, stone, etc.)	-	20%
*Recyclables(metals, plastics, glass, paper etc.)		30%
*Remaining wastes	-	30%

- A. Acceptable Waste - Only household waste and commercial waste, as described in the introduction of this report, will be accepted at this facility. No industrial waste, treated or untreated regulated medical waste, or treated and destroyed medical waste shall be accepted at this facility.

The material is trucked to the facility, sorted and removed for its final destination. No municipal solid waste will be sorted, only transferred. The maximum waiting period for material to be sorted and disposed is 2 - 4 days.

The remaining wastes and a majority of the recyclables are brought to the Modern Landfill/Seneca Meadows landfill and recycling centers, including the Oneida-Herkimer County Recycling Center, respectively. The hard fill, salvage material and scraps are either kept, sold, given away or used as fill. Any unauthorized material found during the sorting operation is handled as described in Sections II.E (2&3) of this report.

- B. Transfer Plan - The solid waste transferred at the facility is transported to the Modern Landfill/Seneca Meadows. They are located approximately 100/200 miles respectfully from the facility. The material will be trucked along Route 90 (NYS Thruway) to exit 41/48, then to the landfill. The facility includes six roll-off vehicles, two recycling trucks, three front loaders, as well as, two 120 yd. transfer-trailers with tractors.
- C. Signs - As shown on the site plan, Exhibit 1, a sign will be posted at the main gate displaying the hours of operation and the types of solid wastes accepted and not accepted at this transfer facility. In the event of an occasional individual drop off, there will be signs directing all customers to report to the office.
- D. Public Access - See Section II.C
- E. Control of Litter, Odors and Vectors - See Section II.J, K, L and M.

- F. Drainage and Water System - (See Section II.B.2 of this report). The site generally drains in a northwesterly direction and is directed into the storm drainage system located on Pitcher Street. The existing on-site catch basins within the concrete pads are likewise connected into the publicly maintained storm drainage system. In addition the existing floor drains are connected into the City of Utica's sanitary sewer system.
- G. Storage Areas - As shown on Exhibit 1 of this report, adequate storage areas are provided for the facility. In addition, as a private operation, the material received will be limited based upon the sorting and storage capacity available, while still maintaining a reasonable maximum storage duration.
- H. Recoverable Solid Waste - See Section IV of this report.
- I. Operational Records - See Section II.I of this report.
- J. Annual Report - An annual report will be provided by the facility, containing the quantity of waste received, the origin of the solid waste, the destination of the waste, the quantity and type of recovered material and any changes to the equipment or operational procedures used at the facility. In addition, quarterly reports will be provided including a monthly breakdown of the total throughput and recyclables recovered by category.
- K. Fire - The building is sprinklered throughout. Additionally, located throughout the facility will be several hand operated fire extinguishers. Four fire extinguishers will be located in the existing sorting area, one on each wall. A fifth will be located in the office hallway leading to the sorting area. Each fire extinguisher will be marked and checked.
- L. Removal of Waste - All solid waste is transported to its ultimate disposal location within a couple of days after arriving at the facility. For the disposal locations refer to Section III.A, "General Operating Plan". Generally, the facility does not receive putrescible solid waste.
- M. Asbestos Waste - The facility does not accept asbestos waste. In the event of receipt of material containing asbestos, it is handled in the manner of an unauthorized material (Refer to Section III - F.1.). The facility has obtained a NYSDEC 364 Waste Transporter permit #6A 159.

