NEW YORK STATE ENVIRONMENTAL QUALITY REVIEW ACT

DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT *FINAL* SCOPING OUTLINE

HYLAND LANDFILL EXPANSION

TOWN OF ANGELICA, ALLEGANY COUNTY

July 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

CONTENTS OF SCOPING DOCUMENT:

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 final scoping document has been 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 finalized the scoping document, public input received on the draft scope was reviewed and considered. The public comment period for the submission of written comments on the draft scope was from January 5, 2022 to February 22, 2022. A virtual public comment hearing was also held on January 19, 2022, during which time comments from the public were heard and recorded. Additional steps in the SEQR process during which the public has an opportunity to participate are described briefly below:

- 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. DSEIS OUTLINE

A preliminary outline of the DSEIS is presented below in the form of a DSEIS Table of Contents. This outline has been 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.

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Each section below describes the information and analyses to be included in the DSEIS. In addition, background information is included to provide some preliminary information about the project itself. These sections follow the DSEIS outline on the previous pages.

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 discuss 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. This information is provided in Table 1 (attached to this final scope) and may be revised as additional information is obtained during review of the DSEIS.

1.4 ORGANIZATION OF THE DSEIS

This section 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 site. 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 system required by 6 NYCRR Part 363-6.6(a) and final cover system required by 6 NYCRR Part 363-6.6(d) will be described.
- Consistency with the lateral expansion criteria established by 6 NYCRR Part 363-6.1(e) will be demonstrated.
- 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.
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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.

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. Numerous test borings, groundwater monitoring wells, and test pits have been logged, sampled and tested over the site area. Water level and water quality data are collected quarterly from monitoring wells to obtain representative groundwater samples from the various soil and bedrock units underlying the Landfill site. The sampling and testing have created an extensive database, consisting of well/test boring logs, water level data and chemical analyses, that is used to characterize and monitor hydrogeological conditions and water quality trends. Based on these historic testing results, no impacts to groundwater quality have been detected. However, in accordance with Hyland's approved Environmental Monitoring Plan, leachate and groundwater samples are not currently tested for perfluoroalkyl and polyfluoroalkyl substances (PFAS).

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:
    - Environmental Setting.
    - Primary and principal aquifers in the vicinity of the landfill (if any) will be identified and their locations with respect to the landfill described.
    - Depth of the water bearing zones (and seasonable variability) will be described for areas under and adjacent to the cell area.

- Groundwater descriptions will include water quality, direction of flow, and rate of flow.
- 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. In accordance with 6 NYCRR Part 363-4.6(h), leachate and groundwater samples will be tested for PFAS.
- Protection of groundwater due to environmental monitoring of wells for leachate parameters to verify function and effectiveness of liner systems.
- 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 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 National Ambient Air Quality Standards (NAAQS) ($PM_{2.5}$ 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.

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 NAAQS 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 continued disposal organic materials (due to the expansion) will result in continued hydrogen sulfide generation, potentially at increased levels proportionate to landfill gas generation. Due to the potential for 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.
- A conceptual wetland mitigation program (if required) will also be described. However, specific details, such as the size and location of replacement wetlands, mitigation ratio, and whether the mitigation would include replacement wetlands or in-lieu fee, will be provided in a Wetland Mitigation Plan prepared under separate cover (not included in the DSEIS). These specific details will become available as negations with the United States Army Corps of Engineers (USACOE) proceed.

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.

The DEIS will evaluate the project under CP-49 and DAR-21 to the extent practicable (given that they are still draft documents). These policy documents are being developed by NYSDEC to facilitate implementation of the CLCPA. The process of evaluating a project for compliance with the CLCPA (based on these draft policy documents) includes the following steps:

- Determination of Consistency – The NYSDEC Draft Policy documents mentioned above, provide some guidance on how consistency with the CLCPA can be determined in the permitting process for new projects. If the proposed project would create a significant increase in GHG emissions, it may be considered to be inconsistent with the CLCPA reduction goals.
- Statement of Justification – If the project is considered to not be consistent with the CLCPA GHG emission limit goals, then, in order to proceed, a Statement of Justification is required which explains why the project is justified based on other considerations.
- Identification of GHG Mitigation and Alternatives – The mitigation discussion in CP-49 states that - “to be acceptable mitigation, an action must be real, additional, quantifiable, permanent, verifiable, and enforceable.” Additionally, “Mitigation options must result in at least a reduction in GHG emissions equivalent to the GHG emission increases from the project.”

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.

The DEIS will also determine the impact of the project on any disadvantaged communities to comply with Section 7(3) of the CLCPA.

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 composed of 50-percent methane. The 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 trend of increasingly intense precipitation events is a potential environmental impact. Stormwater runoff from these events could impact the facility if not properly managed. As such, 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. The design storms used for the stormwater management system components (mentioned above) meet all New York State SWMF Regulations and design requirements. 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. In addition, If the landfill is found to be in (or very near) a disadvantaged community, impacts from both GHGs and other hazardous air pollutants (HAPs) on that community will also be considered.

