

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 9
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May 22, 2020

Mr. Daniel Bree
Sealand Waste, LLC
85 High Tech Drive
Rush, New York 14543

Dear Permittee:

**PERMIT TRANSMITTAL LETTER
Carroll C&D Management Facility
Town of Carroll, Chautauqua County
Solid Waste Permit No. 9-0624-00025/00002
Solid Waste ID No. 07LC0056**

Enclosed is your permit which was issued in accordance with applicable provisions of the Environmental Conservation Law. The permit is valid for only that project, activity or operation expressly authorized. If modifications are desired after permit issuance, you must submit the proposed revisions and receive written approval from the Permit Administrator prior to initiating any change. If the Department determines that the modification represents a material change in the scope of the authorized project, activity, operation or permit conditions, you will be required to submit a new application for permit.

PLEASE REVIEW ALL PERMIT CONDITIONS CAREFULLY. IN PARTICULAR, IDENTIFY YOUR INITIAL RESPONSIBILITIES UNDER THIS PERMIT IN ORDER TO ASSURE TIMELY ACTION IF REQUIRED. SINCE FAILURE TO COMPLY PRECISELY WITH PERMIT CONDITIONS MAY BE TREATED AS A VIOLATION OF THE ENVIRONMENTAL CONSERVATION LAW, YOU ARE REQUESTED TO PROVIDE A COPY OF THE PERMIT TO THE PROJECT CONTRACTOR, FACILITY OPERATOR, AND OTHER PERSONS DIRECTLY RESPONSIBLE FOR PERMIT IMPLEMENTATION (IF ANY).

If you have any questions, please contact this office at the above address.

Respectfully,
Charles D. Cranston
Deputy Regional Permit Administrator

Enclosures



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
SEALAND WASTE LLC
85 HIGH TECH DR
RUSH, NY 14543
(585) 359-9242

Facility:
CARROLL C & D MANAGEMENT FACILITY
309 Dodge Rd
Frewsburg, NY 14738

Facility Location: in CARROLL in CHAUTAUQUA COUNTY
Facility Principal Reference Point: NYTM-E: 161.685270291032
4659.44396356595

NYTM-N:

Latitude: 42°00'51.5" Longitude: 79°05'08.2"

Authorized Activity: Operation of a 34.9 acre Construction and Demolition (C&D) Debris Landfill with associated C&D Processing Operation (CDPO), Yard Waste Composting Operations, and disposal of non-putrescible non-hazardous waste streams. The Carroll C&D Management Facility (solid waste facility #07LC0056, formerly #07D44) is located on Dodge Road in the Town of Carroll.

Permit Authorizations

Solid Waste Management - Under Article 27, Title 7

Permit ID 9-0624-00025/00002

(Solid Waste ID 07D44)

Modification # 0

Effective Date: 1/10/1996

Expiration Date: 1/9/2006

SAPA Extension

Begin Date: 01/10/2006

End Date: No End Date

New Permit

Effective Date: 5/22/2020

Expiration Date: 5/21/2025

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: CHARLES D CRANSTON, Deputy Regional Permit Administrator

Address: NYSDEC Region 9 Allegany Sub-Office
182 E Union St - Ste 3
Allegany, NY 14706 -1328

Authorized Signature:

Date 5/22/2020



Distribution List

Peter Grasso, NYSDEC Regional Materials Management Engineer
Beverly Lewinski, NYSDEC Region 9 Materials Management
Jaime Lang, NYSDEC Materials Management, Albany Central Office
Vincent Fay, NYSDEC Materials Management, Albany Central Office
Town of Carroll
Daigler Engineering, P.C.

Permit Components

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

- 1. Permit Conflicts** If any condition of this permit conflicts with the approved reports, plans, and documents identified in Solid Waste Permit Condition 8 of this permit, the permit condition(s) shall prevail over the reports and plans unless specific written approval for such change is obtained from the Regional Materials Management Engineer (RMME) prior to implementation. Where there are conflicts between elements of the approved reports and plans, the most recently dated element shall prevail with respect to the conflicting material.
- 2. Modification of Monitoring Program** If the permittee or the RMME determines that the groundwater monitoring program required by this permit no longer satisfies the requirements of 6 NYCRR Part 360, the permittee must, within ninety (90) days, submit an application for a permit modification which describes the change(s) that will be necessary to maintain regulatory compliance at the site.
- 3. Emergency Reporting** In the event of an emergency, including but not limited to fires, explosions, or waste spills on site or known waste spills on route to the landfill, the RMME shall be notified of the emergency within four (4) hours of discovery on a business day or on the next business day following a weekend or holiday. The details of the incident and the remediation or corrective actions(s) taken shall be described in writing to the RMME within five (5) working days of the event.
- 4. Permit Applicability** This permit supersedes all previously issued Solid Waste Management Facility permits and permit modifications issued by the New York State Department of Environmental Conservation (Department) for this facility.



