NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT

DRAFT SCOPING OUTLINE

HYLAND LANDFILL EXPANSION

TOWN OF ANGELICA, ALLEGANY COUNTY

January 2022

PROJECT SPONSOR:
Hyland Facility Associates
6653 Herdman Road
Angelica, New York 14709

SEQR LEAD AGENCY:
New York State Department of Environmental Conservation, Region 9
270 Michigan Avenue
Buffalo, New York 14203

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I. BACKGROUND

Hyland Facility Associates (Hyland) is seeking modifications to its existing Solid Waste Management Facility permit under Title 6 of the New York Codes, Rules, and Regulations (NYCRR) Parts 360 and 363 (Part 360/363 permit), Title V permit, and its Individual State Pollution Discharge Elimination System permit from the New York State Department of Environmental Conservation (NYSDEC). A list of approvals is included in Table 1. The permit modifications would allow Hyland to construct and operate an expansion to an existing municipal solid waste landfill located at 6653 Herdman Road, in the Town of Angelica, Allegany County, New York. Hyland is a wholly owned subsidiary of Casella Waste Systems, Inc., (Casella) headquartered at 25 Greens Hill Lane, Rutland, Vermont 05701. Casella is a waste collection and disposal firm that operates within the northeastern United States. The proposed Hyland landfill expansion will add 104.1 acres of landfill cell area to the existing 76.3 acres of permitted cell area (see Figure 1).

In addition to the increased cell area, Hyland is seeking an increase in the maximum permitted cell elevation from the existing elevation of 2080 feet to 2200 feet (an increase of 120 feet). The elevation datum is National Geodetic Vertical Datum of 1929 – NGVD 29. The increase in cell elevation would occur over the currently permitted cell area and over the new cell area. The Amended Host Community Agreement previously in effect between Hyland and the Town of Angelica has been modified through a referendum to allow the vertical and horizontal expansion.

The additional and existing cell volumes will be used for the disposal of municipal and non-hazardous industrial waste. A secondary change included in this action is an increase in the maximum disposal rate from 465,000 tons per year (TPY) to 1,000,000 TPY. In summary, Hyland’s purposes in submitting this permit modification application are to increase the disposal volume and maximum disposal rate of the Hyland landfill.

II. SEQR AND THE SCOPING PROCESS

This proposed project is being reviewed under State Environmental Quality Review Act (SEQR) to identify potentially significant adverse environmental impacts and to establish methods and procedures to prevent or mitigate these impacts to the maximum extent practicable. Because of its comprehensive regulatory jurisdiction and required discretionary decision making related to approving or denying this proposal, this review is being performed under the direction of the NYSDEC, which has been established as the SEQR Lead Agency for this process. A positive declaration was issued on December 28, 2021, by the NYSDEC (see Appendix I), requiring the preparation of an Environmental Impact Statement (EIS) for the proposed expansion. A Supplemental Environmental Impact Statement (SEIS) will be prepared for this project, since the landfill was the subject of Draft and Final Supplemental Environmental Impact Statements in 2006, as well as a Draft Environmental Impact Statement in 1991 and a Final Environmental Impact Statement in 1995.

A scoping document describes the content and format of a Draft Supplemental Environmental Impact Statement (DSEIS) and is used by the lead agency to determine
when a prepared DSEIS is adequate for public review. This scoping document identifies the issues to be addressed in the DSEIS, which will be prepared to analyze and evaluate this project and is intended to assist involved agencies and interested individuals to provide input on the environmental issues to be addressed in the review process.

This draft scoping document is being prepared in accordance with the SEQR regulations at 6 NYCRR § 617.8, which includes a requirement for public participation in the development of the scoping document. Before NYSDEC finalizes the scoping document, public input received on the draft scope will be reviewed and considered. Steps in the SEQR process during which the public has an opportunity to participate are described briefly below:

- **SCOPING** – Scoping is a process in which the issues to be addressed in an EIS are identified. Written public comments are received on the draft scope to assist the lead agency to determine what should be discussed and evaluated in the DSEIS for the project. The objectives of scoping are to:
  
  - Identify significant environmental conditions and resources that may be affected by the project;
  - Eliminate irrelevant impacts or issues;
  - Describe the extent and quality of information needed;
  - Define reasonable alternatives to be addressed; and,
  - Identify potential mitigation measures.

- **DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT** -- Potentially significant adverse environmental impacts associated with the proposed expansion, which have not already been addressed in the earlier SEQR analyses, will be addressed in a DSEIS. Copies of the DSEIS and supporting documents will be made available for public review. A minimum of thirty days is provided following completion of the DSEIS for the public to review and provide written comments on the DSEIS.

- **PUBLIC HEARINGS** – A public hearing to receive public comments will be held following completion of the DSEIS and formal acceptance of the DSEIS by the SEQR lead agency.

### III. DRAFT DSEIS OUTLINE

A preliminary outline of the DSEIS is presented below in the form of a DSEIS Table of Contents. This outline will be modified, as necessary, based on comments received from involved/interested agencies and the public during the scoping process described above. Detailed descriptions of the analyses and information to be provided for each section of the outline are provided in Section IV below.
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COVER SHEET

In accordance with 6 NYCRR § 617.9(b)(3), this will include a single-page cover sheet identifying the type of document (draft, final), title of project, location, name and address of SEQR Lead Agency contact person, name and address of document preparer, date of Lead Agency acceptance, date of SEQR hearing, and deadline for acceptance of public and agency comments.

TABLE OF CONTENTS

This will list the contents of the DSEIS and page numbers for each section.

GLOSSARY

This will provide an alphabetical list of common acronyms and terms used in the report and the definitions for each.

EXECUTIVE SUMMARY

This summary will present an overview of the project, provide a brief description of the overall proposed project, and the following:

- Description of action and setting
- Purpose and need for the project
- Impacts of action
- Benefits of action
- Mitigation proposed
- Alternatives
- SEQR status and issues to be decided

1.0 INTRODUCTION

1.1 HISTORY OF THE HYLAND LANDFILL AND DESCRIPTION OF EXISTING FACILITY

This section will summarize the history of the landfill and describe the existing facility, including appropriate figures. It will include all or some of the following background information:
The currently permitted disposal cell area is 76.3-acres in size. Cells 1 through Cell 5B are operational and were constructed between 1997 and 2019. Cells 5C through 5E will be constructed over the next several years. The Hyland Facility is permitted to accept municipal and non-hazardous industrial waste at a rate of 465,000 TPY. Assuming this rate of disposal, the currently permitted cells will reach capacity in approximately nine (9) years.

The liner system for the existing facility is comprised of a double composite system, as required by the current Part 363 regulations. A composite liner consists of a combination of low permeability soil and a high-density polyethylene liner. The system also includes leachate collection systems over each of the liners.

Groundwater and surface water monitoring systems are in place, which include collection of samples from the leachate collection system, groundwater wells, the groundwater collection system, and surface monitoring points surrounding the facility.

1.2 SEQR STATUS

This section will provide a brief summary of the prior SEQR reviews conducted for the landfill. The DSEIS will also provide a summary of the key decisions made in the current SEQR review, up to the DSEIS acceptance date. Note that since this is a “Supplemental” EIS, only new or incremental impacts will be evaluated. Reference will be made to prior SEQR reviews for evaluation of existing impacts. Copies of the SEQR Environmental Assessment Form (EAF), positive declaration, and final scoping document will be included as an appendix to the DSEIS.

1.3 APPROVALS REQUIRED

This section will provide an overview of the local, state and federal permits and approvals presently anticipated to be required for the proposed project, the agencies responsible for the approvals, and the applicable law or regulations associated with each approval. The information will be provided in a table, and this table may be revised as additional information is obtained during the course of the scoping process or in the review of the DSEIS. A draft of Table 1.0 is attached to this draft scope. Additional approvals, to the ones listed in draft Table 1.0, if any, will be identified during the scoping process.

1.4 ORGANIZATION OF THE DSEIS

This will include a brief statement to instruct the reader on the organization and content of the DSEIS.
2.0 DESCRIPTION OF PROPOSED ACTION

This section will describe the proposed action subject to review in the DSEIS (i.e., the project), in accordance with 6 NYCRR § 617.9(b)(5)(i). The project description will be provided in narrative form but also include references to maps, drawings and technical reports that provide the reader sufficient detail to clearly understand the project. The information will include the background information below, organized into Sections 2.1 - 2.5. In addition to the background information, any additional items to be included are identified in each section.