In order to take into account increasingly intense precipitation events, impacts from 500-year storms on leachate collection and removal systems and stormwater/run-off conveyance and detention/retention systems will be evaluated, as required by 6 NYCRR Part 363-4.3(f). This evaluation will be described in detail in the Engineering Report and will be summarized in the DSEIS.

The DSEIS will evaluate other impacts and potential mitigation options related to climate change, including the impact of tree removal on carbon sequestration and up-stream waste diversion options.

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, be a continuation of the consumption of these fuels. Looking at this issue from a more "regional" point of view, however, the proposed change in the permitted disposal capacity at Hyland will not increase the total regional quantities of municipal and non-hazardous industrial waste generation. Therefore, increased disposal capacity at 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:

1. ODNY Incorporated, “Draft Environmental Impact Statement – The Hylands Ash Monofill Waste Disposal Facility”, prepared for New York State Department of Environmental Conservation, Region 9, 1991.

2. “Final Environmental Impact Statement – The Hylands Ash Monofill Waste Disposal Facility”, prepared for New York State Department of Environmental Conservation, Region 9, 1995.

3. McMahon & Mann Consulting Engineers, P.C., “Hyland Facility Associates Landfill Expansion Project - Draft Supplemental Environmental Impact Statement”, January 2006.

4. McMahon & Mann Consulting Engineers, P.C., “Hyland Facility Associates Landfill Expansion Project - Final Supplemental Environmental Impact Statement”, November 2006.

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
- Title V permit application package (including calculations for hydrogen sulfide (H2S), GHG, and carbon dioxide equivalent emissions). A CLCPA analysis will be included within the Title V application package as well as an evaluation of particulates in accordance with NAAQS.
- Ecological Study
- Traffic Study
- Wetland Delineation Report

- Archaeological Correspondence
- Noise Studies in accordance with NYSDEC Policy DEP-00-1, “Assessing and Mitigating Noise Impacts” and 6 NYCRR Part 360.19(j).
- 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 Part 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.

1.0 AVAILABILITY OF COMPLETED APPLICATION PACKAGE

Many comments were received suggesting that the DSEIS Scoping process should not commence until a completed application package is in place, so that more complete information on the project would be available. For actions of this type, however, preparation of the DSEIS routinely proceeds concurrently with the development of the project design, so that the results of environmental investigations can be used to guide the decisions made in development of the project design.

Prior to commencing the Scoping process, a Part 360/363 Application Form, together with a Full Environmental Assessment Form (EAF) were prepared and submitted to NYSDEC. A draft version of this Scoping Document, including figures depicting the limits of the proposed project, were also prepared. All of these documents were made available to the public during a 49-day comment period between January 5, 2022 and February 22, 2022.

Scoping is intended to determine the issues (and the methodologies to analyze those issues) to be addressed in a project's EIS. It is preliminary to an exhaustive analysis of the potentially significant environmental impacts of the project to be set forth in the EIS. For these reasons, the SEQRA regulations (6 NYCRR Part 617) do not require that the detailed reports necessary to support a complete application be used as sources for developing a project's Scope. In fact, 6 NYCRR Part 617.8(e) recognizes that a final scope may identify new information (or the means to obtain new information) that is required for the detailed analyses and reports necessary to support a project's EIS. Additionally, in the event new information reveals a potentially significant issue/impact warranting review that is not already included in a project's final scope, under 6 NYCRR Part 617.8(f, g), that issue may be added after the final scope has been completed. Therefore, ultimately, all potentially significant impacts will be subject to public review and addressed in the environmental impact review process.

Thus, this Final Scoping Document will be used during the preparation of the DSEIS and Part 360/363 Application Package (Engineering Report, Facility Manual, Hydrogeologic Report, Environmental Monitoring Plan, etc.). Once these documents are submitted and determined complete by the NYSDEC, the public will be invited to participate in another public comment period. Comments received on the DSEIS and Part 360/363 Application Package during that time will be addressed in the Final Supplemental Environmental Impact Statement (FSEIS).

In other words, the DSEIS will be accompanied by a complete application, including supporting documentation. The public will have an opportunity to review and comment on the DSEIS and the application documents.

2.0 DRILL CUTTINGS / RADIOACTIVITY

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.

3.0 PROPERTY VALUES AND TOURISM

Some commenters claim that the landfill expansion will decrease the value of their property and negatively impact tourism. However, no evidence to support these claims was provided.

Property values are not under the purview of the NYSDEC as Lead Agency and are not part of a SEQR review. In addition, property values do not fall within the scope of "environment", as defined under 6 NYCRR Part 617.2(l), and are not addressed under SEQR. Therefore, property values will not be addressed in the DSEIS.