### III.1 Supplemental Operational Information:

- A. Machinery and Equipment - See attached machinery and equipment table.
- B. Training and hiring equipment operators - Refer to Subpart Section II.F.1, of this report.
- C. Supervision of Facility - An owner or attendant is on duty during the operating hours of the facility.
- D. Contingency Plan - The following list is used for periods of delay in transporting or in operation due to undesirable conditions, such as those described below:
  - 1. Delivery of Unauthorized Waste: (Refer to Section II.F.2 & 3 "Unauthorized Material", of this report). The operation manager, Mr. Kevin Healey, is notified and determines whether the solid waste is unauthorized. He records the incident and places the unauthorized solid waste in a separate container. Mr. Healey will notify the NYSDEC where appropriate and have the material tested, where necessary, to assist in its identification. After any testing and identification of the waste as unauthorized it will be transported, within one day, to the appropriate facility licensed to accept the particular material. The owner has obtained a NYSDEC 364 Waste Transporter Permit No. 6A 159.
  - 2. Fire: The building is sprinklered throughout. Additionally, located throughout the facility will be several hand operated fire extinguishers. Four fire extinguishers will be located in the existing sorting area, one on each wall. A fifth will be located in the office hallway leading to the sorting area. Each fire extinguisher will be marked and checked.
  - 3. Dust: All employees are provided with masks. The sorting facility will be provided with a ventilation system, consisting of a series of vent pipes combined with a large ceiling exhaust fan, which operates during the sorting operation. In the event that the ventilation system is not operating sufficiently, water may be used to limit the dust (depending on the nature of material being sorted). In addition, tarps and closed containers are used to limit dust from the material waiting to be sorted. If necessary, the material can be transported directly to the Oneida/Herkimer County Transfer Station.



4. Odors: The solid waste received consists of mainly construction and demolition debris therefore, odors are generally not an issue. In those instances where odors are becoming a problem, the odor causing material can be isolated and contained in a closed container, prior to being transported to the proper facility.
5. Vectors: The material accepted, construction and demolition debris, generally will not cause a vector problem. In the event that material is received which may lead to vectors, the material is contained in a closed container and removed, within one day, to the proper disposal facility.
6. Unusual Traffic Conditions: In the event of an unusual traffic condition along Route 90, the material will be transported to avoid the problem area and a new route will be developed based upon the circumstance, duration, etc. As an example, if New York State Route 90 were closed, west of the facility, the vehicles would then utilize other NYS routes to transport waste to the proper disposal facility.
7. Equipment Breakdown: If the equipment used to sort is not working properly, it will not be used and it will be immediately repaired. In the event that all sorting equipment is inoperable, the material will be brought directly to the proper disposal facility. The facility operates several transfer vehicles, which may be used in the event of a failure of one en route.
8. Evacuation Routes: The primary evacuation route from the sorting area is through the doors located on the north and east walls. A secondary evacuation route is through the south doorway leading to the office and then out through the main entrance to the office.

#### IV. Subpart Section 360-12, Recyclables Handling and Recovery Facility for Initial Permit to Construct

- A. Management of Solid Waste - Refer to Sections I, II and III of this report. The material accepted originates from mainly the Oneida-Herkimer County area, and is transported by Levitt's Commercial Containers, Inc. to the facility for sorting into solid waste, hard fills, recyclables, salvage and scrap. Solid wastes are then transported to the Modern Landfill/Seneca Meadows Landfill.

- E. Solid Waste Collected - The facility currently receives approximately 35 tons/day and expects this volume to remain fairly constant through the next few years. Refer to Section III.A. "General Operation Plan" of this report, for the description of the solid waste.
- C. Description of Overall Operation and Process Equipment - The facility supplies containers to contractors, and businesses, etc.. These containers are brought back to the facility on roll-off trucks by the owners. The material in the containers will then be sorted inside the central portion of the building with the large grapple bucket of the Bobcat machine. The sorting is performed by Mr. B. Andrew Levitt, Mr. David Levitt, Mr. William Rommel or Mr. Allen Harjung, though all employees are capable of performing the sorting operation. Attached as part of this report, is a listing of current staff and their respective responsibilities. Recyclables, scrap and hard fill are separated and placed in storage areas by a backhoe, the Bobcat or manually. The recyclables are stored in the northerly portion of the facility, (see Exhibit 1) in closed containers. The recyclable material storage containers are transported daily to the licensed recycling centers and/or a metal scrapyards or processor. As examples, recyclable metals may be taken to Cap Metals or Supplus, and/or Universal Empire Recycling in Utica, or Roth Steel located in Syracuse, New York.
- D. Internal Communication Systems - The facility will have an inside and outside speaker system that is used for communication. Also, a bull horn is used to notify employees for emergency purposes.
- E. Safety Hazards, Controls and Equipment - Refer to Sections II-S "Safety Hazards", and Section III.1.D "Contingency Plan" for discussion regarding safety controls and equipment.
- F. Expansion Concept - As shown on the plans, Exhibit 1, when additional covered sorting area becomes needed in order to satisfy either demand or regulatory requirements, the owners plan to accomplish this by covering the existing concrete pad between the two story and one story portion of the building.
- G. Surface & Groundwater - Refer to Sections II-B, "Water" and III-F "Drainage" of this report.