5. Transfer of Ownership Upon transfer of ownership of this facility, provisions shall be included in the property deed stating the period of time during which the property was used as a landfill and a description of the wastes contained therein. The deed shall note that the records, including the limits of the landfill waste within the property, the length of time the property was used as a landfill and a description of wastes disposed of on-site, are on file with this Department. This deed shall be filed with the Chautauqua County Clerk's office.

6. Permission to Construct The permittee shall not begin operation of any phase of the C&D Landfill, C&D Processing Operation or Yard Waste Composting, or accept any waste at the facility otherwise authorized by this permit until thirty (30) calendar days after the United States Army Corps of Engineers issues a permit authorizing disturbance of the identified federally regulated wetlands and waters of the United States, and a Water Quality Certification has been issued by the Department. Site preparation activities, however, may commence upon issuance of this permit and in accordance with Solid Waste Permit Management Condition 16, but such activities shall not disturb or impact in any way the federally regulated wetlands or waters of the United States at or near the permitted facility.

APPROVED DOCUMENTS AND WASTES

7. Conformance With Plans All activities authorized by this permit must be in strict conformance with the permit application, plans and materials prepared by (see Solid Waste Management Permit Condition 8 of this permit) on (see Solid Waste Management Permit Condition 8 of this permit).

8. Approved Reports, Plans and Documents Unless expressly authorized in writing or unless modified by conditions of any permit issued by this Department, operation of the facility shall be in conformance with the applicable requirements of 6 NYCRR Part 360 Series (current edition and as subsequently modified) and the following documents:

- Permit Drawings for "Carroll Landfill Expansion" prepared by Daigler Engineering, P.C. A list of the approved drawings is attached to this permit.
- "Carroll Solid Waste Management Facility Permit Application" dated July 2017 and prepared by Daigler Engineering, P.C. This document includes:
 - Operation and Maintenance Manual
 - Construction Quality Assurance/Construction Quality Control (CQA/CQC) Plan
 - Engineering Report
 - Environmental Monitoring Plan
 - Site Analytical Plan
 - Site Investigation Report
 - Site Investigation Plan
 - Contingency Plan
- Memorandum dated August 22, 2017 from David Vitale (NYSDEC) to Peter Grasso (NYSDEC) regarding the approval of the Request for Groundwater Separate Variance.

The permittee must maintain a copy of all application materials, plans, reports, and permits at the landfill site and make these documents available to any representative of the Department. The permittee must maintain a copy of all written approvals and directives in a like manner, together with a copy of the effective Part 360 regulations.



9. Acceptable Wastes The landfill and processing area is authorized to accept only the following types of waste:

- Construction and demolition debris as defined by 6 NYCRR Part 360.2(b)(61);
- Land clearing debris defined as vegetative matter, soil and rock resulting from activities such as land clearing and grubbing, utility line maintenance or seasonal or storm related cleanup such as trees, stumps, brush and leaves including wood chips generated from these materials. This does **not** include yard waste which has been collected at the curbside;
- C&D debris includes uncontaminated solid waste resulting from the construction, remodeling, repair and demolition of utilities, structures and roads, and uncontaminated solid waste resulting from land clearing. Such waste can include plastics that are incidental to the construction, remodeling and repair of structures and roads, such as plastic sheeting and wrapping and paper used to wrap building products (shingles, cabinets, etc.). In addition, water based drill cuttings from oil and gas exploration/production are acceptable.

The Yard Waste Composting Facility can receive:

- Leaves, grass clippings, small brush, and tree limbs as defined by 6 NYCRR Part 360.2(b)(314) from only the Town of Carroll residents;
- Land clearing debris defined as vegetative matter, soil and rock resulting from activities such as land clearing and grubbing, utility line maintenance or seasonal or storm related cleanup such as trees, stumps, brush and leaves including wood chips generated from these materials. This does **not** include yard waste which has been collected at the curbside.

10. Unacceptable Waste The following wastes shall not be accepted at the facility:

- Putrescible waste defined as solid waste that contains organic matter capable of being decomposed by microorganisms and of such a character and proportion as to be capable of attracting or providing food for disease vectors;
- Garbage defined as putrescible solid waste including animal and vegetable waste resulting from the handling, storage, sale preparation, cooking for serving of food. Garbage originates primarily in home kitchens, stores, markets, restaurants, and other places where food is stored, prepared, or served;
- Commercial waste as defined by 6 NYCRR Part 360.2(b)(49);
- Industrial waste defined as solid waste generated by manufacturing or industrial processes;
- Hazardous waste as defined by 6 NYCRR Part 371;
- Regulated Medical Waste as defined by 6 NYCRR Part 360.2(b)(228);
- Radioactive waste as defined in 6 NYCRR Part 382;
- Asbestos waste defined as a friable solid waste that contains more than 1 percent asbestos waste and can be crumbled, pulverized or reduced to powder, when dry, by hand pressure. Asbestos waste also includes any asbestos containing solid waste that is collected in a pollution control device designed to remove asbestos;
- Waste tires as defined by 6 NYCRR Part 360.2(b)(308);
- Any intact metal or plastic drum larger than ten (10) gallon capacity, that has not been crushed and had at least one (1) end removed or has not been shredded;