4.0 RADIATION

One commenter stated that the presence of radionuclides in the leachate and landfill gas at Hyland should be investigated. However, the amount of radiation within the landfill is contingent on the types of waste accepted for disposal. Because the current permit modification application does not involve a change in the wastes acceptable at Hyland, comments related to radiation in the leachate and landfill gas are beyond the scope of this environmental review.

VI. ISSUES RAISED DURING PUBLIC SCOPING

In accordance with 6 NYCRR Part 617.8(f)(7), this section discusses issues raised during scoping that warrant inclusion in the scope.

1.0 AIR

Several commenters expressed concerns about greenhouse gas and odor emitted from the existing facility, and how the potential for increased air emissions would be addressed if an expansion is permitted. Issues regarding greenhouse gas emissions will be addressed within the context of CLCPA and CRRA requirements in the *Climate Change* section of the DSEIS. Issues regarding odors will be addressed in the *Odor* section of the DSEIS.

2.0 GROUNDWATER ISSUES

Commenters raised concerns regarding current and future impacts to groundwater resources, and the need for an evaluation of public water supplies downgradient of the site. The current and proposed environmental monitoring system, as well as a summary of results from historic groundwater monitoring at the site, will be addressed in *Water Resources-Groundwater* section of the DSEIS.

In general, the results of ongoing groundwater monitoring at the landfill do not show an impact to surface water or groundwater in the vicinity of the site. Since offsite migration of pollutants has not been identified, an analysis of pollutants present in offsite public water supplies is not warranted, and will not be addressed in the DSEIS.

In addition, one commenter stated that the interaction between surface water and groundwater in the Genesee River – Angelica Creek watershed needs to be studied similar to the ongoing United States Geological Survey (USGS) study of the Meads Creek Watershed in Schuyler and Steuben Counties. However, this type of study is not within the scope of the project and will not be included in the DSEIS.

3.0 HUMAN HEALTH

Health issues were raised in the public comments on the draft scope. The health-related environmental protections are included separately in various sections of the draft scope (and ultimately in the DSEIS), including the sections for *Air Resources*, *Water Resources* (Surface Water & Groundwater), and *Landfill Design, Construction and Operation*. Due to public comment, and to make it easier on the reader, human health protections will be reiterated and summarized in a section on Public Health. This section will be limited to regulatory requirements put in place by state and federal regulations to protect human health, and how the applicant will meet these requirements for the proposed expansion. This will include a discussion of the various air emission and water discharge limits and associated standards that are applicable to a facility of this type and how they were established to be protective of human health. No site-specific health studies will be conducted, but publicly available information on regional health issues will be provided.

4.0 LANDFILL DESIGN

Several comments were received regarding a lack of confidence in landfill design; specifically, the adequacy of the proposed liner system, the impact of increasing rainfall intensity on stormwater and leachate collection systems, stability, surface water controls, adequacy of environmental monitoring, impacts from earthquakes, and potential releases of pollutants to surface water and groundwater. The design and long-term monitoring of the landfill expansion will be completed in accordance with the requirements of 6 NYCRR Part 363 and will be addressed in the *Design, Construction, and Operation* section of the DSEIS. Consideration of future climate risks will be incorporated to the extent required to demonstrate consistency with the CLCPA and CRRA, and will be addressed in the *Climate Change* section of the DSEIS.

5.0 PERFLUOROALKYL AND POLYFLUOROALKYL SUBSTANCES (PFAS)

Several comments were received regarding the presence of PFAS in the landfill's waste, leachate, surface water, groundwater, and soil.

In general, PFAS are synthetic chemical compounds that are relatively ubiquitous in the environment due to their historical widespread use and persistence. The presence of PFAS in the environment is a consequence of industry practices not associated with Hyland Landfill. Rather, Hyland is an engineered disposal facility that will manage PFAS-containing waste in accordance with applicable NYS and federal SWMF regulations.

Sampling and testing for PFAS will be addressed within the context of 6 NYCRR Part 363 requirements in the *Water Resources-Groundwater* and *Water Resources-Surface Water* sections of the DSEIS. However, the generation of PFAS-containing waste is outside the scope of the proposed project, and will not be addressed in the DSEIS.

6.0 NEED

Comments were received regarding the need for the landfill expansion. Project Need is evaluated in the *Project Purpose and Need* section of the DSEIS. Alternative sites will also be addressed in the *Alternatives* section of the DSEIS.

7.0 SITING

Commenters stated concerns with the location of the landfill within areas of seismic activity, and that nearby faults require further characterization. As per 6 NYCRR Part 363-5.1(i), new landfills and lateral expansions of existing landfills must not be located in seismic impact zones. The Engineering Report will include an analysis that demonstrates that the facility is not located in a seismic impact zone. Conformance with other landfill siting criteria established by 6 NYCRR Parts 360.8 and 363-5 will also be demonstrated in the Engineering Report.