Background information:

The proposed expansion would add approximately 104.1 acres of landfill cell area to the existing 76.3 acres of permitted cell area. In total, the proposed development (including cell area, borrow area, and support facilities) will increase the affected land area by approximately 113.2 acres, as shown on Figure 2. The proposed project would also include an approximate 36.8-acre on-site soil borrow area, from which soils would be excavated for landfill construction and operation. It is expected that the borrow area will eventually be converted into a stormwater management pond. Hyland is also seeking an increase in the existing maximum permitted landfill height by approximately 120 feet, from elevation 2080 to elevation 2200. An additional truck lane (“climbing lane”) is proposed to be constructed on Peacock Hill Road to accommodate the additional landfill-bound traffic and mitigate potential impacts on local traffic (see Figure 3). In addition, Hyland is proposing to increase the disposal rate from 465,000 TPY to 1,000,000 TPY.

The expansion would extend the facility’s operations by approximately 30 years depending upon the waste volume received in any given year. Hyland is not proposing to change the type of wastes being received at the facility.

The landfill will be designed, constructed and operated in accordance with the State’s solid waste management regulations at 6 NYCRR Part 360 and Part 363. Hyland will be required to obtain a Part 360/363 permit modification for the proposed expansion from the NYSDEC Region 9 office located at 270 Michigan Avenue, Buffalo, New York 14203. Required State and other permits or permit modifications are addressed in Section 1.3 of this document.

Since some of the construction activities will occur in wooded areas, the first step will be to log, clear and grub the area. Surficial soils will be stripped and stockpiled for later use during the landfill operation stage.
The landfill will be developed in phases. It is anticipated that revegetation of completed cell areas will be established within three months of placement of the final cover.

Landfill operations that will continue at the site, as they have in the past and include the following:
- Access to the proposed landfill expansion area will be via the same public highways;
- Final cover design will be in accordance with 6 NYCRR Part 363 requirements; and
- Monitoring and maintenance will be similar to that required for the currently permitted landfill and will be in accordance with 6 NYCRR Part 363 requirements.

Waste Types and Cell Design

The Hyland facility disposes only municipal and non-hazardous industrial waste as defined in 6 NYCRR Part 360.2(b).

As required for landfills receiving this type of waste in New York State, the existing landfill cells have been constructed with a double composite liner and leachate collection systems. The expansion cells will be constructed in the same way. This type of liner system is currently being used for this and other similar municipal and non-hazardous industrial waste landfills and provides an adequate leachate barrier.

Landfilling Sequence and Method

The landfilling operation is a phased operation, with landfill cells to be constructed as needed, depending on market conditions for waste disposal. Expansion cells would be developed to the east and south of the existing cells.

Equipment used during the construction and operation of the facility is expected to include graders, crawler tractors, front-end loaders, hydraulic excavators, dump trucks, soil screens, water trucks, waste compactors, a tipper, and soil compactors. All of this equipment is similar to the equipment used for construction and operation of the existing landfill.

Within each phase of the landfilling operation, final cap construction and closure will proceed on a cell-by-cell basis, as soon as practicable (i.e., after settlement) after each cell is filled.
Grading and Setbacks

All applicable NYSDEC regulations and guidance, and conditions imposed by the Town (e.g. maximum landfill elevation), will be followed in the implementation of landfilling activities. The proposed new landfill disposal cells will be at least 100 feet from property lines. Final post-closure grades on the cell caps of no more than 33 percent and no less than 4 percent will be used.

Roadway Modifications

The proposed landfill expansion includes the construction of an additional truck lane (“climbing lane”) on Peacock Hill Road to accommodate the additional landfill-bound traffic (see Figure 3). Hyland will fund the construction of the additional lane, the details of which will be determined through traffic studies and provided in the DSEIS. This work may include structural and geometric improvements to Peacock Hill Road.

Hyland will coordinate with the Town of Angelica, NYSDOT and all other involved agencies such that the Peacock Hill Road modification work is completed in accordance with applicable state and town laws and zoning ordinances. Field investigation, final design, and permitting of the road modification will be completed by Hyland in cooperation with the involved agencies once all permits required to construct and operate the proposed landfill expansion are obtained. The required permitting will be completed prior to modifying the 4,000-foot section of Peacock Hill Road.

Operating Hours

Permitted periods of operation (related to the acceptance and disposal of waste) are Monday through Saturday as follows:

- 6:30 am: Begin stripping soils for waste placement, Start equipment to warm up, and Scale in and stage trucks
- 7:00 am – 8:00 pm: Place waste in landfill
- 7:00 am – 9:00 pm: Place daily cover

These hours of operation are described in the existing permit and will not change.
Storage of Materials and Disposal of Wastes

On-site storage areas for wood from clearing activities will be limited to temporary staging. Wood waste that cannot be sold for lumber or firewood is expected to be chipped and stored on-site and used as mulch during site restoration. This procedure is the same as with the existing landfill.

Stripped overburden soils, along with the associated low-level vegetation (grasses, shrubs, etc.), will be stockpiled and used during site restoration.

Waste petroleum products (from equipment maintenance) and other wastes generated at the facility, which are not appropriate for on-site disposal, will be properly containerized and routinely transported to permitted off-site disposal or recycling facilities, as required by NYSDEC pursuant to 6 NYCRR Part 364.

The DSEIS will contain the background information above as well as the following:

- Physical dimensions and location of the proposed cell expansion area.
- Details (conceptual) pertaining to the modification of Peacock Hill Road.
- Types of municipal and non-hazardous industrial wastes accepted, including approximate annual quantities.
- Hours of operation.
- A summary of pertinent sections from the Borrow Area Use Plan (BAUP).

2.1 PROJECT PURPOSE AND NEED

This section will include a statement of the project’s purpose and need that explains the following:

- Regional and statewide need for municipal and non-hazardous industrial waste disposal facilities.
- Current remaining life of the existing facility and estimated remaining life if the expansion is approved.
- Benefits to the local area and region of continuing operation of the facility.

2.2 LOCATION, CURRENT LAND USE, AND ACCESS

Background Information:

The landfill site (site) is located in the Town of Angelica, Allegany County, New York, approximately 1.25 miles south of the Village of Angelica. The site is accessed from Interstate Route 86 (formerly Route 17), and then by traveling south-east a short distance on Peacock Hill Road before reaching Herdman Road, which is the privately owned access road to the
The entrance to the landfill site is located on the south side of Peacock Hill Road. Internal roadways have been developed on-site to provide access to various parts of the facility.

The present landfill operation (landfill cells and ancillary facilities) occupies approximately 212.6 acres of land south of Peacock Hill Road. The proposed additional cell area (approximately 104.1 acres), soil borrow area expansion (approximately 36.8 acres), and ancillary facilities/berms, will increase the affected land area by approximately 113.2 acres, as shown on Figure 2. (The reason the areas cited above do not seem to add up is because some of the new cell area will be constructed over areas currently occupied by ancillary facilities.)

The landfill expansion will include modification of an existing section of Peacock Hill Road, by addition of a “climbing lane” to handle increased truck traffic, as depicted on Figure 3. Access to the site for facility-related traffic (waste and leachate hauling trucks, employee/visitor vehicles, and delivery vehicles) would be unaffected.

The proposed 113.2-acre development area (including the areas of the proposed cell expansion, soil borrow area expansion, and support facilities) is presently comprised primarily of forested land, open fields, and site areas currently used for other purposes.

Primary ecotypes on the site include successional field, successional shrubland, successional northern hardwoods, Hemlock northern hardwood forest, Appalachian oak-hickory forest, pine plantation and mixed conifer plantation, which are typical for the region. All of the habitat types which exist in the unused portions of the site are available in abundance in the surrounding area.

