

# New York State Department of Environmental Conservation

## Division of Environmental Permits, Region 9

270 Michigan Avenue, Buffalo, New York, 14203-2915

Phone: (716) 851-7165 · Fax: (716) 851-7168

Website: [www.dec.ny.gov](http://www.dec.ny.gov)



Alexander B. Grannis  
Commissioner

October 6, 2009

Mr. Thomas Lewis, District Manager  
Waste Management of New York, L.L.C.  
10860 Olean Road  
Chaffee, New York 14030-9799

Dear Mr. Lewis:

**SOLID WASTE MANAGEMENT PERMIT  
MODIFICATION TRANSMITTAL LETTER  
CHAFFEE LANDFILL FACILITY  
DEC NO. 9-1462-00001/00006**

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 to assure timely action and reporting. You are requested to provide a copy of the permit to the facility operator and other persons directly responsible for permit implementation.

If you have any questions regarding the administrative processing of this permit or request for modification, please contact this office at the above address.

Respectfully,

David S. Denk  
Deputy Regional Permit Administrator

Enclosure

cc: Mr. Mark Hans, NYSDEC Division of Solid and Hazardous Materials  
Mr. Andrew Nichols, McMahon and Mann

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION**

DEC PERMIT NUMBER <b>9-1462-00001/00006</b>
FACILITY/PROGRAM NUMBER(S)



**PERMIT**  
Under the Environmental  
Conservation Law

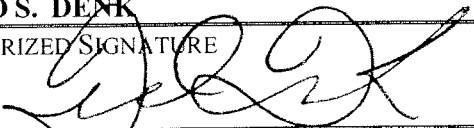
EXPIRATION DATE <b>December 4, 2016</b>
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**NEW**

TYPE OF PERMIT: **Article 27, Title 7; 6NYCRR Part 360: Solid Waste Management**

PERMIT ISSUED TO: <b>Waste Management of New York, LLC</b>		TELEPHONE NUMBER <b>(716) 496-5000</b>	
ADDRESS OF PERMITTEE <b>10860 Olean Road, Chaffee, New York 14030-9799</b>			
CONTACT PERSON FOR PERMITTED WORK <b>Thomas Lewis, District Manager</b>		TELEPHONE NUMBER <b>(716) 496-5000</b>	
NAME AND ADDRESS OF PROJECT/FACILITY <b>Chaffee Facility, 10860 Olean Road, Chaffee, New York 14030</b>			
LOCATION OF PROJECT/FACILITY <b>Waste Management of New York – Chaffee facility is located at 10860 Olean Road, Chaffee, New York, southwest of the intersection of Hand Road and New York Route 16 in the Town of Sardinia, Erie County.</b>			
COUNTY <b>Erie</b>	TOWN <b>Sardinia</b>	REGULATED SITE RESOURCE <b>Wetland AR-11</b>	NYTM COORDINATES <b>E 213.1      N 4719.9</b>
DESCRIPTION OF AUTHORIZED ACTIVITY <b>Modification of the Solid Waste Management Permit for the referenced landfill capacity, to include Western Expansion of the landfill and mining operations in accordance with plans and design specifications referenced herein.</b>			

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with NYS Environmental Conservation Law (ECL), all applicable regulations, the specified General Conditions (**pages 2 and 3**) and all Special Conditions contained herein.

DEPUTY REGIONAL PERMIT ADMINISTRATOR <b>DAVIDS. DENK</b>	DIVISION OF ENVIRONMENTAL PERMITS, 270 MICHIGAN AVENUE, BUFFALO, NY 14203-2915, (716) 851-7165	
AUTHORIZED SIGNATURE 	DATE OF ISSUANCE <b>October 6, 2009</b>	PAGE 1 OF 17

**Inspections**

1. 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). 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. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

**Permit Changes and Renewals**

2. The Department reserves the right to modify, suspend or revoke this permit when:
  - a) the scope of the permitted activity is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations is found;
  - b) the permit was obtained by misrepresentation or failure to disclose relevant facts;
  - c) new material information is discovered; or
  - d) environmental conditions, relevant technology, or applicable law or regulation have materially changed since the permit was issued.
3. The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms, fees or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.
4. The permittee must submit a renewal application at least 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF).
5. 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.

**Other Legal Obligations of Permittee**

6. The permittee expressly agrees to indemnify and hold harmless the Department, its representatives, employees, agents and assigns for all claims, suits, actions, damages and costs of every name and description, arising out of or resulting from the permittee's undertaking of activities or operation and maintenance of the facility or facilities authorized by the permit in compliance or non-compliance with the terms and conditions of the permit.
7. The permittee shall require its independent contractors, employees, agents and assigns to comply with this permit, including all Special Conditions, and such persons shall be subject to the same sanctions for violation of the ECL as those prescribed for the permittee.
8. 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.
9. 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.