8.0 TRAFFIC/PEACOCK HILL ROAD UPGRADES

Comments were received regarding additional truck traffic associated with increasing the waste acceptance rate to 1,000,000 tons per year. As detailed in Section 2.0 of this Scoping Document, Hyland is proposing to construct a truck lane ("climbing lane") along Peacock Hill Road between Interstate 86 and the facility entrance to accommodate the additional landfill-bound traffic and mitigate potential impacts on local traffic. A traffic study and details pertaining to the proposed truck lane will be addressed in the *Transportation/Traffic* section of the DSEIS.

In addition, some commenters were dissatisfied with the amount of debris (mud, waste, etc.) left on public roads by trucks leaving the facility. The *Design, Construction, and Operation* section of the DSEIS will detail how enhanced operational controls will be put into place to mitigate tracking of material onto public roads.

9.0 VARIANCE

Issues were raised in the comments about a variance related to the compacted clay liner component of the baseliner system. The proposed variance would allow for the lower 16-inches of the 24-inch thick compacted clay liner to be constructed using screened clay liner material with particle sizes up to three inches in diameter (i.e., 3-inch minus material). The upper 8-inches of the compacted clay liner would have a maximum particle size of one inch (1-inch minus material) as required by 6 NYCRR Part 363-6.7(a)(2)(i). In accordance with 6 NYCRR 363-6.7(a)(2)(iii), the entire 24-inch thick soil liner will have a remolded hydraulic conductivity of 1x10^-7 centimeters per second (cm/s) or less.

Its noted that this is not a new variance, but rather a request to continue using the same variance that has been in place and utilized at the site. Details pertaining to the proposed variance will be included in the *Design, Construction, and Operation* section of the DSEIS.

10.0 WASTE REDUCTION

Several commenters questioned the consistency of the landfill expansion with New York State's Solid Waste Management Plan, and suggested employing aggressive waste reduction programs rather than continuing to rely on landfilling. As stated in Section 8 of this Scoping Document, consistency with the New York State and local (i.e., Allegany County) Solid Waste Management Plans will be addressed in the *Solid Waste Management Plan* section of the DSEIS. Waste reduction programs, however, are outside the scope of the proposed project and will not be addressed.

11.0 WASTEWATER TREATMENT PLANT DISCHARGE

Commenters expressed concern about discharge from wastewater treatment plants (WWTPs) that accept leachate from Hyland Landfill. However, all wastewater treatment facilities in New York State that agree to accept industrial waste (i.e., landfill leachate) are subject to the National Pretreatment Standards (NPS) per 6 NYCRR 750-2.9(b). The intent of the NPS is to prevent the acceptance of pollutants that would interfere with the proper function of treatment processes or would pass-through the WWTP un-treated. This helps WWTPs remain in compliance with their SPDES Permit effluent limits established by the NYSDEC.

The above information will be added to the *Water Resources – Surface Water* section of the DSEIS.

An evaluation of individual WWTP's accepting leachate from Hyland and other landfills is outside the scope of the project and will not be addressed in the DSEIS. Evaluation of WWTP discharges is reviewed and evaluated by the Department pursuant to each facility's Department-issued SPDES permit, which is a separate review process from the Hyland landfill expansion review process.

12.0 WEBSITE

One commenter stated that the NYSDEC should not list the applicant's website as the "primary source" for the public to access application documents (i.e., Draft Scoping Document, EAF, etc.). However, the NYSDEC Region 9 Environmental Notice Board (ENB), dated January 5, 2021, makes no reference to primary and secondary sources, and the same application documents made available to the public via the applicant's website (https://hylandlandfillexpansion.blogspot.com) were also made available via a NYSDEC website (https://www.dec.ny.gov/permits/124474.html). The NYSDEC has agreed to continue using the applicant's website as a means of sharing application documents to the public for the remainder of this permitting process.

13.0 WETLAND ISSUES

Several comments were received regarding impact to wetlands. A Wetland Delineation Study will be completed to allow the USACOE and NYSDEC to determine their jurisdictional authority over the project area pursuant to Section 404 of the Clean Water Act and Articles 15 (Protection of Waters) and 24 (Freshwater Wetlands) of the New York State Environmental Conservation Law. Impacts to wetlands confirmed to be under USACOE or NYSDEC jurisdiction will be addressed in the *Terrestrial and Aquatic Ecology* section of the DSEIS. Mitigation plans provided in the DSEIS (if required) will be conceptual in nature, as specific details will become available as negations with the relevant agencies proceed.

14.0 WILDLIFE

Commenters noted that various wildlife, such as bald eagles and timber rattlesnakes, have been observed around the existing landfill and expansion area. As such, a Habitat Assessment Study (HAS) will be prepared for the expansion areas and included in the DSEIS. The HAS will allow the NYSDEC and United States Fish & Wildlife Service (USFWS) to determine jurisdictional authority over the project area pursuant to 6 NYCRR Part 360.8 and Section 7 of the Endangered Species Act. Potential impacts on wildlife identified in the HAS will be addressed in the *Terrestrial and Aquatic Ecology* section of the DSEIS. Threatened and endangered species outside the limit of the expansion area will not be addressed.