- Any container which has held hazardous waste and is not empty according to 6 NYCRR Part 371.1(h);
- Electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, fluorescent light bulbs;
- Liquid wastes, sludge or other wastes with a solids content less than 20%;
- White goods (appliances), automobiles, furniture, carpeting, containerboard, and lead acid batteries;
- Yard waste as defined by 6 NYCRR Part 360.2(b)(314) which has been collected at the curbside;
- Oil and Gas Exploration/Production wastes defined in Solid Waste Permit Condition 11 of this permit;
- Unrecognizable, pulverized or shredded C&D debris resulting from any processing technique, other than waste generated from a Department approved C&D processing facility.

11. Oil and Gas Exploration/Production Wastes The following applies to wastes generated from High-Volume Hydraulic Fracturing Operations:

- Bulk drilling fluids, liquids resulting from the hydrofracturing process, flowback water and related filter sludge, production brine and related filter sludge, and drill cuttings generated from operations using oil-based drilling fluids are prohibited from disposal.
- Drill cuttings generated from operations using air and water-based drilling fluids may be accepted for disposal.
- The amount and type of waste accepted at the landfill must be reported in the facility's annual report to the Department.

12. Approved Design Capacity The approved design capacity for the C&D Landfill is 1,000 tons per day.

- The approved design capacity is not a limit. The maximum waste receipts at the landfill during any quarter shall not exceed 76,500 tons. Annual waste receipts shall not exceed 306,000 tons.
- The approved design capacity for the CDPO is 330 tons per day. The approved design capacity is not a limit. The maximum waste receipts at the CDPO during a quarter shall not exceed 25,245 tons. Annual waste receipts shall not exceed 100,980 tons.
- Annual waste receipts at the Yard Waste Composting Facility shall not exceed 400 tons.

13. Comprehensive Recycling Analysis The permittee is prohibited from accepting wastes generated within a municipality which has either not completed a Comprehensive Recycling Analysis (CRA) or is not included in another municipality's CRA [satisfying the requirements of 6 NYCRR Part 360.11 which has been approved by the Department and implemented the recyclables recovery program determined to be feasible by the analysis.



14. Variances The following variance is approved as noted and conditioned. In the event that nuisance or other detrimental conditions develop as a result of the variance approval, the RMME may suspend the approval until after the modification procedures on 6 NYCRR Part 621.14 are concluded:

- Variance Request No. 1 from NYCRR Part 360-7.4(b)(5) which requires a minimum five-foot separation between the base of the constructed liner system and the seasonal high groundwater table is approved. Construction of the liner system shall be in accordance with the approved plans (see Solid Waste Management Condition 8 of this permit).

COMPLIANCE SCHEDULE

15. Final Closure Plan Prior to the final closure of the facility (all permitted landfills are full or waste can no longer be received at the facility), a Final Closure Plan and Post-Closure Monitoring and Maintenance Plan, including all design calculations, as well as a CQA/CQC Plan and specifications, must be prepared in accordance with 6 NYCRR Part 363-9. The Final Closure Plan and Post-Closure Monitoring and Maintenance Plan shall be submitted to the RMME within sixty (60) days before receipt of last waste, within sixty (60) days before the last day of the operating permit, or in accordance with any permit condition or schedule of an Order on Consent, whichever is sooner.

16. Updated Reports, Plans, and Documents The permittee shall submit to the Department for review and approval, sixty (60) days prior to any site preparation activities, the following documents. In the event the Department provides the permittee with comments, the permittee shall address the comments and revise the submittal, if necessary, within 15 days.

- An updated Operation and Maintenance Manual;
- An updated Engineering Report;
- An updated Environmental Monitoring Plan;
- An updated Contingency Plan;
- An updated CQA/CQC;
- A Radioactive Waste Detection Plan;
- An updated closure cost estimate and supporting documentation as required by 6 NYCRR Part 360.22.

CONSTRUCTION REQUIREMENTS

17. Construction Schedule For each phase of landfill construction, the permittee shall submit to the RMME updated specifications, an updated CQA/CQC Plan, and drawings for construction of the next phase. These items shall be submitted at least ninety (90) days prior to beginning of construction for Department review and approval.

18. Geosynthetics Testing All geotextiles, geonets, geosynthetic drainage composites, geosynthetic clay liners, and geomembranes shall be tested to ensure that the appropriate design standards (friction angle, cohesion, transmissivity, permittivity, tensile strength) are met. This testing shall be done to simulate actual landfill conditions using the appropriate adjacent materials and expected loadings that would be found in the landfill. All testing must be completed prior to installation of the appropriate materials. The results of all testing shall be included in the Construction Certification Report (CCR) (see Solid Waste Management Permit Condition 21 of this permit).