## SPECIAL CONDITIONS

1. This permit supercedes all previously issued Solid Waste Management Permits and Permit Modifications for this facility.
2. The permittee agrees, by acceptance of this permit, that authorized representatives of the Department shall have the right of entrance, inspection and review of records during normal business hours.
3. This permit does not relieve the permittee from the responsibility of complying with all Federal, State and/or local laws, permits, rules and regulations.
4. In the event of an emergency requiring implementation of the Contingency Plan (see Special Condition 8.a. of this permit), or other conditions that may affect operations under this permit, the Department's Regional Solid Materials Engineer (RSME) shall be notified of the emergency within 2 hours of discovery on a business day or on the next business day following a weekend or holiday. The details on the incident and the remediation or corrective action taken shall be stated in writing to the RSME within 5 working days of the incident.
5. Upon transfer of ownership of this facility, provisions shall be included in the property deed indicating the period of time during which the property was used as a landfill and a description of the wastes contained therein. The fact that records indicating the limits of the landfill waste within the property are on file with this Department shall also be noted on the deed. This deed shall be filed with the Erie County Clerk's Office.
6. If any condition of this permit conflicts with the approved reports and plans identified in Special Condition 8 of this permit, the permit conditions shall prevail over the plans unless specific written approval for such change is obtained from the RSME prior to implementation.
7. Where there are conflicts between elements of the approved plans, the most recently dated element shall prevail with respect to the conflicting material.

### **Approved Documents and Wastes**

8. Unless expressly authorized in writing or unless modified by conditions of any permit issued by the Department, construction and operation of the Chaffee existing landfill and the Western Landfill Expansion and related facilities shall be carried out in strict conformance with the plans, specifications, and reports submitted as part of the application for this permit and in accordance with the applicable requirements in 6 NYCRR Part 360 (current edition and as subsequently modified).

## SPECIAL CONDITIONS

The following documents pertain to the construction and operation of the Western Expansion Landfill:

- a. "Waste Management of New York, Chaffee Facility, Western Expansion Landfill, 6 NYCRR Part 360 Solid Waste Management Permit Modification Application" dated February 2005 and prepared by McMahon and Mann Consulting Engineers P.C. This application includes the following:
  - Part I Introduction
  - Part II Administration Information
  - Part III Hydrogeologic Report
  - Part IV Engineering Report
  - Part V Construction QA/QC Plan
  - Part VI Contingency Plan
  - Part VII Mined Land Use Plan (revised October 2005)
  - Part VIII Operation and Maintenance Plan
  - Part IX Environmental Monitoring Plan
- b. Plan sheets for "Chaffee Facility Western Expansion" prepared by McMahon & Mann Consulting Engineer. The approved plan sheets are listed on page 15 of 17 this permit.
- c. "Draft Environmental Impact Statement, Waste Management of New York, Chaffee Facility, Western Landfill Expansion" dated March 2005 and prepared by McMahon and Mann Consulting Engineers P.C.
- d. "Initial Storm Water Pollution Prevention Plans" dated March 2005 and prepared by McMahon and Mann Consulting Engineers P.C. These plans were prepared in accordance with GP-98-03 and GP-02-01;
  - For Industrial Activities; and
  - For Construction Activities.
- e. "Preconstruction (Air) Permit Application for Waste Management of New York Chaffee Landfill Western Expansion" dated November 18, 2004 and prepared by Earth Tech.
- f. The Site Analytical Plan prepared as the "Sampling and Analysis Plan for the Environmental Monitoring Program at the CID Landfill Site" (SAP) dated February 4, 2000 and prepared by Severn Trent Laboratories.
- g. "USACE & NYSDEC Permit Application for Chaffee Landfill Expansion (for wetland mitigation)" dated October 20, 2003 and prepared by Earth Dimensions, Inc.
- h. "Final Environmental Impact Statement, Waste Management of New York, Western Landfill Expansion" dated November 2006 and prepared by McMahon & Mann Consulting Engineers, P.C.