The topography of the site and the surrounding area is shown on Figures 1 and 4. The landfill area is located in the southern valley created by two peaks of Peacock Hill. This natural upland valley area, facing away from the Village of Angelica, is the area in which all waste disposal and support operations occur, with the exception of waste transportation. Surface water and groundwater flow from the topographic highs south-west toward the Genesee Valley and then flow northward, eventually discharging into Lake Ontario.
This section of the DSEIS will contain the background information above, as well as the following:

- Description of the site, including the area, boundaries, topography.
- Description of access route, distance to relatively heavily populated areas (e.g. Village of Angelica).
- Description of man-made facilities presently in existence and amount of area impacted by these facilities.
- Description of facilities proposed as components of the expansion and amount of area to be impacted by the proposed expansion facilities.

2.3 LAYOUT AND CAPACITY

This section of the DSEIS will include the following:

- A figure will be presented (and discussed) showing the proposed locations and configurations of the cell area, maintenance and office buildings, on-site roads and parking areas, drainage ditches, sedimentation ponds, property boundaries, and any other key features of the proposed expansion.
- The approved design capacity (disposal rate) will be identified, as well as the proposed increase in disposal volume, and increased remaining site life that would result from the proposed expansion.

2.4 DESIGN, CONSTRUCTION AND OPERATION

This section of the DSEIS will include the following:

- Regulations governing the design, construction, and operation of the proposed landfill expansion (contained in 6 NYCRR Part 360 and Part 363) will be identified and described in the DSEIS.
- The components of the expected Part 360/363 Permit Modification Application package will be identified and briefly described. These components include:
  - Engineering Drawings (6 NYCRR Part 363-4.2) – These drawings show the proposed cell development location, property boundaries, adjacent land uses, and detailed construction plans, providing all details relative to the design and development of the new cell area and related facilities. These plans also indicate the sequential development and fill progression of the landfill and describe the seeding and planting plan. In addition, these documents show the manner and methods used to close the landfill once full capacity is reached.
  - Engineering Report (6 NYCRR Part 363-4.3) – This report provides a description and analysis of the proposed facility, including a landfill liner subbase settlement analysis, structural integrity and overall slope
stability analysis, seismic stability analysis, a description and analysis of the leachate collection and removal system, design information for a stormwater conveyance system, and a BAUP. Specifications for materials and equipment and quality assurance and control procedures are included as an appendix to the Engineering Report.

- Facility Manual (6 NYCRR Part 363-4.6) – This manual describes the anticipated day-to-day facility operations throughout the active life of the landfill, addresses appropriate sequencing of all major landfilling activities, and demonstrates how the landfill will meet the operating and reporting requirements. This manual includes a sustainability plan, post-construction care plan, fill progression and placement plan, waste control plan, cover management plan, environmental monitoring plan, site analytical plan, leachate management plan, odor control plan, gas monitoring and emissions control plan, winter and inclement weather operation plan, radioactive waste detection plan, emergency response plan, and end use plan.

- Hydrogeologic Report (Part 363-4.4) – This report describes the landfill site geology and hydrology in detail and relates these factors to regional and local geology and hydrogeology.
  - A general (not detailed) construction schedule will be presented and discussed.
  - The liner and cover systems will be described.
  - The anticipated landfill progression (stages of construction) will be shown in a figure and described in the text.
  - Types of equipment used for construction and operation of the landfill will be identified.
  - Leachate management (collection and removal system and storage facilities) will be described.
  - Stormwater management facilities and practices will be discussed, including drainage ditches, swales, sedimentation ponds, and seeding of disturbed areas. The requirements of the State Pollutant Discharge Elimination System (SPDES) Individual Permit and Stormwater Pollution Prevention Plan (SWPPP) will be described. In addition, the sections of the Facility Manual that apply to the stormwater management system will be described. Technical stormwater design support information will be referenced as being part of the Engineering Report.
  - The Environmental Monitoring Plan will be described, including facilities, monitoring locations, procedures, and reporting.
  - Bedrock separation distance from the landfill liner system will be presented and discussed.
2.5 CLOSURE AND POST CLOSURE

The DSEIS will include the following:
- The final cover system will be described, with references to the 6 NYCRR Part 363 design requirements and the Facility Manual.
- The minimum period of post closure monitoring and maintenance, and the financial and operational responsibilities of Hyland, will be specified.
- The reclamation objective for the entire site will be described.

3.0 NATURAL RESOURCE ASSESSMENT

The DSEIS will describe the environmental setting (existing conditions), potentially significant adverse environmental project impacts, and mitigation measures for those impacts within each of the natural resource areas identified below. The DSEIS will also describe those adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented. Technical reports supporting the analysis provided in each section shall be included as appendices to the DSEIS in the appendices section.

3.1 GEOLOGY/SOILS

3.1.1 Environmental Setting

Background Information:

Glacial sediments of variable thickness and characteristics cover the bedrock. The valley sides and ridge tops in the Hyland site area are covered with glacial till. Glacial lacustrine, outwash and alluvial sediments are found in the lower elevations of the valley adjacent to the Genesee River.

Bedrock formations in the vicinity of the Hyland site are part of the Conneaut and Canadaway Groups and include the Wellsville, Cuba and Machias Formations. The majority of the facility and all of the proposed expansion area is underlain by bedrock of the Machias Formation.

The altered and unaltered till have similar soil characteristics, the difference being desiccation cracks in the altered till giving it a blocky soil structure. Both the altered and unaltered till exhibit low hydraulic conductivity.
The sand and gravel components of the till combined with its dense nature result in a soil with high strength. The relatively high percentage of silt and clay and its plasticity result in a soil with low permeability. These characteristics make the till an excellent base for the landfill expansion. The high strength provides a stable base for construction of the landfill, and its low permeability makes it an aquitard, serving to limit downward migration.

The DSEIS will contain the background information above as well as the following:
- The DSEIS will identify the existing environmental setting, including the soil and rock formations that exist in the project area.
- A general description of regional geology will be included.
- A detailed description of site geology, including topography, soil and bedrock characteristics, and overburden thickness will be provided.
- Subsurface investigations performed on the site will be summarized. Supporting technical data in the form of hydrogeologic data and calculations will be referenced as being a part of the Hydrogeologic Report.

3.1.2 Significant Environmental Impacts

The DSEIS will include the following:
- The DSEIS will address geologic and engineering landfill design considerations. A discussion of subsurface geologic investigations, such as stratigraphic test wells and relevant sampling and testing, will be provided.
- The DSEIS will discuss the borrow area design. The DSEIS will identify potential impacts on soils and the subsurface due to the soil borrow area, excavation, altered topography, and use of soils for construction of liner and cover systems. This will include estimates of overall soil quantities needed for construction and available on-site.
- For any shortages of soil that are identified, discussion of alternative soil sources must be identified and impacts evaluated.
- A BAUP will be provided for the soil borrow area consistent with 6 NYCRR § 422 and included in the Part 360/363 Permit Modification Application. The BAUP will describe impacts within the soil borrow area.
3.1.3 Environmental Impact Mitigation

The DSEIS will include the following:
- The DSEIS will discuss design requirements for construction of the landfill expansion related to soils and subsurface geology. This will include bedrock separation, placement of intermediate and final cover materials, re-vegetation of the site, and erosion and sedimentation control during construction and operation.
- For the borrow area, the DSEIS will discuss measures to mitigate soil erosion during operations and discuss final reclamation requirements and objectives. This discussion will be based on the BAUP provided in the Part 360/363 Permit Modification Application.

3.2 WATER RESOURCES – GROUNDWATER

3.2.1 Environmental Setting

Background Information:

Hydrogeological investigations of the landfill site were conducted during previous permitting processes. Additionally, as part of current landfill monitoring activities, groundwater monitoring wells have been installed around the facility.

Groundwater sources in the Genesee River Basin include the sand and gravel deposits adjacent to and beneath the Genesee River and bedrock. The tills present on the valley sides limit recharge to the underlying bedrock. Recharge of groundwater to the bedrock occurs in areas where the overlying tills are absent or thin. This primarily occurs at the higher elevations surrounding the Genesee Valley. Groundwater from the bedrock and soils on the valley side slopes discharges to the sand and gravel deposits in the valley. Groundwater then follows the Genesee Valley toward the north.