19. Field Change Log A log shall be maintained on-site during each landfill construction and final closure phase to record all proposed field changes. Changes materially altering the permitted design and/or approved specifications must be approved in writing by the RMME before they are implemented. The CCR (see Solid Waste Management Permit Condition 21 of this permit) shall incorporate the Field Change Log for the respective construction/final closure phase.

20. Construction Inspection Per the requirement of 6 NYCRR Part 360.7, the Department reserves the right to inspect landfill construction and final cover installation at any time. The RMME shall be notified at least twenty-four (24) hours before a scheduled final inspection of the final lift of clay and the geomembrane liner so appropriate Department staff have the ability to accompany the Permittee or designated representative(s) performing the Construction Quality Assurance inspections prior to installation of the next overlaying layer.

21. Construction Certification Report A CCR for any landfill construction and final cover installations shall be submitted to the RMME. The Permittee's CQA/CQC Engineer shall certify in writing that the construction of the facility, subcell, leachate system, gas collection system (as part of cell construction), or monitoring system was in accordance with this permit and tested in accordance with generally accepted engineering practice. The CCR shall also include "as-built" plans and a report documenting the results of all testing. The CCR shall be signed by a New York licensed Professional Engineer. Confirmation of the integrity of the landfill liner and detection system, if part of the construction, must be provided as part of, or as supplement to, the CCR.

OPERATIONS

22. Hours of Operation Waste and recyclables shall only be received at the facility between the hours of 7:00 AM to 5:00 PM, Monday through Friday, and between 7:00 AM to 2:00 PM on Saturday.

23. Radioactive Waste Detection Procedures Radiation detectors must be maintained at the facility, and the permittee must comply with the following:

- Fixed radiation detection unit(s) must be installed and operated at the facility to monitor all incoming waste as per 6 NYCRR Part 363-7.1(a)(5).
- The concentration of radium-226 in any waste accepted at the facility cannot exceed 25 pCi/g.
- Training related to the radiation detection system operating procedures and radiation investigation alarm response procedures must be conducted at least annually as per 6 NYCRR Part 363-7.1(q)(2).

24. Facility Access Access to the facility must be controlled at all times by fencing, gates, signs, natural barriers, or other suitable means.

25. Incoming Vehicles Vehicles entering the facility must pass through the scales and then to either the C&D Processing area or the landfill. The permittee shall not accept vehicles delivering waste or cover material to this facility that are not enclosed, covered, or their contents secured.



26. Waste Inspection Incoming waste loads shall be inspected both prior to and during unloading in order to identify and reject any unacceptable waste as defined in Solid Waste Management Permit Condition 10 of this permit. All unacceptable waste shall be removed from the facility and transported to a properly permitted facility for disposal. Documented violations regarding disposal of unauthorized waste will result in the revocation of this permit and closure of the landfill. Disposal of unauthorized waste without the knowledge of the operator will not constitute a defense against revocation of the permit or implementation of the additional closure and post-closure requirements.

27. Select Waste Lift During the placement of the first lift of waste above the leachate collection and removal system, the following precautions and practices shall be observed:

- Consideration must be taken for the approach and travel of haul trucks and other landfill operation vehicles relative to the location of the liner and leachate collection laterals.
- Waste placement must be kept away from the top of the berms to allow for proper leachate control and effective future placement of final cover. Identification markers may be used along the berms with specific setback distances for waste placement.
- The initial waste placement must be a minimum of five (5) feet in compacted thickness and must be of a select nature and free of all large objects. Large objects include any long, rigid items such as poles or piping and any rigid, bulky items which could be placed so as to damage the liner or leachate collection system.

28. Waste Lift Height Waste lift height must not exceed ten feet in uncompacted thickness. Waste shall be spread and compacted in layers not to exceed two (2) feet in thickness with each layer compacted with a minimum of three (3) passes with the landfill compactor.

29. Wind Blown Litter Windblown paper and other litter shall be confined to the area adjacent to the working face. Any paper, litter, debris, etc. which escapes the working face area shall be immediately picked up and deposited in the landfill. At no time shall solid waste be allowed to leave the property. Additionally, the RMME may require that improvements and/or extension of the litter control fencing be implemented by the permittee.

30. Dust Control The permittee shall only use water and/or NYSDOT approved dust palliatives for road dust control.

31. Cover Material Cover must be applied in accordance with the Operation and Maintenance Manual to control odors, fire hazards, vectors, blowing litter, and scavenging.