## SPECIAL CONDITIONS

The following documents pertain to the construction and operation of the Existing Landfill:

- i. "C.I.D. Landfill Inc., NYCRR Part 360 Permit Renewal Application" dated November 1997, Revised July 1998, Revised September 1998, and Revised February 1999 as prepared by Michael P. Azzarella, P.E. and dated March 3, 1999; except that Section B, the Operation and Maintenance Manual, and Section C, the Contingency Plan, have been updated as part of the Western Landfill Expansion documents.
- i. Plan sheets for "Permit Renewal Submittal For C.I.D. Landfill, Inc." prepared by Michael P. Azzarella, P.E. The approved plan sheets are listed on page 16 of 17 of this permit.
- j. Gas Collection System design is currently based on GCCS Plan titled "NSPS Collection and Control System Design Plan and Monitoring Plan for WMNY Chaffee Landfill" prepared by Earth Tech and dated March 2004. The current layout of the gas collection system is shown on Drawing 1 entitled "Gas Collection System As-Built Plan" prepared by Golder Associates and stamped October 18, 2006.
- k. Final Cover design is currently based on Figure 1 entitled "Revised Final Grading Plan" prepared by GZA Geoenvironmental of New York and dated March 2000.
- l. "The Environmental Monitoring Plan" dated February 1999 and prepared by C.I.D. Landfill Inc.
- m. "The Mined Land Use Plan for Chaffee Facility, Town of Sardinia, New York" dated December 2001 and prepared by McMahon & Mann Consulting Engineers, P.C.
- n. Letter dated January 22, 2002 from McMahon & Mann Consulting Engineers, P.C. (Thomas R. Heins, P.E.) to NYSDEC (David S. Denk) regarding response to NYSDEC January 14, 2002 comments for the December 2001 Mined Land Use Plan for the Chaffee Facility.

The following documents pertain to the operation of the Gas Power Production Plant:

- o. "Chaffee Landfill Gas Power Production Plant 6 NYCRR Part 360 Solid Waste Management Permit Modification Application Engineering Report" last revised May 2006 and prepared by McMahon & Mann Consulting Engineers, P.C.
- p. "Chaffee Landfill Gas Power Production Plant 6 NYCRR Part 360 Solid Waste Management Permit Modification Application Operation and Maintenance Manual" last revised May 2006 and prepared by McMahon & Mann Consulting Engineers, P.C.
- q. "6 NYCRR part 360 Solid Waste Management Permit Modification Application Borrow Area Use Plan" dated March 2009 and prepared by McMahon & Mann Consulting Engineers, P.C.
- r. Letter dated July 2, 2009 from McMahon & Mann Consulting Engineers, P.C. (Andrew J. Nichols, P.E./Michael J. Mann, P.E.) to NYSDEC (David Denk) regarding comments and responses for the Borrow Area Use Plan.

## SPECIAL CONDITIONS

- s. Letter dated September 17, 2009 from McMahon & Mann Consulting Engineers, P.C. (Andrew J. Nichols, P.E./Michael J. Mann, P.E.) to Town of Sardinia (Town Board) regarding Town of Sardinia special use permit application (includes a revised Figure 1 attached to the letter).
  - t. "Borrow Area Use Plan" figures prepared by McMahon & Mann Consulting Engineer. The approved figures are listed on page 17 of 17 this permit.
9. The only wastes permitted for disposal at this facility shall be municipal waste, asbestos waste, non-hazardous industrial and commercial solid wastes, construction and demolition (C&D) debris, contaminated soil waste, and sludge waste. All non-hazardous industrial waste, friable asbestos waste, contaminated soil waste and sludge waste are to be received only upon written acceptance from the RSME except waste streams less than 100 tons per year and virgin petroleum contaminated soils. Those wastes may be received by the permittee upon review and written approval of the permittee, provided the permittee maintains verification that the wastes are non-hazardous and meet all landfill disposal criteria. All requests for acceptance shall be submitted on form 47-19-7, Application for Disposal of an Industrial Waste Stream, or other equivalent waste profile form approved by the RSME. Liquids, wastes containing free liquids and wastes with a solid content of less than 20% shall not be received at the landfill. Hazardous waste (as defined in 6 NYCRR Part 371, which is subject to regulation under 6 NYCRR Part 370 through 374) and radioactive waste (as defined and regulated in 6 NYCRR Part 380) shall not be received by this facility.
10. The permittee's quarterly waste receipts must not exceed 180,000 tons per quarter for each quarter ending March 31, June 30, September 30 and December 31. The permittee's annual waste receipts must not exceed 600,000 tons.
11. The permittee shall not receive at the facility solid waste which was generated within a municipality that 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 360-1.9(f)] which has been approved by the Department and implemented the recyclables recovery program determined to be feasible by the analysis.