V. Subpart Section 360-12, Recyclables Handling and Recovery Facility For Initial Permit to Operate

- A. Storage Procedures - Recyclables are sorted and stored in individual closed containers until they are transported to the recycling centers, and/or to a metal scrap yard or processor, such as Cap Metals Surplus, Universal Recycling, or Roth Steel.
- B. Training Program - The owners or operators of the facility instruct the staff regarding the operating procedures. Any new employee must have experience in the solid waste field before being hired. An experienced operator will then train the new employee.
- C. Waste Control Plan - The owner conducts surveys of its customer base periodically to discuss the material to be accepted at the facility.
- D. Contingency Plan - Refer to Section III.1.D "Contingency Plan" of this report.
- E. Closure Plan - Refer to Section II.W of this report.
- F. Solid Waste Incinerator or Landfill - Solid waste is transported to the Modern Landfill/Seneca Meadows Landfill.

TABLE OF EQUIPMENT & VEHICLES

I. Equipment

One (1)	853 Bobcat w/grapple bucket
One (1)	John Deere backhoe w/cab
One (1)	Case Construction King backhoe w/cab
One (1)	Ford 555 Backhoe w/cab
Dumpsters:	Approximately 150 open top rolloffs (CY sizes: 12, 15, 20, 30, 40)
	Approximately 250 front load containers w/plastic tops (CY sizes: 2, 3, 4, 6, 8, 10)

II. Vehicles

Rolloff Trucks:	1979 White Expeditior w/F/L 1979 Ford 8000 1986 Freightliner 1988 Mack 1988 F800 Ford 1989 RW Superliner
Recycling Trucks:	1988 Dodge 350 Recycling Truck 1990 F250 Ford Stakerack
Others:	1979 Dodge Power Wagon truck w/plow 1988 F150 Ford winch truck 1994 Ford Explorers (2) 1990 Ford Taurus Sedan
Front Loaders:	1979 Internation Front End Loader 1991 Mack MR F/L
Tractors:	1980 International C/O 1988 Peterbuilt Conventional
Trailers:	1995 East 120 yd Walking Floor 1994 Fabrex 120 yd Walking Floor

LEVITT'S COMMERCIAL CONTAINERS, INC.

STAFF

Mr. B. Andrew Levitt	President
Mr. David N. Levitt	Vice President
Mr. Kevin Healey	Operation Manager
Mr. Dan Fanning	Driver, Mechanic
Mr. Walter Tyson	Driver, Mechanic
Mr. William Rommel	Driver, Operator
Mr. Louis Heinz	Driver, Recycling Truck
Mr. Allen Harjung	Driver of Recycling Truck, Laborer, Operator
Mr. David Tryon	Master Mechanic
Mr. Rodney Schaffer	Driver, Recycling
Mr. Stanley Sychtysz	Driver, Laborer
Mr. Don Kimball	Driver
Mr. Scott Hughes	Driver
Ms. June Pavia	Bookkeeping/Office

DRAFT OPERATION AND MAINTENANCE MANUAL

LEVITT'S COMMERCIAL CONTAINERS, INC.