- Discretionary cover will be a minimum of six (6) inches of compacted soil or alternate cover material applied as needed. Alternate discretionary cover materials (ADiC) may be approved by the RMME on a case by case basis. All ADiC materials that would be regulated under Part 364 must be transported by Department approved Part 364 waste haulers. Requests for use of ADiC's shall be submitted in writing to the RMME. In the event that nuisance condition(s) develops from the use of ADiC's the RMME can rescind this approval without the need to modify this permit. The reuse of ADiC's is prohibited. Vehicle traffic on ADiC's is not allowed. Any storage of ADiC's is limited to areas where runoff can be collected as leachate and where windblown materials will not land on intermediate and final cover areas. On an annual basis, the amount of approved waste used for ADiC



cannot exceed 20% of the annual waste receipts unless otherwise approved by the Department. Any ADiC used as daily cover material will not count against the annual waste receipt limit for the facility except that any ADiC used in excess of the 20% amount must be counted as waste, even if it is utilized as daily cover.

- Intermediate cover will be a minimum of twelve (12) inches of compacted material applied and maintained on all landfill surfaces where no additional solid waste has been or will be deposited within thirty (30) calendar days.
- Interim cover will be a minimum of twelve (12) inches of compacted low permeability soil overlain by six (6) inches of soil suitable to maintain vegetative growth planted with a suitable seed mixture placed where waste will not be disposed of for twelve (12) months or more.
- Final cover will be placed on any surface of the landfill that has settled to final grade.

32. Standing Water The permittee shall prevent standing water from accumulating in the active landfill area. An active landfill area is any area which does not have an intermediate, interim final, or final cover. All runoff from active areas and/or areas with daily cover must be handled as leachate. Cover soil and drainage control structures shall be designed, graded, and maintained to prevent ponding and erosion and to reduce minimum infiltration of water into the solid waste cells. Side slopes of the landfill shall not be steeper than one (vertical) on three (horizontal).

33. C&D Debris Processing Operation The operation of the CDPO must be conducted in such a manner that dust and odors are effectively controlled so that they do not constitute a nuisance or hazard to health, safety, or property. The facility owner must undertake any and all measures as required by the Department to maintain and control dust at and emanating from the facility.

- At the end of each day or operation, or as needed throughout the day, the grounds and any potentially impacted off-site areas must be inspected for windblown papers and/or litter. All such waste must be picked up and properly disposed.
- Processed and unprocessed C&D materials shall be stored within a contained area. A maximum of thirteen (13) stockpiles will be allowed on site with a minimum separation distance of twenty five (25) feet. All stockpiles are not to exceed twenty (20) feet in height or 5,000 square feet in area.
- All materials leaving the facility must be in accordance with 6 NYCRR Part 361-5.6.
- All solid waste passing through the facility must be ultimately treated or disposed of at a facility authorized by the Department if in New York State or by the appropriate governmental agency or agencies if in other states, territories, or nations.
- All receiving, processing, and sorting activities must be conducted in an enclosed building as per 6 NYCRR Part 361-5.4(a). An enclosed building is not required for concrete and other masonry material (including steel or fiberglass reinforcing embedded in concrete, asphalt pavement or asphalt millings, brick, rock, fill material, roofing shingles or unadulterated wood).

34. Yard Waste Composting Facility The anticipated acceptance rate of 2,100 cubic yards(cy)/year is below the 3,000 cy/year cut off for exemption under Part 361-3.2.

35. Training Requirements Landfill operations must be directed by a facility operator who has attended and successfully completed within twelve (12) months of their date of employment, a landfill operators training course which is approved by the Department as per 6 NYCRR Part 363-7.1(q)(1).



LEACHATE COLLECTION, STORAGE AND DISPOSAL

36. Leachate Line Cleaning The leachate collection pipes in the primary drainage layer shall be cleaned annually. Written documentation of the cleaning shall be submitted to the RMME within thirty (30) days of completion.

37. Primary Leachate Line Verification Prior to the operation of any subcell, the integrity of the primary leachate collection pipes in the landfill must be verified by passing a cleaning device through them. After the placement of five feet of select waste as a first lift and placement of a second lift, no more than ten (10) feet in height over the first lift, the integrity of the pipes shall be re-verified by passing a cleaning device through them. These results shall be forwarded to the RMME in writing, within thirty (30) days of completion.

38. Leachate Storage Tank and Loadout Facility Leachate storage must be available to meet the leachate collection needs of the facility throughout the operational and post-closure periods of the landfill. Leachate to be removed from the facility by tanker truck shall only be transported by a hauler authorized to transport leachate pursuant to 6 NYCRR Part 364. The leachate storage tank shall be drained, inspected, and cleaned every other year. Written documentation of the inspection shall be submitted to the RMME within thirty (30) days of completion of the inspection. The leachate loadout pad trench, drain, and sump will be drained, flushed, and cleaned during the leachate storage tank inspection at a minimum, more often if necessary to maintain operations.

39. Action Leakage Rate If the quantity of fluid collected in the landfill secondary collection system exceeds the allowable primary liner system leakage rate threshold of twenty (20) gallons per acre per day [thirty (30) day average], the procedures described in 6 NYCRR Part 363-7.1(f)(7), as well as the permittee's Contingency Plan (see Solid Waste Management Permit Condition 8 of this permit), shall be complied with.