The “critical stratigraphic section” is defined as all stratigraphic units, both unconsolidated deposits and bedrock, including but not limited to the unsaturated zone, uppermost aquifer, and the first water-bearing unit into which contaminants that escape from a facility might reasonably be expected to enter and cause contamination. Studies of the site-specific hydrogeology have led to the conclusion that the critical stratigraphic section for the site is the glacial till overburden and the upper zone of the
bedrock. The first water bearing unit of the critical stratigraphic section is the glacial till overburden.

Groundwater availability in the glacial till (which occurs on the Hyland site) is limited due to the relatively high percentage of clay and silt in this deposit and its corresponding low permeability. Recharge to the till is through infiltration. The amount of infiltration is limited by the material’s low permeability and the fact that these materials occur primarily on steeper slopes in the area. Similarly, movement of water in the till is also limited by the low permeability. Because of their low permeability, the till soils have limited potential as a source of groundwater. In general, groundwater flow in the till follows the topography from the higher valley elevations toward the upland valley center on the site, then toward the south-southwest and eventually to the Genesee Valley.

Flow in the bedrock is primarily along joints and bedding planes from the higher elevations toward the valley lowlands.

To supplement the existing data, an additional hydrogeologic investigation will be performed in the proposed project area. A Hydrogeologic Investigation Report will be prepared in accordance with 6 NYCRR § 363-4.4 and included in the Part 360/363 Permit Modification Application.

The DSEIS will contain the background information above as well as the following:
- The DSEIS will describe the existing groundwater resources located within the proposed landfill cell and soil borrow area expansions. Prior to the writing of the DSEIS groundwater section, hydrogeological data and evaluations will be developed for the proposed expansion areas. This information will include an evaluation of 6 NYCRR § 363-5.1 Siting Requirements and will be summarized in the DSEIS.
- The DSEIS will include a summary of existing groundwater data collected at the site during existing monitoring.
- The Hydrogeologic Report, included in the Part 360/363 Permit Modification Application, will be referenced, and applicable information will be summarized in the following sections:
  o Environmental Setting.
  o Primary and principal aquifers in the vicinity of the landfill (if any) will be identified and their locations with respect to the landfill described.
o Depth of the water bearing zones (and seasonable variability) will be described for areas under and adjacent to the cell area.

o Groundwater descriptions will include water quality, direction of flow, and rate of flow.

o Description of the hydrogeologic characteristics of the overburden soils and the upper bedrock zone will be provided.

3.2.2 Significant Environmental Impacts

The DSEIS will include the following:
- An evaluation detailing the potential short- and long-term groundwater impacts from landfill construction, operation and closure, including impacts from the construction, operation and closure of the soil borrow area.
- An evaluation detailing the impact of liner construction on groundwater flow. Included will be an evaluation to consider if the landfill expansion may impact groundwater flows influencing on-site and nearby off-site surface water features.
- An evaluation detailing the impact of the proposed new borrow pit on groundwater flow. Included will be an evaluation to consider if the soil borrow pit may impact groundwater flows influencing on-site and nearby off-site surface water features.
- Chemical characterization of current leachate and the expected changes to leachate generation (e.g., volume) due to the landfill expansion.
- Evaluation of groundwater suppression and its potential impacts on landfill construction and downstream drainage and stormwater management features.

3.2.3 Environmental Impact Mitigation

The DSEIS will include the following:
- Leachate management system (including collection, removal, storage, and transport) will be described.
- Double composite liner system and leak detection measures will be described.
- The proposed environmental monitoring will be described, including proposed new groundwater sampling locations and parameters.
- Mitigation measures associated with groundwater flow impacts on downstream drainage and stormwater features will be described.
3.3 WATER RESOURCES - SURFACE WATER

3.3.1 Environmental Setting

Background Information:

The site is located within the Genesee River Basin. Surface water in the basin drains into the Genesee River and flows northward and eventually into Lake Ontario. The Genesee River is located west of the site, as shown on Figure 4. Surface water flows from the higher elevations of the valley (El. 2100 feet near the site) toward the valley lows at approximately El. 1300 feet. Angelica Creek is located north of the site and flows from east to west through the Village of Angelica, discharging into the Genesee River west of Angelica.

A watershed divide, shown in Figure 2, delineates the area from which surface runoff flows toward the landfill cell area. On the west side of the valley there is only a small watershed between the western ridge top and the expansion site. The watershed on the east side of the site extends beyond the steep slope and is larger than on the west side of the site. Because of the existing topography, any precipitation falling on the areas outside the watershed divide (with respect to the landfill area) will drain away from the existing landfill cell area and the proposed expansion area.

Two natural channels carry surface runoff away from the landfill cell area toward the south and southwest (see Figure 4), one of which has developed a deep erosion gully. Drainage channels, constructed along the east and west side of the existing cell area, divert surface water into these streams. This same practice will be used for the expansion cells. The streams combine and exit as one across the southern boundary of the property. The combined stream then meanders west for almost four miles, joined by other intermittent streams along the way, before discharging to the Genesee River (see Figure 4).

The eastern stream has been designated as a sub-tributary and is identified as 117-157-4. It has a water quality classification of C. The western stream, together with the combined stream which exits the property, is identified as 117-157 (see Figure 4). It also has a water quality classification of C. The best usage of Class C waters is for fishing and fish propagation, and the water quality should also be suitable for primary and secondary contact recreation, even though other factors (such as water depth or access) may limit its use for this purpose.
The DSEIS will contain the background information above as well as the following:
- Description of the existing floodplain mapping and flood frequencies within the proposed expansion areas.
- Existing site drainage will be described.
- Existing drainage in areas of Peacock Hill Road modification work will be described.
- On-site and nearby off-site surface water features (ponds, streams) will be described, including quality and quantity. A summary of available water quality sampling data will be provided. The water quality study provided in the DSEIS will include locations, parameters, and frequency of surface water monitoring to provide baseline water quality.
- Classifications of on-site and nearby off-site surface water will be identified and discussed.
- Documentation of existing facility performance with respect to protection of water resources will be provided.
- The existing SPDES permit requirements will be discussed.

3.3.2 Significant Environmental Impacts

The DSEIS will include the following:
- Potential for impacts on surface water from the proposed landfill expansion and soil borrow area will be evaluated.
- Potential for impacts on existing surface water features in areas of Peacock Hill Road modification work will be evaluated.
- Discussion will be provided of on-site soil characteristics (i.e., high clay content) that increase the potential for turbidity in on-site and off-site water bodies.

3.3.3 Environmental Impact Mitigation

Background Information:

Leachate from the landfill is collected in a surface impoundment and periodically transported by tanker truck to the permitted Wastewater Treatment Plant(s) for processing prior to discharge. Leachate generation rates may increase since the total landfill cell area will be increased, but the method of leachate control and management will not change materially. Leachate management will be discussed as an ongoing method of management to avoid impacts on surface waters. This will include the locations and ongoing feasibility for off-site disposal.
Stormwater control facilities and procedures, as defined in the facility’s existing SWPPP, will be affected by the proposed expansion. Specifically, changes in stormwater flow across the landfill expansion area will result in the construction and modification of stormwater conveyance channels, detention ponds, and controlled outlet structures in order to manage runoff in accordance with the New York State Stormwater Management Design Manual. Stormwater will continue to be discharged in a controlled fashion via stormwater detention ponds located near the southerly, downgradient portion of the site.

Because of significant areas of soil disturbance, altered topography, and increased volumes of leachate generation, surface water and groundwater resources on and in the vicinity of the landfill will be described in the DSEIS, and potential impacts due to the proposed expansion of the permitted cell area and all appurtenant facilities will be evaluated. A revised SWPPP will be prepared for the construction and operation of the proposed project. In addition, a “Hydrogeologic Study” will be performed (as required by 6 NYCRR Part 363-4.4).

Note that calculations will be prepared as part of the design to meet the Individual SPDES Permit for the facility. The information, analysis and data will be documented in the form of studies, calculations and supporting data with sufficient detail to support the preparation of the DSEIS and will be included in the Engineering Report.