VII. CHANGES BETWEEN THE DRAFT SCOPING OUTLINE AND THE FINAL SCOPING OUTLINE

Significant changes to the body of the Draft Scoping Document are listed below.

- Section 2.4 was revised to clarify that the liner and final cover system required by 6 NYCRR Parts 363-6.6(a) and 363-6.6(d) will be described in the DSEIS. The section also now states that consistency with the lateral expansion criteria established by 6 NYCRR Part 363-6.1(e) will be demonstrated in the DSEIS.
- Section 3.2.1 was revised to include a summary of the groundwater monitoring program currently employed at Hyland, and that no impacts have been detected to date. The section also clarifies that current leachate and groundwater sampling program does not include testing for PFAS.
- Section 3.2.3 was revised to clarify that the proposed sampling program for leachate and groundwater includes testing for PFAS in accordance with 6 NYCRR Part 363-4.6(h).
- Section 3.4.2 was revised to replace the reference to CP-33 with a reference to NAAQS.
- Section 3.6.3 was revised to clarify that the DSEIS will contain a conceptual description of a wetland mitigation program (if required). Specific details, such as

the size and location of replacement wetlands, mitigation ratio, and whether the mitigation would include replacement wetlands or in-lieu fee, will be provided in a Wetland Mitigation Plan prepared under separate cover (not included in the DSEIS). These specific details will become available as negations with the USACOE proceed.

- Section 3.7.1 was revised to clarify that the DEIS will evaluate the project under CP-49 and DAR-21 to the extent practicable. In addition, an assessment of the impact of the project on any disadvantaged communities will be included to comply with Section 7(3) of the CLCPA.
- Section 3.7.3 was revised to clarify that impacts from HAPs will also be considered in the CLCPA analysis if Hyland is found to be in (or very near) a disadvantaged community.
- Section 3.7.3 was also revised to clarify that impacts from 500-year storms on leachate collection and removal systems and stormwater/run-off conveyance and detention/retention systems will be evaluated, as required by 6 NYCRR Part 363, in order to take into account increasingly intense precipitation events. In addition, the DSEIS will evaluate other impacts and potential mitigation options related to climate change, including the impact of tree removal on carbon sequestration and up-stream waste diversion options.

There are no other significant changes from the Draft Scoping Outline.