NYS Route 5 Facility

The facility will be operated and maintained in accordance with the provisions of its Permit to Operate, pursuant to Title 6 NYCRR Part 360, Solid Waste Management Facilities. The following is a description of the overall operation and a listing of the current staff and equipment.

The company enters into agreements with contractors, businesses, etc. ("customers") to collect and dispose of construction and demolition debris. Dumpsters are supplied to the customers at their respective sites and later collected and transported to the facility. The material is stored temporarily in its containers on-site in the areas indicated on Exhibit 1. The material is then manually separated into recyclables, hard material (bricks, stones, concrete, etc.), scraps, salvage and the remaining wastes. Within 4 days of its arrival at the facility, the wastes and the majority of the recyclables are transported to the Modern/Seneca Meadows landfill and the Oneida-Herkimer Recycling Center respectively. The dispersement of the remaining materials which are exempt from the requirements of Part 360, will be made by the operation's manager.

Control of Access - This is a private facility. A fence surrounds the operational portion of the facility. During hours of operation all visitors must report to the operator in charge at the facility.

Monitoring of Waste - The control program to assure that only applicable wastes are accepted, begins during the initial conversation with the customer. The customer will be informed of the solid waste material that will be accepted and then must show agreement with such by signing a contract ticket. In addition, if unauthorized material is identified prior to being transported to the facility, the staff will refuse to accept the waste.

Unauthorized Material - During the sorting operation if any unauthorized material is recognized the operation must be halted. The operation manager, Mr. Kevin Healey, should be notified. He will determine whether the solid waste is unauthorized. He shall record the incident and place the unauthorized solid waste in a separate container. He will notify the New York State Department of Environmental Conservation where appropriate and have the material

tested where necessary to assist in its identification. After any testing and identification of the waste, it will be transported within one day to the appropriate facility licensed to accept the particular material. If appropriate, the material would go to the Modern/Seneca Sanitary Landfill.

Inspection - The staff shall inspect the entire facility daily for any deteriorations or malfunctions. Equipment maintenance records and daily vehicle inspection sheets shall be recorded.

Recordkeeping - General operating records pertaining to the facility, including receipts from customers, tipping tickets received from the landfill/transfer on station and records relative to equipment breakdowns, facility shutdown, contingencies, and complaints shall be maintained. Records will be maintained a minimum of seven years.

Confinement of Solid Waste - Customers shall be requested to confine or bag paper, etc.. Potential blowing material at the facility will be confined with a tarp or placed in a container provided with a top. In addition, external containers containing recyclables will be covered.

Maintenance of Onsite Roads - The onsite throughway will be kept safe and passable at all times.

Equipment Shelter - The large Bobcat will be kept inside the facility while the two backhoes are generally kept outside unless directed otherwise.

Noise levels - The sorting operation for the solid waste will be performed inside the facility.

Open Burning - The facility does not permit or perform any form of open burning.

Safety Hazards - All visitors to the facility are required to report to the office, and will wear a hard hat where required. Employees shall be provided with protective eye glasses, masks, and hard hats. Employees shall become familiar with the location of the fire extinguishers and the eye rinse area.

Transfer Plan - The solid waste sorted at the facility will be transferred to the Modern/Seneca Sanitary Landfill.

Dust - All employees will be provided with masks. The sorting facility is provided with a ventilation system, consisting of a series of vent pipes combined with a large ceiling exhaust fan, which must be operated during the sorting operation. In the event that the ventilation system is not operating sufficiently, water may be used to limit the dust (depending on the nature of material being sorted). In addition, tarps and closed containers will be used to limit dust from the material waiting to be sorted.

Odors - In those instances where odors are becoming a problem, the odor causing material will be isolated and contained in a closed container, prior to being transported to the proper disposal facility.

Vectors - In the event that material is received which may lead to vectors, the material shall be contained in a closed container and removed, within one day, to the proper transfer station.