The DSEIS will include all or a portion of the above background information and the following:
- Leachate management system (including collection, removal, storage, and transport) will be described. Composite liner system will be described.
- Site drainage and stormwater management systems will be described.
- The BAUP will be discussed in terms of protection of surface waters.
- Minimization of the borrow area footprint and suitable buffer distances between the borrow area and the streams, and other mitigation measures, will be discussed.
- The proposed environmental monitoring will be described including locations, parameters, and frequency of surface water monitoring. Monitoring to ensure protection of sensitive downstream resources (i.e., downstream trout-spawning waters) will be identified.
- Description of stormwater management measures for management of increased runoff volumes and patterns for protection of water resources, including the on-site tributaries, will be provided. This discussion will include the effectiveness of existing and proposed stormwater management facilities that will receive combined runoff from existing and proposed landfill and borrow areas. The facilities will be described in sufficient detail to determine physical footprint(s) and basic design criteria (i.e., storage volume, etc.). Construction schedule, sediment and erosion control measures, and monitoring requirements will be described. Technical stormwater design support information will be provided in the Engineering Report included in the Part 360/363 Permit Modification Application.
- Measures to mitigate potential impacts to surface water features along areas of the Peacock Hill Road modification mitigation work will be described.
- SPDES permitting requirements will be described.

3.4 AIR RESOURCES

3.4.1 Environmental Setting

The DSEIS will include the following:

- The existing air quality, attainment/non-attainment will be discussed along with the current Title V Air Permit conditions and compliance.
- Nearby sensitive receptors will be discussed.

3.4.2 Significant Environmental Impacts

Background Information:

A major potential impact on air resources is dust generation by construction activities and waste transport vehicles. Construction activities would not be materially different from those currently occurring at the facility, although the total time period during which construction of cells would occur would be lengthened due to the increased life of the facility. Other impacts on air resources are related to occasional odors from waste decomposition and the formation of hydrogen sulfide, which is currently managed by gas collection and combustion in an on-site gas-to energy plant, or flaring.
This facility will maintain required buffer distances between the disposal area and off-site receptors in order to mitigate potential impacts. Air emissions from the facility are presently regulated under a Title V Air Permit, which will be modified to accommodate the proposed expansion.

With respect to waste transportation related dust, the northern portion of Herdman Road is now paved. The use of on-site water trucks for dust control on unpaved on-site roadways and the improved surface condition of Herdman Road should mitigate dust problems.

The DSEIS will include the background information above and the following:

- Potential air emissions expected to result from the landfill expansion will be identified and quantified in the DSEIS to evaluate potential impacts due to the proposed expansion of the permitted cell area and borrow area. The total combined emissions of the existing landfill and proposed expansion will also be discussed. The adequacy of existing gas-to-energy plant and flare capacity will be described and compared to anticipated increases in emissions. This evaluation may be used to determine the required capacity of a new, additional gas management system. A draft Title V Permit application will be provided in an appendix as supporting technical information. See also the section on Odors in this DSEIS below.

- An inventory of potential fine particulate matter emissions from the existing landfill, landfill expansion and the borrow area will be provided in accordance with NYSDEC policy on fine particulate matter (CP-33, issued 12/29/2003) (PM2.5 refers to particulate matter with an aerodynamic diameter of 2.5 microns or less). The calculations and supporting engineering information for the inventory will be provided in an appendix to the DSEIS.

- If the emissions inventory indicates that further modeling and evaluation of fine particulate matter emissions are required, then the modeling and evaluation will be prepared and provided in accordance with CP-33.

### 3.4.3 Environmental Impact Mitigation

The DSEIS will include the following:

- The DSEIS will include a detailed discussion of existing and proposed air pollution control devices and emissions management (i.e., for dust).
- Potential mitigation measures will be described, including systems for collecting and treating landfill gases and odors (see below for additional information on odors).
- Air permitting requirements will be described.
- Compliance with CP-33 will be described.

3.5 ODORS

3.5.1 Environmental Setting

The DSEIS will include the following:
- Odor impacts related to landfill gases (mainly hydrogen sulfide) are generated by the decomposition of organic materials in the waste stream. Existing odors from the facility will be described, including overall complaints and measures undertaken to minimize and address odors.
- Nearby sensitive receptors will be identified.
- A description of the landfill gas investigation program will be provided, including the sampling program (sampling locations, instrumentation, and testing methods) and a summary of findings to date.

3.5.2 Significant Environmental Impacts

The DSEIS will include the following:
- Potential odor impacts exist related to landfill gases (mainly hydrogen sulfide) generated by the decomposition of organic materials in the waste stream. It is probable that the disposal of larger quantities of organic materials (due to the expansion) will result in increased hydrogen sulfide generation. Due to the potential for increased hydrogen sulfide generation, odor impacts in the vicinity of the landfill will be examined in the DSEIS to evaluate potential impacts and mitigation.
- A gas study/evaluation will also be completed to determine if the capacity of the existing gas control facilities (gas-to-energy plant and flare) is sufficient to appropriately address the additional proposed disposal area. The study/evaluation may be used to determine the required capacity of a new, additional gas management system.
3.5.3 Environmental Impact Mitigation

The DSEIS will include the following:
- Potential mitigation measures will be described, including systems for collecting and treating landfill gases.
- Operational measures will be described, including daily cover and other requirements (e.g. buffer distances).

3.6 TERRESTRIAL AND AQUATIC ECOLOGY

3.6.1 Environmental Setting

Background Information:

The ecological conditions on the site have been reviewed in previous studies. Emphasis in this supplemental study will be on the forested areas, which constitute the largest natural area to be impacted.

On-site, no rare, endangered or threatened ecotypes or species (as defined by the New York Natural Heritage Program) have been observed in previous studies. All ecotypes were ordinary for the area.

Previous studies indicated that wildlife habitat is unexceptional for the area and is duplicated in the surrounding area.

Regionally, the larger watershed has changed little in cover type/land use since the last study.

To summarize: Ecological conditions are ordinary for the area and have probably changed little since the 2003 study. No threatened, endangered or rare species were observed.

Also, the site is not located in or substantially contiguous to any “Critical Environmental Areas”.

The DSEIS will include the background information above and the following:
- Prior to the writing of the DSEIS, the project areas will be surveyed for habitats and wildlife species. These supplemental ecological studies will be conducted to cover impacted areas not addressed in the earlier evaluation. They will include descriptions of the forested areas, wetland areas, and surface waters within the
project area. The quality of surface waters and supported aquatic biota will be described.
- The DSEIS will identify and characterize flora and fauna on and adjacent to the expansion areas.
- The DSEIS will identify habitats likely to support species on the site that are state-listed endangered, threatened, rare or designated by the NYSDEC as species of greatest conservation need.
- The DSEIS will summarize findings of wetland delineation, including locations and sizes of jurisdictional wetlands on site. This will include a jurisdictional determination from the US Army Corps of Engineers on the extent and location of federal wetlands. A wetland delineation report will be included in an appendix to the DSEIS.

3.6.2 Significant Environmental Impacts

The DSEIS will include the following:
- This section will include an assessment of impacts from the current facility and the potential for impacts from the expansion to all identified habitats and species including terrestrial and aquatic.
- This section will identify locations and sizes of jurisdictional wetlands on site that will be impacted and will describe the quality of impacted wetlands.

3.6.3 Environmental Impact Mitigation

The DSEIS will include the following:
- The DSEIS will describe any potential measures to mitigate impacts on habitats and species.
- This section will describe the wetland mitigation program, including size and location of replacement wetlands (if required).
- This section will also describe the permitting program for wetland impacts and mitigation.

3.7 CLIMATE CHANGE

3.7.1 Environmental Setting

The Climate Leadership and Community Protection Act (CLCPA) became effective January 1, 2020. Among other requirements, the CLCPA directs state agencies to determine if the decisions they make are consistent with the Statewide greenhouse gas (GHG)
emission limits established by the CLCPA in Environmental Conservation Law (ECL) Article 75. In the case of the NYSDEC, this includes determining if the permits issued are consistent with or would interfere with the attainment of the Statewide GHG emission limits in ECL Article 75.

In addition, the Community Risk and Resiliency Act (CRRA) requires applicants for permits subject to the Uniform Procedures Act to demonstrate that future physical climate risk due to factors including sea-level rise, storm surge and flooding have been considered in project design. The factor most likely to apply to the Hyland facility is flooding.