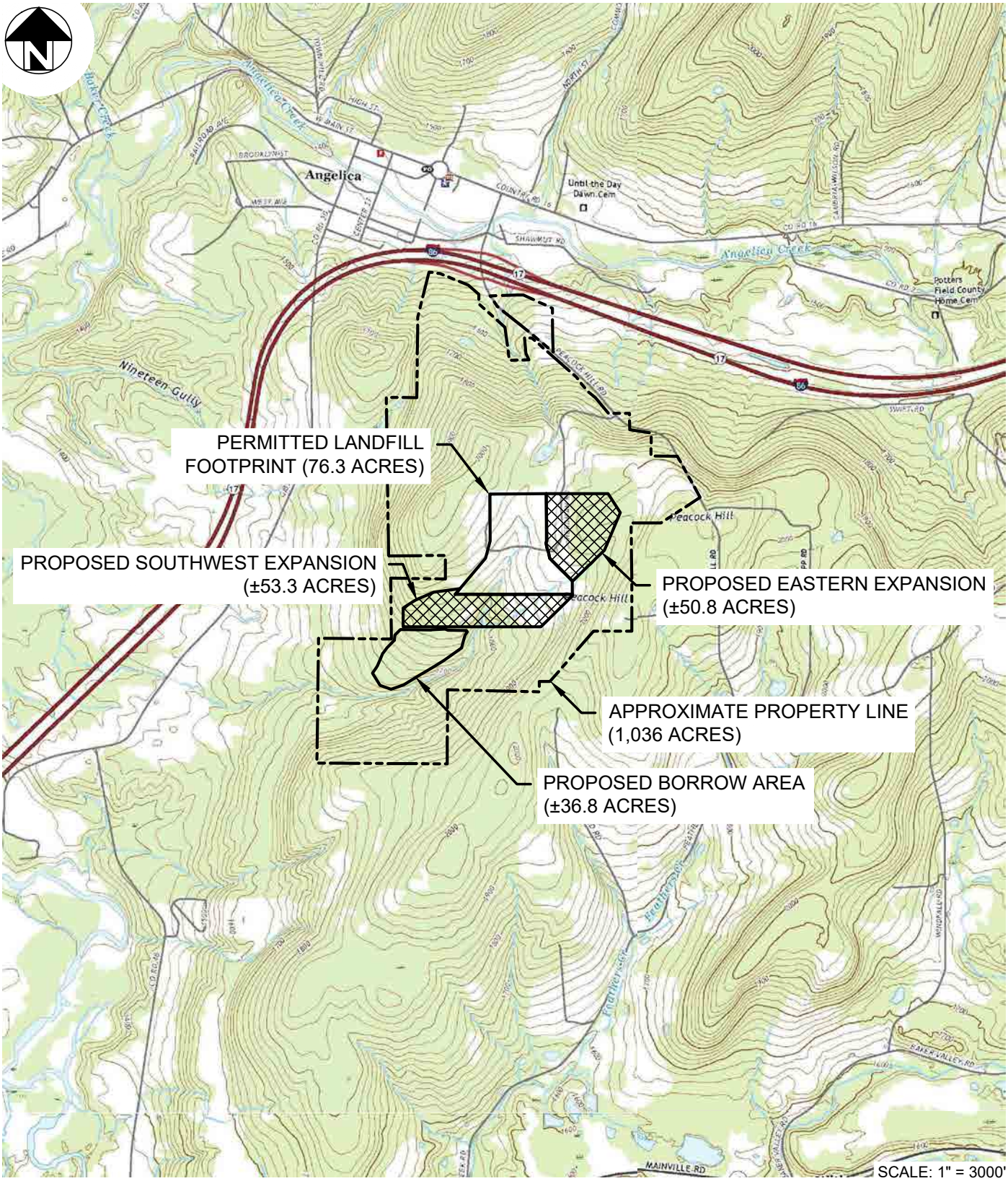
Table 1.0 – Required Approvals

State Agencies		
Agency	**Permit/Interest**	**Applicable Law/Regulation**
NYSDEC	Solid Waste Management Facility Permit Modification	6 NYCRR Part 360/363
NYSDEC	Title V Permit Modification	6 NYCRR Part 201
NYSDEC	CLCPA	ECL Article 75
NYSDEC	Individual State Pollution Discharge Elimination System Permit	6 NYCRR Part 750
NYSDEC	Section 401 Water Quality Certification	6 NYCRR Part 608 and Section 401 of Clean Water Act
Federal Agencies		
Agency	**Permit/Interest**	**Applicable Law/Regulation**
US Army Corps of Engineers	Section 404 Wetland Fill Permit	Section 404 of the Clean Water Act
Local Government		
Agency	**Permit/Interest**	**Applicable Law/Regulation**
Town of Angelica [1]	Amended Host Community Agreement and Town Board Approval	
Town of Angelica, Village of Angelica and/or NYSDOT [2]	Peacock Hill Road Lane Addition (Highway Work Permit)	

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:

1. Base map image adapted from a combination of 7.5 Minute Series USGS Quadrangle Maps of Angelica NY, Belmont NY, West Almond NY and Wellsville North NY dated 2019.

APRIL 2021

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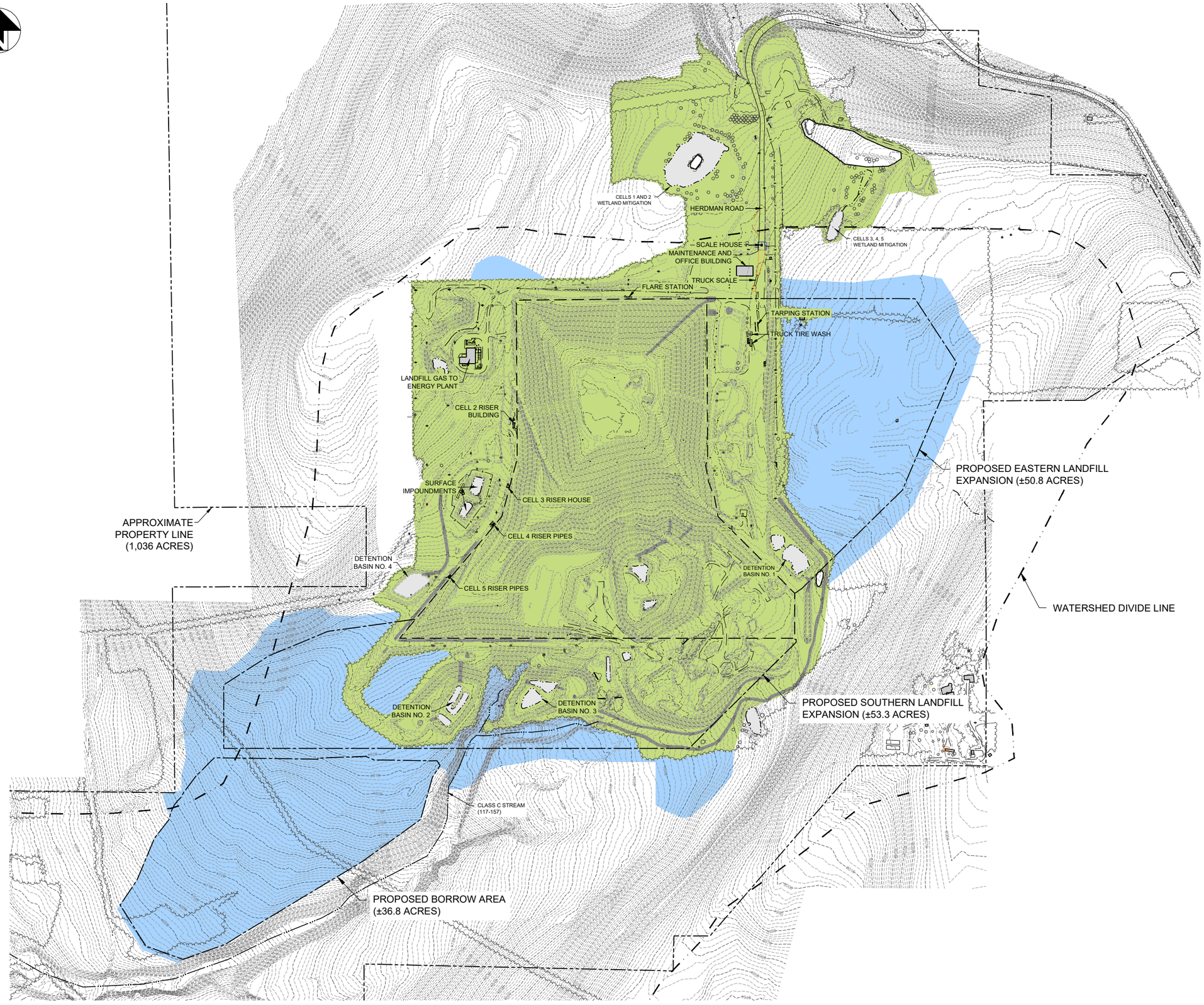
HYLAND FACILITY
SCOPING DOCUMENT