### **Compliance Schedule**

12. Within 60 days of the effective date of this permit, the permittee shall notify the surety (Evergreen National Indemnity Company - Bond number 556300 and Bank of America - Letter of Credit number 7403932) of this permit issuance and obtain written notification from the surety that the Surety Bond and Letter of Credit are still valid. The RSME must receive a copy of both letters.
13. Within 60 days of the effective date of this permit, the permittee shall submit a revised Environmental Monitoring Plan that includes all of the new monitoring added to the monitoring program as a result of the construction of the proposed West and East Borrow Areas.
14. Prior to construction/operation of the proposed West Borrow Area, the permittee shall install one new groundwater monitoring well downgradient of the west sedimentation basin in the location shown on Figure 1 attached to the September 17, 2009 letter from Waste Management to the Town of Sardinia (see Special Condition 8.s. of this permit).

## SPECIAL CONDITIONS

15. Thirty days prior to installing the horizontal or vertical gas collection system, and/or associated appurtenances, the permittee must submit, for review and approval, final design construction documents including drawings, specifications and CQA plan. The final design documents must, at a minimum, include all requirements outlined in the approved 'conceptual' design (drawings C1, C2, C3, D1 and D2) submitted as part of the Preconstruction Air Permit Application (see Special Condition 8.e. of this permit).
16. A construction schedule for any phase of landfill construction or closure shall be submitted to the RSME before the start of construction of that phase.
17. Prior to operation of any new cell, the permittee shall submit to the RSME a revised closure and post-closure cost estimate that includes the new cell to be operated.
18. Prior to operation of any new cell, the permittee shall submit to the RSME a revised financial surety instrument (if needed) to provide surety for the revised closure and post-closure cost estimates provided in accordance with Special Condition 17 of this permit.
19. Prior to operation of any new cell, the permittee shall receive the RSME acceptance of the record drawings and Construction Certification Report (CCR) (see Special Condition 29 of this permit).
20. Prior to the closure of any portion of the Existing or Western Expansion landfills, the permittee shall submit closure plans, specifications and a CQA/CQC Plan to cover the area to be closed. In addition, if any design changes are proposed to the conceptual closure plan, the appropriate design calculations shall be presented to justify the changes. The information shall be submitted to the Department, for review and approval, at least 60 days prior to the anticipated beginning of construction.
21. Prior to final closure of the facility (all permitted landfills are full or waste can no longer be received at the facility), a Closure Site Investigation (CSI) shall be completed, as needed, and a report prepared in accordance with 6 NYCRR Part 360-2.15(a). In addition, a final Closure Plan, including all design calculations, as well as a CQA/CQC Plan and specifications must be prepared in accordance with 6 NYCRR Part 360-2.15(c). The CSI report and final Closure Plan shall be submitted to the Department within 60 days before receipt of the last waste, within 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.

### **Construction, Interim Cover and Final Cover Installation**

22. If sand/silt lenses are found during the excavation of the north wall of the proposed West Borrow Area, the sand/silt shall be removed and be replaced with clay.
23. If a natural gas well, or evidence thereof, is discovered during the course of mining operations, all excavation activities shall be suspended and the RSME and the Region 9 Division of Mineral Resources shall be notified immediately. A plan for either avoiding any discovered well or otherwise mitigating its presence must be developed by the permittee and approved by the Department before mining operations within 100 feet of the well may resume.

## SPECIAL CONDITIONS

24. The perimeter landfill gas migration monitoring probes must be installed prior to beginning waste placement in a particular cell. Also, at least one round of monitoring must be completed at each probe location prior to placing waste in the adjacent cell. This information will be used to determine if naturally existing methane is present at the probe location, prior to placing waste in the adjacent cell.
25. The horizontal portion of the gas collection system must be constructed in phases, as waste is placed within the landfill. Vertical gas collection wells must be installed within 1-year after achieving final grade in the areas where the well is to be installed. All horizontal and vertical gas collection wells must be connected to the active gas collection system promptly after installation. The wells and horizontal collectors must be placed under vacuum as soon as practical, provided operation of the wells and horizontal collectors will not adversely impact operation of the flare and/or create potential hazards (fires, etc). The Department may require the permittee to modify, upgrade or expand gas collection capabilities within the landfill if off-site landfill gas odors are determined to be an offsite nuisance by the Department.
26. The approved interim final cover must be installed on all areas of the landfill that have reached final grade and on all areas of the landfill where waste has not or will not be placed within one year. The interim final cover for the existing landfill and the Western Landfill Expansion shall meet the requirements outlined in Section 9.1.4 of the approved Operation and Maintenance Manual (see Special Condition 8.a. of this permit).
27. Per the requirement of 6 NYCRR Part 360-1.4(b), the Department reserves the right to inspect landfill construction and final cover installation at any time. The Department requests notification at least 24 hours before any 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.
28. 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 RSME before they are implemented. The CCR (see Special Condition 29 of this permit) shall include the Field Change Log for the respective landfill construction/final closure phase.
29. A CCR for any landfill or gas removal system construction and for any final cover installation construction shall be submitted to the RSME within 60 days of construction completion. The permittee's CQA/CQC Engineer shall certify in writing that the construction was in accordance with generally accepted engineering practice. The CCR shall also include record drawings and a report documenting the results of all testing. The CCR shall be signed by a New York State Licensed Professional Engineer.
30. A minimum of 30 days of flow data shall be collected from the secondary collection system of a cell after completion of construction. This data must be submitted to the RSME for review and approval prior to operation of the cell.