### 3.7.2 Significant Environmental Impacts

The Hyland landfill generates anthropogenic GHGs due to the decomposition of wastes in the landfill resulting in the generation of landfill gas which is composed of 50-percent methane, a GHG. Landfill gas is collected and combusted in an on-site gas-to-energy plant or flare, which reduces methane into biogenic carbon dioxide, a much less potent GHG. However, a small percentage of landfill gas generated will not be collected, resulting in some fugitive emissions of methane. The disposal of larger total quantities of waste over the longer life of the facility would result in an increased total amount of landfill gas generation.

The Hyland facility manages stormwater runoff in accordance with its SWPPP, as mentioned previously. Stormwater management facilities, such as stormwater conveyance channels, are designed to accommodate a 25-year storm event. Other stormwater management facilities, such as detention ponds and controlled outlet structures, are designed to manage a 100-year storm event. However, if climate changes results in a change in the frequency and magnitude of storm events, these facilities could be inadequate if a much larger storm event were to occur.

### 3.7.3 Environmental Impact Mitigation

The DSEIS will identify each GHG and calculate the GHG and carbon dioxide equivalent emissions for the facility and project future emissions. If there are feasible ways to reduce GHG emissions at the Hyland landfill, the DSEIS will address those measures.

As part of the design of the stormwater management facilities, the performance of the system during a 500-year storm event will be
evaluated. This evaluation will be described in detail in the Engineering Report and will be summarized in the DSEIS.

4.0 HUMAN RESOURCE ASSESSMENT

The DSEIS will describe the environmental setting (existing conditions), potentially significant adverse environmental project impacts, and mitigation measures for those impacts within each of the human resource areas identified below. The DSEIS will also describe those adverse environmental impacts that cannot be avoided or adequately mitigated if the proposed action is implemented. Technical reports supporting the analysis provided in each section shall be included as appendices to the DSEIS.

4.1 ARCHEOLOGICAL AND HISTORICAL RESOURCES

4.1.1 Environmental Setting

Background Information:

The Hyland site is not within an archeologically sensitive area, based on a review performed by the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) during the previous permitting process. This review determined that there were no structures, ruins, or archeological resources on the site or structures listed on the State or National Registers of Historic Places.

The DSEIS will include the background information above and the following:
- Summarize previous and updated findings by OPRHP regarding cultural resource sensitivity of the site.
- If a Phase 1 Cultural Resource Survey has been performed, summarize findings.

4.1.2 Significant Environmental Impacts

The DSEIS will include the following:
- A description of the project will be provided to OPRHP for that agency’s review and a determination of whether there would be any significant impact on cultural resources. Relevant correspondence regarding this issue will be provided in the DSEIS.
4.1.3 Environmental Impact Mitigation

The DSEIS will include the following:
- Describe a mitigation program to protect cultural resources (if necessary).
- Document concurrence by OPRHP of the adequacy of the Phase 1 Survey and proposed mitigation program (if necessary).

4.2 TRANSPORTATION/TRAFFIC

4.2.1 Environmental Setting

Background Information

Peacock Hill Road is a paved roadway approximately 28 feet wide. The maximum grade on Peacock Hill Road is approximately 7.0 percent.

The DSEIS will include the background information above and the following:
- The DSEIS will include descriptions of the traffic evaluations previously performed and site access.
- This section will describe the existing traffic (whether it has changed from previous evaluations due to the facility or other changes to the area), existing road conditions going to and from the facility, as well as any town-imposed road restrictions.
- This section will also address the road history, including upgrade work that has been done on both Peacock Hill Road and Herdman Road, funded by Hyland, to improve the condition and safety of these access roads.
- The DSEIS will include a description of existing conditions in areas of Peacock Hill Road where modification work will occur.

4.2.2 Significant Environmental Impacts

Background Information:

Traffic patterns in the vicinity of the landfill site will not be impacted by the expansion, but traffic levels will increase due to the proposed increase in Approved Design Capacity from 465,000 TPY to 1,000,000 TPY.

The DSEIS will include the background information above and the following:
- An evaluation of impacts associated with the proposed modification of Peacock Hill Road (addition of a climbing lane) and associated mitigation work will be provided. The evaluation will include the estimated increase in traffic volume on surrounding roadways.
- The average daily number of waste transport trucks passing through the facility will change significantly, since the approved design capacity will increase. Truck traffic related to construction activities should not increase on a daily or hourly basis, although the total period of time during which cell construction and operation would occur would be extended.
- The total volume of leachate generated at the facility may increase due to the proposed expansion. The Part 360/363 Application will include a description and analysis of the leachate conveyance, storage, and disposal system. The DSEIS will include a discussion of potential truck traffic impacts related to leachate transportation. Leachate will continue to be transported along Peacock Hill Road and Herdman Road.
- If off-site soil borrow or other construction materials are identified as necessary for the project, potential changes in traffic volume will be described and quantified.

### 4.2.3 Environmental Impact Mitigation

**Background Information:**

Hyland plans to complete traffic mitigation work in the form of a climbing lane constructed along the portion of Peacock Hill Road between Herdman Road and Interstate 86.

The DSEIS will include the background information above and the following:
- The DSEIS will describe (in narrative form and in figures) the proposed Peacock Hill Road modification work in sufficient detail such that potential environmental impacts, mitigation, and alternatives can be identified and evaluated.

### 4.3 LAND USE AND ZONING

#### 4.3.1 Environmental Setting

The DSEIS will include the following:
- The existing land use on the site and nearby properties will be described.
- There is no local zoning in the Town of Angelica and no regulatory approvals are required from the Town.
- The DSEIS will describe the existing public infrastructure located within the proposed expansion area including, but not limited to, structures, roads and utilities (e.g., electrical power, and telecommunications).

4.3.2 Significant Environmental Impacts

The DSEIS will include the following:
- Discussion of the proposed project’s consistency with existing land uses and compatibility with surrounding land uses.
- Potential impacts on public infrastructure and demands on public services (e.g., emergency services) will also be discussed. This should include discussion of any potential impacts on nearby towns.

4.3.3 Environmental Impact Mitigation

The DSEIS will include the following:
- The DSEIS will also describe any potential measures to mitigate impacts on public infrastructure.
- A description of the post closure use planned for the site, including the borrow area and landfill, will be provided.

4.4 NOISE

4.4.1 Environmental Setting

Background Information:

The noise level of ongoing operations and waste transportation is not expected to increase significantly but would continue for approximately 30 additional years. Noise impacts in the vicinity of the landfill will be examined in the DSEIS to evaluate potential impacts and mitigation.

The DSEIS will include the following:
- Noise Standards for Solid Waste Management Facilities (Part 360.19(j)) will be identified and described.
- Noise guidance for evaluating impacts at sensitive receptor locations, found in the NYSDEC Program Policy, "Assessing and Mitigating Noise Impacts" dated October 2000, will be identified and described.
- The noise levels from the existing facility and the background noise will be described.

**4.4.2 Significant Environmental Impacts**

The DSEIS will include the following:
- Potentially increased impacts due to reduced buffer distances to the property line will be quantified.
- Measurements of noise levels from equipment operating at the landfill will be made using instrumentation that can process measured sound levels in a way so that Leq (energy equivalent) values can be estimated.
- Calculations of estimated project generated noise levels (from both the new landfill cells and borrow areas) at the property line and at sensitive receptors locations will be made and compared with criteria in Part 360.19(j) and the NYSDEC Program Policy, "Assessing and Mitigating Noise Impacts" dated October 2000.

**4.4.3 Environmental Impact Mitigation**

The DSEIS will include the following:
- Propose or identify noise mitigation factors (as required), such as screening by vegetation, distance from site, and topography.
- Describe the need for noise easements and the extent of any easements that have been obtained.

**4.5 VISUAL**

**4.5.1 Environmental Setting**

The DSEIS will include the following:
- A visual impact assessment was included in the previous DEIS for the current landfill operation. This assessment determined that no off-site areas would be significantly visually impacted by the project. This section will describe the previous study and the previously required visual impact mitigation including trees along Peacock Hill Road.

**4.5.2 Significant Environmental Impacts**

The DSEIS will include the following:
- A description of the expansion areas.
- The lateral and vertical expansion of the disposal area could affect aesthetic resources in the vicinity of the landfill. Therefore, a visual impact study in accordance with NYSDEC Policy DEP-00-2, “Assessing and Mitigating Visual and Aesthetic Impacts” will be performed to determine if the lateral expansion or new borrow area create significant visual impacts.