ALLEGANY COUNTY NEW YORK

SITE LOCATION PLAN

DWG. NO. 93002-1126a

FIGURE 1



LEGEND

- EXISTING GROUND CONTOURS (SEE NOTE 1)
- PROPERTY LINE
- STREAM / CREEK
- BUILDING
- PERMITTED LANDFILL LIMIT
- HAUL ROAD
- DETENTION POND / WATER
- TREELINE
- CURRENT DEVELOPED AREA (APPROXIMATELY ± 212.6 ACRES)
- ADDITIONAL DEVELOPED AREA (APPROXIMATELY ± 113.2 ACRES)
- PROPOSED LANDFILL EXPANSION FOOTPRINT
- WATERSHED DIVIDE

NOTE:
1. Existing contours compiled by Quantum Spatial using photogrammetric methods from aerial photography dated June 16, 2020.

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REV 1	REV 2	REV 3	REV 4	REV 5	REV 6

HYLAND FACILITY
SCOPING DOCUMENT
PROPOSED DEVELOPMENT AREA
ALLEGANY COUNTY, NEW YORK

DRAWN BY:	C.R.G.
DESIGNED BY:	J.P.R.
CHECKED BY:	S.W.L.
SCALE:	N.T.S.
DATE:	APRIL 2021
JOB NO.	93-002
FIGURE	2
DWG. NO.	93002-1145
REVISION NUMBER -	0

APRIL 2021

1100' 0 550' 1100'

SCALE: 1" = 1100'