40. Leachate Lines Video Inspection The interior of the landfill primary and secondary leachate collection piping shall be inspected via video camera biennially as per 6 NYCRR Part 363-4.6(i)(3). A written summary of the inspection shall be submitted to the RMME within thirty (30) days following completion of the video inspection.

41. Leachate Testing Analysis of leachate in the primary and secondary collection and removal systems must be performed at a minimum frequency of two times per year for baseline parameters as defined by 6 NYCRR Part 363-4.6(f)(8)(iii).

RECLAMATION

42. Material Recovery The recovery of reuseable and recyclable materials from the incoming loads must occur prior to the trucks entering the working face. All recovered recyclables must be stored in a neat and nuisance-free manner.

LANDFILL MONITORING

43. Environmental Monitoring The permittee shall conduct environmental monitoring at the facility during operation and following closure in accordance with the Environmental Monitoring Plan (see Solid Waste Management Permit Condition 8 of this permit).



44. Self Inspections All site facilities, environmental controls, and monitoring systems are to be checked for damage at least weekly, inspected prior to major forecasted storms and after severe inclement weather. The results of the inspection shall be recorded, as well as any remediation necessary to correct the problem. All reports of inspections and remedial efforts shall be maintained on file at the landfill.

45. Water Monitoring A water quality monitoring program in accordance with 6 NYCRR Part 363-4.6(f)(9) which is the sole responsibility of the permittee, shall be conducted in accordance with the approved Environmental Monitoring Plan.

46. Groundwater Monitoring Operational, closure, and post-closure sampling and analysis shall be in accordance with the approved Environmental Monitoring Plan. All new monitoring wells are to be constructed and sampled as specified in the approved Environmental Monitoring Plan and are to meet or exceed the requirements of Part 360. Any proposed revisions to the plans are to be reported to the Department and are subject to the Department's approval.

47. Surface Water Monitoring Surface water sampling and analysis shall be in accordance with the approved Environmental Monitoring Plan. If potential contamination of surface water is suspected during facility operation due to leachate breakouts, severe erosion of intermediate/interim cover, leaking of leachate from vehicles, presence of waste exterior to the landfill cells, or other physical evidence of waste release, the surface water shall be contained and shall be sampled for the Routine Parameters listed in 6 NYCRR Part 363-4.6(h). Prior arrangements with a laboratory(ies), etc. shall be made to assure the availability of test results within seven (7) days. If results exceed surface water quality standards of 6 NYCRR Part 703, the surface water shall be considered "contaminated" and handled in accordance with the Contingency Plan (see Solid Waste Management Permit Condition 8 of this permit). These measures are in addition to surface water monitoring requirements of the Environmental Monitoring Plan.

FACILITY CLOSURE

48. Facility Closure The landfill shall be properly closed in accordance with 6 NYCRR Part 363-9.3 and the approved Final Closure Plan to be submitted in accordance with Solid Waste Management Condition 15 of this permit.

POST-CLOSURE

49. Post-Closure Monitoring And Maintenance The facility shall be monitored and maintained in accordance with 6 NYCRR Part 363-9.3 and the approved Post-Closure Monitoring and Maintenance Plan to be submitted with the Final Closure Plan in accordance with Solid Waste Management Permit Condition 15 of this permit. The period of post-closure care shall continue until at least thirty (30) years have elapsed since the last landfill cell used for disposal of solid waste was closed in accordance with the Department's requirements.



REPORTING

50. Quarterly Report A quarterly report shall be prepared on activities occurring during the quarter in question (January 1 to March 31, April 1 to June 30, July 1 to September 30, October 1 to December 31) and must be submitted no later than sixty (60) days after the last day of the quarter in question. All quarterly reports must be submitted on the forms provided by the Department or electronically, as specified by the Department and shall also contain the following:

- Amounts of waste (construction and demolition debris) received;
- Results from the groundwater, surface water, and leachate sampling events;
- A review of the groundwater and surface water analytical data indicating exceedences of applicable State water quality criteria and trigger parameters, as well as any discernable trends in the data;
- Leachate volume data obtained during the previous quarter, including volume collected and volume disposed;
- The monthly Leakage Rate for the secondary collection system of each cell or subcell of the landfill; and
- Amount of groundwater removed from the pumped groundwater removal system;
- Amounts and dates of liquid removed from the leak detection monitoring risers for the leachate tank and forcemain;
- Leachate chemical characterization data review;
- Incident reports from receipt of unacceptable wastes including Waste Rejection Forms filed during the quarter; and,
- Results from routine screening of waste performed in the given quarter.

