

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, NY 12306-2014

P: (518) 357-2069 | F: (518) 357-2460

www.dec.ny.gov

September 20, 2021

Via e-mail (dane.mcspedon@hughesenergygroup.com) and US Mail

Dane McSpedon, CEO

Hughes Energy, LLC

56 Briar Hill Drive

Yonkers, NY 10710

RE: SEQR Positive Declaration

Hughes Energy, LLC. – Solid Waste Management Facility

State Route 23, Town of Roxbury, Delaware County

DEC Application No. 4-1248-00321

Dane McSpedon,

The New York State Department of Environmental Conservation (DEC) has determined that the proposed Hughes Energy, LLC. Solid Waste Management Facility has the potential for at least one significant adverse environmental impact. Accordingly, DEC has prepared a Positive Declaration pursuant to the requirements of the State Environmental Quality Review Act (SEQR). A Draft Environmental Impact Statement is required for the project.

Enclosed please find a copy of the Positive Declaration that has been issued. The Department will use public scoping procedures outlined in the SEQR regulations (6 NYCRR § 617.8). This will include opportunity for the public to provide written comments on the scope. It will be necessary for you to submit a proposed scope which contains the items identified in paragraphs 6 NYCRR § 617.8 (e)(1) through (5) of the SEQR regulations. In short, these items include a description of the proposed action, the potential significant adverse impacts, the extent and quality of information needed to address each impact (including the methods for obtaining and analyzing this information), an initial identification of mitigation measures, and the reasonable alternatives to be considered.

Please submit one electronic copy and 5 hard copies of the draft scope for our review. Upon our receipt of the draft scope, we will review it and provide any necessary revisions prior to its acceptance for public review.

By copy of this letter and enclosure, we are also notifying all involved parties of the Department's issuance of the Positive Declaration.

Sincerely,



Kate Kornak

Regional Permit Administrator

Enclosure – SEQR Positive Declaration
Distribution List Attached



Distribution List (all w/enclosure):

Supervisor, Town of Roxbury
Supervisor, Town of Prattsville
Delaware County Planning Department
New York City Department of Environmental Protection
NYS Department of Transportation
NYS Department of Environmental Conservation
NYS OPRHP State Historic Preservation Office
US Army Corps of Engineers
Sterling Environmental

SEQR

617.21
Appendix E
State Environmental Quality Review
POSITIVE DECLARATION
Notice of Intent to Prepare a Draft EIS
Determination of Significance

Project Number 4-1248-00321

Date September 20, 2021

This notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law.

The New York State Department of Environmental Conservation, as Lead Agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Environmental Impact Statement will be prepared.

Name of Action: Hughes Energy, LLC – New Solid Waste Management Facility

SEQR Status: Type 1 – Part 617.4(b)(6)

Note: Public scoping will be scheduled at a later date following the receipt of a draft scope of issues. The public scoping process will help to ensure that the required Draft Environmental Impact Statement focuses on relevant issues.

Description of Action:

The applicant proposes to construct and operate a new ~115,000-sq.ft. solid waste management facility on a 39.6-acre parcel in the Town of Roxbury (Parcel ID 113.-1-25). As proposed, the facility will thermally treat municipal solid waste (MSW) in a steam autoclave process to create a marketable pelletized fuel product. According to the application, the facility can process a maximum of 176,400 tons of MSW per year. The applicant also proposes to construct a new ~9,500-sq.ft. administrative office and maintenance shop on the parcel.

Location:

State Route 23, Town of Roxbury, Delaware County, New York. Tax Parcel ID 113.-1-25

Reasons Supporting this Determination:

Potential for significant traffic impacts – The project will require use of delivery trucks to transport MSW to the facility, and to carry non-usable recyclables and other materials to appropriate disposal locations. Additionally, employee vehicles, liquid tanker trucks, and other vehicles will access the facility. Potential impacts on traffic volumes, routes, and flow must be evaluated and, if necessary, mitigation measures developed to reduce or minimize such impacts.

Potential for significant noise impacts – The project will generate noise from both stationary and mobile sources. The stationary equipment will operate 24-hours per day. In accordance with the noise assessment revised 7/21/2021, the project as proposed will not meet noise threshold requirements in Part 360 regulations, nor will the project meet Department noise guidance standard requirements. Potential noise impacts must be further evaluated and, if necessary, mitigation measures must be developed to reduce or minimize such impacts.

Potential for significant odor impacts – The operation of this facility will produce odors from transporting, receiving and processing of putrescible solid waste in addition to handling other waste and recyclable materials. Potential odor impacts must be evaluated and, if necessary, mitigation measures developed to reduce or minimize such impacts.

Potential impact on water resources - The facility and ancillary impervious surfaces will be constructed within the 100-year flood zone, near a drinking water reservoir within the New York City Watershed, with additional proposed impacts to a state-protected Class A stream and federal wetland. Potential impacts to these water resources must be evaluated and, if necessary, mitigation measures developed to reduce or minimize such impacts.

For Further Information:

Contact Person: Kate Kornak, Regional Permit Administrator

Address: NYS DEC Region 4
1130 North Westcott Road
Schenectady, NY 12306

Telephone Number: (518) 357-2170

A Copy of this Notice Sent to:

Commissioner, Department of Environmental Conservation, 625 Broadway, Albany, New York 12233

Appropriate Regional Office of the Department of Environmental Conservation

Office of the Chief Executive Officer of the political subdivision in which the action will be principally located

Applicant

Other involved agencies