Equipment Breakdown - If the equipment used to sort is not working properly, it will not be used. The employee shall notify the operation manager so that the equipment can be repaired.

Evacuation Routes - The primary evacuation route from the sorting area is through the doors located on the north and east walls. A secondary evacuation route is through the south doorway leading to the office and then out through the main entrance to the office.

Internal Communication Systems - The facility has an inside and outside speaker system that is used for communication. Also, a bull horn is used to notify employees for emergency purposes.

Recyclables Storage Procedures - Recyclables are sorted and stored in the proper individual closed containers until they are transported.



LEVITT'S COMMERCIAL CONTAINERS, INC.  
DRAFT OPERATION AND MAINTENANCE MANUAL

EMERGENCY PHONE NUMBERS

Mr. David Levitt, Levitt's Commercial Containers, Inc. . . . .	(315) 853-1164
Fire . . . . .	(315) 724-5151
NYSDEC . . . . .	(315) 793-2554
Poison Information . . . . .	(315) 798-6200
Utica Ambulance Service . . . . .	(315) 797-4111
City of Utica, Codes Dept . . . . .	(315) 792-0102

FULL ENVIRONMENTAL ASSESSMENT FORM

617.21  
 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.

**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

Levitt's Commercial Containers Transfer Station & Recyclables Handling & Recovery Facility      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 <b>Part 360 Permitting for Levitt's Commercial Container, Inc.</b>		
LOCATION OF ACTION (Include Street Address, Municipality and County) <b>2145 Dwyer Ave., City of Utica, Oneida County</b>		
NAME OF APPLICANT/SPONSOR <b>Levitt's Commercial Containers, Inc.</b>		BUSINESS TELEPHONE <b>(315) 724-0024</b>
ADDRESS <b>867 Route 5</b>		
CITY/PO <b>Utica</b>	STATE <b>NY</b>	ZIP CODE <b>13502</b>
NAME OF OWNER (If different) <b>Mr. B. Andrew Levitt &amp; Mr. David N. Levitt</b>		BUSINESS TELEPHONE <b>(315) 724-0024</b>
ADDRESS <b>867 Route 5</b>		
CITY/PO <b>Utica</b>	STATE <b>NY</b>	ZIP CODE <b>13502</b>
DESCRIPTION OF ACTION  <b>Levitt's Commercial Container requires a Part 360 Permit to operate a private transfer station and recyclables handling &amp; recovery facility at their proposed NYS Rte 5S facility located in the City of Utica.</b>		

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 \_\_\_\_\_

2. Total acreage of project area:    3.7+ 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	<u>2.5</u> acres	<u>2.3</u> acres
Other (Indicate type) _____	<u>1.2</u> acres	<u>1.4</u> acres

3. What is predominant soil type(s) on project site?    Urban land
- a. Soil drainage:     Well drained 100 % 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?    N/A acres. (See 1 NYCRR 370).
4. Are there bedrock outcroppings on project site?     Yes     No
- a. What is depth to bedrock?    N/A (in feet)

5. Approximate percentage of proposed project site with slopes:  0-10% 100 %  10-15% \_\_\_\_\_ %  
 15% or greater \_\_\_\_\_ %

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

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

8. What is the depth of the water table? \_\_\_\_\_ (in feet)

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

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

11. Does project site contain any species of plant or animal life that is identified as threatened or endangered?  
 Yes  No According to NYS DEC Register  
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 Describe \_\_\_\_\_

13. Is the project site presently used by the community or neighborhood as an open space or recreation area?  
 Yes  No If yes; explain \_\_\_\_\_

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

15. Streams within or contiguous to project area: None  
a. Name of Stream and name of River to which it is tributary Mohawk River