51. Annual Report The permittee must complete a separate annual report for both the C&D Landfill and the CDPO.

The Annual Report for the C&D Landfill must be submitted no later than March 1 of each year for the pervious year on forms provided by the Department or electronically as specified by the Department and shall also contain the following information:

- Amount of C&D debris received from each New York State county, from each state, and from outside the country;
- The remaining site life and capacity in cubic yards for existing constructed landfill and the remaining capacity and site life for areas permitted, but not yet constructed;
- Any changes to the fill progression plan;
- An estimate of the in-situ density of the solid waste;
- A compilation and evaluation of all water quality and leachate quality data collected throughout the year;
- An updated cost estimate for closure/post-closure activities to reflect inflation and/or any changes that may impact closure or post-closure;
- Unusual events or accidents at the landfill and responses taken by landfill personnel;
- Any changes from the approved plans, report and specifications or permit along with a justification for the change; and
- Volume of leachate collected from the primary and secondary leachate collection systems on a monthly basis.
- Any changes from the approved reports, plan specifications, or permit conditions will be identified,



- including the rationale and justification for each change;
- Amounts of C&D debris processed by the CDPO and the ultimate destination of the quantities of material;
- Amount of salvaged recyclables;
- Amount and type of beneficially used waste utilized as ADiC; and,
- Summary and records of any unauthorized wastes received, and their final disposition.

The Annual Report for the CDPO must be submitted no later than March 1 of the year for the previous year on forms provided by the Department or electronically as specified by the Department and shall contain the following information:

- Amount of waste (by types identified on annual report form) received from each New York State county, from each state, and from outside the country;
- Amount of waste processed at the facility;
- Disposal/transfer location(s) for each type of waste identified in the annual report form;
- Unusual events or accidents at the facility and responses taken by facility personnel; and,
- A summary and record of unauthorized wastes brought to the facility and their final disposition.

52. Report Submissions Quarterly and Annual Reports shall be submitted to the following:

NYSDEC
Division of Materials Management
9th Floor
625 Broadway
Albany, NY 12233-7253

NYSDEC
270 Michigan Avenue
Buffalo, NY 14203-2915
Attn: Regional Materials
Management Engineer

Annual reports may be submitted electronically (SWMFAnnualReport@dec.ny.gov), with an electronic copy to the RMME (SWMFAnnualReportR9@dec.ny.gov).

FINANCIAL SURETY

53. Financial Surety In accordance with 6 NYCRR Part 360.22, the permittee shall maintain a financial surety instrument acceptable to the RMME for closure. Approval of the form and amount of the financial security shall rest in the sole discretion of the Department. At the time of permit issuance, the approved closure cost estimate is \$3,726,472.00 and post closure monitoring and maintenance cost estimate is \$4,454,856.00. The financial surety instrument must be in place prior to the acceptance of waste on site.

54. Revised Surety Within sixty (60) days of Department approval of the revised closure and post-closure cost estimates provided with the annual report (see Solid Waste Management Permit Condition 51 of this permit), a revised financial surety(s) shall be submitted (if necessary).



MONITORING

55. Environmental Monitor The account to fund the Environmental Monitor for the permittee's facility shall be established. The Environmental Monitor will monitor the permittee's facility for compliance with permits to construct and operate, 6 NYCRR Part 360 and, as required, will assist in any legal enforcement activities resulting from the monitoring activities. The monitor will also review permit applications, engineering reports, construction certifications and applications for waste stream approval.

- a. The Permittee shall fund environmental monitoring services to be performed by or on behalf of the Department. These monitoring services will include, but not be limited to, the scope of work in an annual environmental monitoring work plan which is incorporated by reference and enforceable under this Permit.
- b. The Permittee shall provide to the Department on an annual basis the funds necessary to support the activities set forth in the annual environmental monitoring work plan. The sum to be provided will be based on the annual budgeted amount and is subject to annual revision. Subsequent annual payments shall be made for the duration of this Permit or until the environmental monitoring services are no longer necessary, whichever come first.
- c. The Permittee shall be billed annually, prior to the start of each State Fiscal Year (SFY) (April 1). If this Permit is to first become effective subsequent to April 1, the initial bill will be for an amount sufficient to meet the anticipated cost of the environmental monitoring services through the end of the current SFY.
- d. The Department may revise the required annual bill on an annual basis to include all of the Department's estimated costs associated with the environmental monitoring services. The annual revision may take into account such factors as inflation, salary increases, changes in the fringe benefits rate, changes in operating hours and procedures, changes in non-personal service costs (including travel, training, sampling and analytical, and equipment costs, etc.), an increase or decrease in the level of environmental monitoring services necessary, and an increase or decrease in the number of environmental monitors. Upon written request by the Permittee, the Department shall provide the Permittee with a written explanation of the basis for any revisions.
- e. Prior to making its annual payment, the Permittee will receive, and have an opportunity to review and request an adjustment to, an annual environmental monitoring work plan that the Department will undertake during the year. The Department will provide a final annual work plan that the Department will undertake during the year.
- f. Payments are to be made in advance of the period in which they will be expended and shall be made in full within thirty (30) days of receiving a bill from the Department. The bill from the Department to the Permittee will provide information regarding to whom payments should be made payable to, and the address to which payments should be sent.