APRIL 2021

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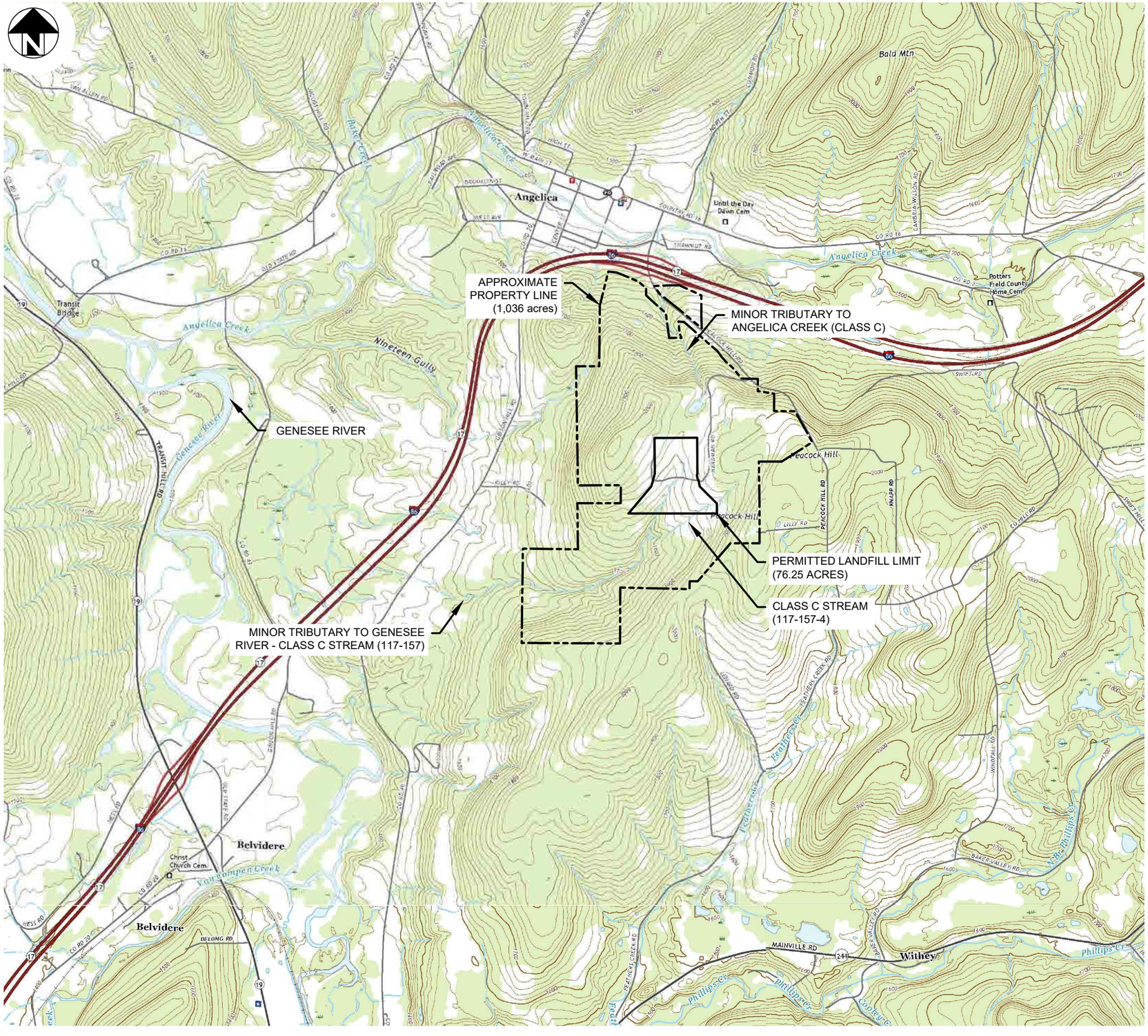
REV 1	
REV 2	
REV 3	

HYLAND LANDFILL
SCOPING DOCUMENT
PROPOSED TRUCK LANE PLAN

ALLEGANY COUNTY NEW YORK

DRAWN BY:	C.V.S.
DESIGNED BY:	C.R.G.
CHECKED BY:	S.W.L.
SCALE:	1" = 1100'
DATE:	APRIL 2021
JOB NO.	93-002
FIGURE:	3
DWG. NO.	93002-1146
REVISION NUMBER -	0



LEGEND

- APPROXIMATE PROPERTY LINE
- PERMITTED LANDFILL LIMIT (76.25 ACRES)

NOTE:
1. Base map image adapted from a combination of 7.5 Minute Series USGS Quadrangle Maps of Angelica NY, Belmont NY, West Almond NY and Wellsville North NY dated 2019.

3000' 0 1500' 3000'

SCALE: 1" = 3000'

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REV 1	
REV 2	
REV 3	

HYLAND FACILITY
SCOPING DOCUMENT
TOPOGRAPHIC PLAN

ALLEGANY COUNTY NEW YORK

DRAWN BY:	C.V.S.
DESIGNED BY:	C.R.G.
CHECKED BY:	S.W.L.
SCALE:	1" = 3000'
DATE:	APRIL 2021
JOB NO.	93-002
FIGURE:	4
DWG. NO.	93002-1147
REVISION NUMBER -	0

APRIL 2021

APPENDIX I

POSITIVE DECLARATION

New York State Department of Environmental Conservation
Notice of Positive Declaration and Public Scoping / Comment Hearing

The New York State Department of Environmental Conservation (NYSDEC), as lead agency, has issued a Positive Declaration for the proposed expansion of the Hyland Landfill. A virtual public comment hearing to hear and receive comments from the public on the Draft Scoping Document will be held on January 19, 2022 at 6:00 p.m. Instructions for registering for the hearing are available at: https://www.dec.ny.gov/permits/124474.html .

The Draft Scoping Document is available for review at the Angelica Free Library, 55 West Main Street, Angelica NY 14709 and on-line at: https://hylandlandfillexpansion.blogspot.com and https://www.dec.ny.gov/permits/124474.html. Written comments on the Draft Scoping Document will be accepted until February 22, 2022 by e-mailing: hylandexpansion@dec.ny.gov or in writing to the contact person listed below.

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, a height increase of 120 feet and an increase in the annual waste acceptance rate from 465,000 to 1,000,000 tons per year. Project Location: 6653 Herdman Road, Angelica, NY 14709

Contact: Charles Cranston, NYSDEC, 182 East Union Street, Suite 3, Allegany, NY 14706, Phone: (716) 372-0645, E-mail: hylandexpansion@dec.ny.gov.