16. Lakes, ponds, wetland areas within or contiguous to project area:  
a. Name N/A b. Size (In acres) \_\_\_\_\_

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

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

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

## B. Project Description

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

- a. Total contiguous acreage owned or controlled by project sponsor 3.7 acres.
- b. Project acreage to be developed: 3.7 acres initially; 3.7 acres ultimately.
- c. Project acreage to remain undeveloped 0 acres.
- d. Length of project, in miles: N/A (If appropriate)

e. If the project is an expansion, indicate percent of expansion proposed 0 %;

f. Number of off-street parking spaces existing 30+; proposed no additional space

g. Maximum vehicular trips generated per hour 5 (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 35 height; 50 width; 205 length.

j. Linear feet of frontage along a public thoroughfare project will occupy is? 400 ft. each side

2. How much natural material (e.g., rock, earth, etc.) will be removed from the site? 0 tons/cubic yards
3. Will disturbed areas be reclaimed?  Yes  No  N/A
- 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? 0 acres.
5. Will any mature forest (over 100 years old) or other locally-important vegetation be removed by this project?  
 Yes  No
6. If single phase project: Anticipated period of construction 1-2 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 \_\_\_\_\_ year.
- d. Is phase 1 functionally dependent on subsequent phases?  Yes  No
8. Will blasting occur during construction?  Yes  No
9. Number of jobs generated: during construction Unknown at this time; after project is complete 20
10. Number of jobs eliminated by this project 0
11. Will project require relocation of any projects or facilities?  Yes  No If yes, explain \_\_\_\_\_
12. Is surface liquid waste disposal involved?  Yes  No
- 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 \_\_\_\_\_
14. Will surface area of an existing water body increase or decrease by proposal?  Yes  No  
Explain \_\_\_\_\_
15. Is project or any portion of project located in a 100 year flood plain?  Yes  No
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? \_\_\_\_\_ tons/month.
- b. If yes, what is the anticipated site life? \_\_\_\_\_ years.
18. Will project use herbicides or pesticides?  Yes  No
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) Additional electricity for the facility will be required.
22. If water supply is from wells, indicate pumping capacity N/A gallons/minute.  
Total anticipated water usage per day 750 gallons/day.
24. Does project involve Local, State or Federal funding?  Yes  No  
If Yes, explain \_\_\_\_\_

Refer to the Engineering Report-Approx. 750/tons/month of material is accepted and sorted of which approx. 225 is transported to Modern/Seneca Meadows.

**25. Approvals Required:**

		Type	Submittal Date
City, Town, Village Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
City, Town, Village Planning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
City, Town Zoning Board	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
City, County Health Department	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
Other Local Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Bldg. Permit for the exp.	Aug. 21, 1995
Other Regional Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____
State Agencies	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Part 360 NYCRR Solid Waste Facility Permit Application	Mgmt. Aug. 1995
Federal Agencies	<input type="checkbox"/> Yes <input type="checkbox"/> No	_____	_____

**C. Zoning and Planning Information**

- Does proposed action involve a planning or zoning decision?  Yes  No  
 If Yes, indicate decision required:  
 zoning amendment     zoning variance     special use permit     subdivision     site plan  
 new/revision of master plan     resource management plan     other Special Condition Permit
- What is the zoning classification(s) of the site? I-4
- What is the maximum potential development of the site if developed as permitted by the present zoning?  
N/A
- What is the proposed zoning of the site? I-4
- What is the maximum potential development of the site if developed as permitted by the proposed zoning?  
Same as No. 3 of this part.
- Is the proposed action consistent with the recommended uses in adopted local land use plans?  Yes  No
- What are the predominant land use(s) and zoning classifications within a ¼ mile radius of proposed action?  
I-1 Industrial and Commercial Areas
- Is the proposed action compatible with adjoining/surrounding land uses within a ¼ mile?  Yes  No
- If the proposed action is the subdivision of land, how many lots are proposed? N/A  
 a. What is the minimum lot size proposed? N/A
- Will proposed action require any authorization(s) for the formation of sewer or water districts?  Yes  No
- 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
- 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 Mr. David N. Levitt Date 8/30/95  
 Signature [Signature] Title Vice President

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