- g. Failure to make the required payments shall be a violation of this Permit. The Department reserves all rights to take appropriate action to enforce the above payment provisions.
- h. The environmental monitor shall, when present at any of the Permittee facilities, abide by all of the Permittee health and safety and operational requirements and policies, if such requirements and policies exist and provided they are not inconsistent with Department policies and labor management contracts, and further provided, however, that this shall not be construed as limiting the environmental monitor's powers as otherwise provided for by law and shall not result in the environmental monitor being afforded less protection than otherwise provided to the environmental monitor by State and Federal health and safety requirements.
- i. The environmental monitor shall receive from the Permittee all general and site-specific safety training which is normally given to new facility/site employees for all areas of the facility or site. This training will be a supplement to the health and safety training that the environmental monitor routinely receives from the Department.
- j. Upon selection of the environmental monitor, the Permittee shall immediately furnish to the environmental monitor the facility/site health and safety and operational requirements and policies. Within five (5) days of any revision to the facility/site health and safety and operation requirements and policies, the Permittee shall furnish to the environmental monitor the health and safety and operational requirements and policies.
- k. The environmental monitor shall be permitted to use environmental monitoring data collection devices (e.g., photo ionization detectors, cameras, video recording devices, computers, cell phones, etc.) deemed necessary by the Department to evaluate and document observed conditions. If the data or images are collected from areas where confidentiality is a concern to the Permittee, the Permittee may request that the data or images be considered confidential information. The Department will consider any confidentiality requests and, if determined by the Department to be appropriate copies of the data or images collected from areas where confidentiality has been determined by the Department to be a concern shall be provided to the Permittee.
- l. It will remain the responsibility of the Permittee to contact the Spill Hotline or any Division within the Department regarding required notification of any spill, release, exceedences, etc. Notification to the environmental monitor will not be considered sufficient to replace any required notifications.



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 9 Allegany Sub-Office
182 E Union St - Ste 3
Allegany, NY14706 -1328

4. Submission of Renewal Application The permittee must submit a renewal application at least 180 days before permit expiration for the following permit authorizations: Solid Waste Management.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;



- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Approved Drawings for Sealand Waste, L.L.C. Carroll

C&D Management Facility

Prepared by Daigler Engineering, P.C.

| <u>Sheet Number</u> | <u>Title</u> | <u>Date</u> |
|---------------------|---|-------------|
| PD-1 | Title Sheet | May 2017 |
| PD-2 | Site Map | May 2017 |
| PD-3 | Generalized Contours for the Top of the Highly Weathered Shale | May 2017 |
| PD-4 | Generalized Contours for the Highly Weathered Shale/Upper Bedrock Piezometric Surface | May 2017 |
| PD-5 | Excavation Plan | May 2017 |
| PD-6 | Subgrade Plan | May 2017 |
| PD-7 | Secondary Liner and Leachate Collection System Plan | May 2017 |
| PD-8 | Primary Liner and Leachate Collection System Plan | May 2017 |
| PD-9 | Final Grading and Drainage Plan | May 2017 |
| PD-10 | Phasing Plan | May 2017 |
| PD-11 | Grid Map | May 2017 |
| PD-12 | Landfill Cross Sections | May 2017 |
| PD-13 | Landfill Cross Sections | May 2017 |
| PD-14 | Landfill Cross Sections | May 2017 |
| PD-15 | Embankment Sections | May 2017 |
| PD-16 | Trench Plan, Profile and Details | May 2017 |
| PD-17 | MSE Berm Drain, Plan sections and Details | May 2017 |
| PD-18 | Liner and Leachate Collection System Details | May 2017 |
| PD-19 | Liner and Leachate Collection System Details | May 2017 |
| PD-20 | Sump Plan, Profiles and Sections | May 2017 |

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| PD-21 | Sump Riser Details | May 2017 |
| PD-22 | Side Riser Pipe Details | May 2017 |
| PD-23 | Leachate Forcemain Plan, Profiles and Details | May 2017 |
| PD-24 | Leachate Storage and Loadout Details | May 2017 |
| PD-25 | Landfill Gas Collection and Control System Plan | May 2017 |
| PD-26 | Landfill Gas Collection System Sections and Profiles | May 2017 |
| PD-27 | Landfill Gas Collection and Control System Details | May 2017 |
| PD-28 | Sediment Basin 1 & Graded Filter Plan and Profiles | May 2017 |
| PD-29 | Sediment Basin 2 & Graded Filter Plan and Profiles | May 2017 |
| PD-30 | Pond 1 & Pond 2 Plans, Profiles, Sections and Details | May 2017 |
| PD-31 | Temporary Sediment Basin 1 Plan, Profile and Details and Sediment Basin 1 & 2 Weir Sections and Spillway Details | May 2017 |
| PD-32 | Drainage System Details | May 2017 |
| PD-33 | Miscellaneous Details | May 2017 |