4.5.3 Environmental Impact Mitigation

- Visual mitigation measures (if needed) will be discussed.

4.6 SOCIOECONOMIC IMPACTS

4.6.1 Environmental Setting

The DSEIS will include the following:
- Data on population and income for the Town of Angelica (or Allegany County) will be summarized.
- Assessment of whether the site is within an area potentially subject to the NYSDEC Environmental Justice Policy (CP-42) will be provided.

4.6.2 Significant Environmental Impacts

The DSEIS will include the following:
- Potential impacts on population and income will be discussed.
- Number of permanent and temporary (construction related) jobs at the landfill will be quantified.

4.6.3 Environmental Impact Mitigation

The DSEIS will include the following:
- An evaluation of potential impacts and recommendation of mitigation measures.
- Discussion of Host Community Agreement.

4.7 PUBLIC HEALTH

4.7.1 Environmental Setting

Although no specific project area health studies will be conducted, available information on health conditions in the general area will be summarized.
4.7.2 Significant Environmental Impacts

Potential impacts on health, such as changes in air quality and water quality, will be described. These potential impact areas are evaluated in other sections of the DSEIS and will be addressed in summary form in this section.

4.7.3 Environmental Impact Mitigation

Mitigation factors for potential impacts on health, specifically mitigation of air and water quality impacts, are presented in other sections of the DSEIS and will be addressed in summary form in this section.

5.0 UNAVOIDABLE ADVERSE IMPACTS

This section of the DSEIS will identify and discuss adverse environmental impacts that cannot be avoided or mitigated if the proposed project is implemented, in accordance with 6 NYCRR 617.9(b)(5)(iii)(b).

6.0 ALTERNATIVES

This section of the DSEIS will include an evaluation of project alternatives in accordance with 6 NYCRR 617.9(b)(v). It will include the following subsections and comparative tables and figures will be provided, as needed, to summarize the evaluation:

6.1 SUMMARY

6.2 ALTERNATIVE LANDFILL SITES

6.3 ALTERNATIVE LANDFILL SIZE

6.4 ALTERNATIVE BORROW PIT SITES, SIZES, OFF-SITE SOIL OPTIONS

6.5 ALTERNATIVE DESIGN/LAYOUT/DEVELOPMENT SCHEDULE

6.6 ALTERNATIVE TRAFFIC IMPACTS AND MITIGATION

6.7 ALTERNATIVE LAND USE

6.8 NO ACTION
7.0 IMPACTS ON GROWTH

This section of the DSEIS will provide an analysis of any grow-inducing aspects associated with the proposed action, in accordance with 6 NYCRR § 617.9(b)(iii)(d).

8.0 EFFECT ON THE USE AND CONSERVATION OF ENERGY

Background Information:

The effect of the proposed expansion of the permitted cell volume on energy consumption would be to continue the consumption of fuels (gasoline, diesel and alternative fuels) for hauling waste to the facility and for handling the waste (spreading, compaction, etc.) at the facility for a longer period of time. This increase in total waste disposal at Hyland would, therefore, increase the consumption of these fuels. Looking at this issue from a more “regional” point of view, however, it is very unlikely that the proposed change in the permitted disposal capacity at Hyland will increase the total regional quantities of municipal and non-hazardous industrial waste generation. Therefore, additional hauling to Hyland would be offset by 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.

Overall, on a regional basis, energy resources would not be significantly affected in an adverse way by the proposed expansion of the permitted cell volume.

The DSEIS will include the background information above and the following information:

- This section of the DSEIS will provide an analysis of the effect on the use and conservation of energy of the proposed action, in accordance with 6 NYCRR § 617.9(b)(iii)(e).

9.0 SOLID WASTE MANAGEMENT PLAN

In accordance with 6 NYCRR 617.9(b)(5)(iii)(f), this section of the DSEIS will identify and discuss the impacts of the project on solid waste management and the project’s consistency with the state or locally-adopted solid waste management plan.
10.0 IRREVERSIBLE/IRRETRIEVABLE COMMITMENT OF RESOURCES

The DSEIS will include the following:

- This section of the DSEIS will provide an analysis of the irreversible and irretrievable commitment of resources associated with the proposed action, in accordance with 6 NYCRR § 617.9(b)(iii)(c).

11.0 REFERENCES

The reference list will include the following, as well as all other applicable references:


12.0 TABLES AND FIGURES

13.0 APPENDICES

Appendices will include materials not suitable for insertion in the main body of the DSEIS, and shall include key SEQR documents, and technical reports.

They are anticipated to include:

- SEQR Positive Declaration
- DSEIS Final Scoping Document
- Stormwater Pollution Prevention Plan
- Air State Facility NYSDEC permit application (including calculations for hydrogen sulfide (H2S), GHG, and carbon dioxide equivalent emissions)
- Report in accordance with NYSDEC Policy CP-33, “Assessing and Mitigating Impacts of Fine Particulate Matter Emissions”
- Ecological Study
- Traffic Study
- Wetland Delineation Report
- Archaeological Correspondence
- Visual Assessment in accordance with NYSDEC Policy DEP-00-2, “Assessing and Mitigating Visual Impacts”
- Part 360 Permit Application Form
- Part 360/363 Permit Modification Application Package
- SPDES Permit Modification Application
V. ENVIRONMENTAL REVIEWS NOT PROPOSED FOR INCLUSION IN THE DSEIS

In accordance with 6 NYCRR 617.8(f)(7), this section of the scoping document is reserved for those prominent issues that are raised during public scoping and determined to be not relevant or not environmentally significant, or that have been adequately addressed in a prior environmental review.

It is noted that comments raised during previous permitting for the Hyland landfill (Increase in Approved Design Capacity, October 2007) asserted that drill cuttings and other authorized waste from drilling operations should not be permitted at the Hyland landfill because of perceived risks associated with radioactivity. As part of this application, Hyland is not proposing any change in the type of wastes received. Therefore, any comments on the types of waste disposed at Hyland are not applicable to this application.

Comments related to radioactivity of drill cuttings have been addressed in a NYSDEC program entitled, “Program Policy Memorandum: Recommended Permit Modifications and Operating Procedures for Landfills relating to Wastes from Drilling in the Marcellus Shale Formation” dated September 18, 2015. The drill cuttings at the Hyland facility have been, and will continue to be, managed in accordance with this program policy.

In addition to the NYSDEC Program Policy Memorandum, public concern and commentary regarding radiological risk and potential radiological impacts from the disposal of drill cuttings at other New York Part 360 landfills have been comprehensively evaluated and rejected by the NYSDEC on a number of previous occasions, including in individual permitting proceedings and in the rulemaking process. Specifically, the NYSDEC evaluated these same issues during (1) environmental review associated with the final supplemental generic environmental impact statement for high-volume hydraulic fracturing (May 2015); (2) environmental reviews associated with the Chemung County Landfill Expansion (July 2016); (3) comprehensive amendment to the NYSDEC’s solid waste management regulations, 6 NYCRR Parts 360, 363 and 364 (November 2017); (4) amendment/update to the NYSDEC’s radioactive materials management regulations, 6 NYCRR part 380 (May 2018); and (5) Hakes Landfill Permit Application Responsiveness Summary and SEQRA Findings in December 2019.

Because the current application for permit modifications does not involve a change in the wastes acceptable at the Hyland landfill, and for the reasons stated above, comments related to drill cuttings are beyond the scope of this environmental review. Therefore, they do not require inclusion in the Draft Scope regarding the issues to be discussed in the DSEIS.
### Table 1.0 – Required Approvals

<table>
<thead>
<tr>
<th>Agency</th>
<th>Permit/Interest</th>
<th>Applicable Law/Regulation</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>State Agencies</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>NYSDEC</td>
<td>Solid Waste Management Facility Permit Modification</td>
<td>6 NYCRR Part 360/363</td>
</tr>
<tr>
<td>NYSDEC</td>
<td>Title V Permit Modification</td>
<td>6 NYCRR Part 201</td>
</tr>
<tr>
<td>NYSDEC</td>
<td>Individual State Pollution Discharge Elimination System Permit</td>
<td>6 NYCRR Part 750</td>
</tr>
<tr>
<td>NYSDEC</td>
<td>Section 401 Water Quality Certification</td>
<td>6 NYCRR Part 608 and Section 401 of Clean Water Act</td>
</tr>
<tr>
<td><strong>Federal Agencies</strong></td>
<td></td>
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</tr>
<tr>
<td>US Army Corps of Engineers</td>
<td>Section 404 Wetland Fill Permit</td>
<td>Section 404 of the Clean Water Act</td>
</tr>
<tr>
<td><strong>Local Government</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Town of Angelica</td>
<td>Amended Host Community Agreement and Town Board Approval</td>
<td></td>
</tr>
<tr>
<td>Town of Angelica, Village of Angelica and/or NYSDOT</td>
<td>Peacock Hill Road Lane Addition (Highway Work Permit)</td>
<td></td>
</tr>
</tbody>
</table>

**Table Notes:**

1. There is no local zoning in the Town of Angelica and no regulatory approvals are required from the Town. However, the applicant has a contractual agreement with the Town of Angelica that requires a majority vote in a Public Referendum and by the Town Board for any incremental expansion. Based on this level of involvement, the Town of Angelica is an interested (not an involved) agency, pursuant to SEQR.
2. Peacock Hill Road is a town road outside the Village of Angelica limits, and it appears to be a village road within the Village of Angelica, but there may also be some New York State Department of Transportation jurisdiction through the I-86 interchange. Construction of the additional lane will likely require Highway Work Permits from the Town of Angelica, Village of Angelica, and/or NYSDOT.
FIGURES
NOTE:
HYLAND FACILITY
SCOPING DOCUMENT
PROPOSED DEVELOPMENT AREA

APPROXIMATE PROPERTY LINE (7,536 ACRES)

PROPOSED SOUTHERN LANDFILL EXPANSION (53.3 ACRES)

PROPOSED BORROW AREA (53.3 ACRES)

WATERSHED DIVIDE LINE

LEGEND

EXISTING SURVEY CONTOURS (SEE NOTE 1)
PROPERTY LINE
BUILDING
PERMITTED LANDFILL LIMIT
TREES
CURRENT DEVELOPED AREA
CURRENTLY DEVELOPED AREA (APPROXIMATELY ± 113.2 ACRES)
PROPOSED LANDFILL EXPANSION FOOTPRINT
EXPANSION (±50.8 ACRES)
EXPANSION (±36.8 ACRES)
NOTE:
1. prepares this map to scale & datum. Special
   using photogrammetry techniques from aerial

Please refer to the map for detailed information on the proposed development area at Hyland Facility. Note: The map was prepared using photogrammetry techniques from aerial photography dated June 16, 2020.
HERDMAN ROAD

PROPOSED TRUCK LANE

HYLAND LANDFILL

GIBSON HILL ROAD

HYLAND LANDFILL PROPERTY LINE

INTERSTATE I-86

SCALE: 1" = 1100'

NOTE:
UNAUTHORIZED ALTERATION OR ADDITION TO ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT IS A VIOLATION OF SECTION 7209 PROVISION 2 OF THE NEW YORK STATE EDUCATION LAW.
NOTE:
APPENDIX I

POSITIVE DECLARATION
This notice is issued pursuant to Part 617 of the State regulations for Article 8 (the State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law.

The Department of Environmental Conservation (the Department), as SEQR Lead Agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Supplemental Environmental Impact Statement will be prepared after scoping.

TITLE OF ACTION:

Hyland Facility Associates
Hyland Landfill Expansion
Town of Angelica, Allegany County

PERMIT JURISDICTION:

NYS Department of Environmental Conservation jurisdiction includes permits required by Environmental Conservation Law Article 27, Title 7 (Solid Waste Management) and Article 19 (Air Pollution Control) and Article 17 (Water Pollution Control).

SEQR STATUS: Type I Action

Applicable Threshold: The physical disturbance and alteration of more than 10 acres of land for a purpose other than constructing residential structures.

DESCRIPTION OF ACTION:

Hyland Facility Associates has applied for a Solid Waste Management Facility permit modification for a lateral and vertical expansion of the Hyland Landfill in the Town of Angelica, Allegany County. The proposal includes an additional 107 acres of landfill footprint and a height increase of 120 feet at the top. The expansion would extend the life of the landfill by about 25 to 30 years and would increase the annual disposal rate from 465,000 to 1,000,000 tons per year. Other project components include: leachate storage facilities, stormwater ponds, 37 acre soil borrow area and a truck lane on Peacock Hill Road from Interstate 86 to the landfill entrance.

LOCATION:

The Hyland Landfill facility is located at 6653 Herdman Road, Angelica, New York 14709, south of the Village of Angelica and Interstate 86.

REASONS SUPPORTING THIS DETERMINATION:

During review of this project, the Department identified the following significant and/or
potentially significant adverse environmental impacts:

1. The lateral expansion of the landfill will require excavation of surface and subsurface soils for on-site construction and to obtain liner and cover materials, which may result in significant impacts on land in the area. The proposed borrow areas may also result in potentially significant impacts on land.

2. The height increase of the landfill area over the existing landfill may create additional weight on top of existing landfill cells, potentially causing uneven settlement and problems with the liner and drainage systems.

3. The landfill expansion has the potential to cause increased runoff and erosion. There may be adverse water quality impacts to waters and wetlands associated with the proposed landfill construction and operation. The hydrogeological impacts must be evaluated, and potential mitigation of adverse impacts considered. Avoidance and mitigation measures to reduce impacts to water resources and wetlands will be evaluated.

4. Potential significant impacts to air quality and climate change could result from increased landfill gas production, truck traffic and fugitive dust emissions. Mitigative measures must be thoroughly evaluated and may be able to reduce those potential impacts.

5. The additional landfill and mining areas may create potentially significant noise and odor impacts from construction and operation. These impacts must be adequately considered.

6. There are potentially significant impacts to wildlife habitat resulting from the lateral expansion and mitigation measures must be reasonably evaluated.

7. Impacts on visual resources may be significant and possible mitigation measures must be evaluated. In addition, any potential impacts on historical/archaeological impacts must be thoroughly investigated and evaluated.

8. The landfill expansion will extend the period of time roads are subjected to truck traffic. Also, the proposed increase in the waste acceptance rate will generate traffic beyond that experienced by existing landfill operations. These are potentially significant impacts that require appropriate evaluation.

9. Impacts to local community services such as fire protection, public water supply and wastewater treatment (i.e. leachate), are significant potential environmental impacts that need to be analyzed.

10. The impact upon the adjacent agricultural district must be fully evaluated and mitigation measures analyzed.

The Department of Environmental Conservation, therefore, concludes that the project may have a significant effect on the natural resources of the State and/or the health, safety and welfare of the public and may not be consistent with social and economic considerations.
Therefore, a Draft Supplemental Environmental Impact Statement will be prepared. In reaching this decision, the Department carefully considered the "Criteria" for Determination of Significance listed in the SEQR Regulations (6 NYCRR 617.7).

FOR FURTHER INFORMATION:

Contact Person: David Denk
New York State Department of Environmental Conservation
270 Michigan Avenue
Buffalo, New York 14203-2999
(716) 851-7165

Date: December 28, 2021

David S. Denk
Regional Permit Administrator

cc: Environmental Permits (SEQR File)
    Environmental Notice Bulletin
    Maureen Brady, Esq., Region 9 Office of General Counsel, Attn: David Stever, Esq.
    Peter Grasso, P.E., Region 9 Division of Materials Management
    Michael Emery, P.E., Region 9 Division of Air Resources
    Melanie Stein, P.E., Region 9 Division of Water
    Brian Kelly, P.E., NYSDOT Region 6
    The Honorable Robert Jones, Town of Angelica
    Ms. Sherri Presutti, Town of Angelica Clerk
    The Honorable Robert Claypool, Village of Angelica
    Ms. Karen Herdman, Village of Angelica Clerk
    Mr. Larry Shilling, Hyland Facility Associates
    Michael Mann, P.E., McMahon and Mann Cons. Eng. And Geo. P.C.