### **Landfill Operation**

31. In regard to the hours of operation, the permittee shall abide by the existing court order of Judge Joselin granted March 15, 1982, except as modified by the consent of the Town of Sardinia or further order of the Court.

## **SPECIAL CONDITIONS**

32. Landfill personnel shall be on duty during all operational hours to insure that only Department approved wastes are deposited at the landfill. In the event unauthorized wastes are received at the landfill, landfill personnel shall refuse to accept unapproved wastes for deposit at the landfill and shall notify the RSME and/or the on-site monitor of the incident within 2 hours of discovery on a business day or on the next business day following a weekend or holiday, providing the hauler's name and (if possible) license number of the vehicle, the type of waste transported and the generator of the waste. If the waste has to be dumped and cannot be reloaded, the waste shall be segregated and secured until proper disposal can be arranged for within 30 days. A written report on the incident shall be forwarded to the on-site monitor and the RSME within 5 working days.
33. In addition to soil, the Department may approve on a case-by-case basis, the use of wastes and contaminated soils for alternate daily cover (ADC). All ADCs that would be regulated under Part 364, must be transported by Department permitted Part 364 waste haulers. Use of ADCs must be pre-approved by this Department as outlined in 6 NYCRR Part 360-2.17(c) and Sections 9.1.1 and 9.1.2 of the approved Operations and Maintenance Manual (see Special Condition 8.a. of this permit). On an annual basis, the amount of waste used for ADC cannot exceed 20% of the annual waste receipts unless otherwise approved by the Department. Any ADC in excess of the 20% amount must be counted as waste, even if it is utilized as daily cover.

### **Operation of Landfill Gas Recovery Facility and Landfill Gas Power Production Plant**

34. The landfill gas recovery facility and the landfill gas power production plant shall be operated in accordance with the requirements of 6 NYCRR Part 360-2.16(e). Annual condensate sampling and analysis shall be performed and reported in accordance with section 8 of the approved Operation and Maintenance Plan (see Special Condition 8.p. of this permit).
35. The permittee shall monitor the active gas collection and control system in accordance with 6 NYCRR Part 208.7. Reporting to the Department shall be in accordance with 6 NYCRR Part 208.8.

### **Mining/Borrow Area Operation**

36. Operation of the Borrow Area shall be in accordance with the Borrow Area Use Plan (see Special Condition 8.q. of this permit).
37. The use of proposed Borrow Area C, located on the north side of Hand Road, is not authorized as part of this permit.

### **Monitoring and Maintenance of the Leachate Collection, Transfer and Storage System**

38. Prior to the operation of any subcell, the integrity of the primary leachate collection pipes in the landfill subcell must be verified by passing a cleaning device through them. After placement of two lifts (15 feet) of waste, the integrity of the pipes shall be re-verified by passing a cleaning device through them. The Monitor shall be notified at least five days in advance of the verification activities. The results of these cleaning events shall be submitted to the RSME, in writing, within 30 days.

## SPECIAL CONDITIONS

39. Once a minimum of 15 feet of waste has been placed across the cell floor, the primary collection lines must be videoed to verify their integrity. The Monitor shall be notified at least five days in advance of the video activities. The results of the video inspection shall be submitted to the RSME within 30 days of completion.
40. All primary leachate collection pipes within the landfill shall be cleaned twice annually. The cleaning shall be completed at approximate 6-month intervals. The cleaning shall include high pressure flushing of the full length of each collection pipe, with sufficient pressure to remove accumulated sediment and biological growth. This requirement shall apply to all primary leachate collection pipes within the expansion landfill and all leachate collection pipes within the existing landfill that are accessible, or were originally constructed to be accessible, for cleaning. The on-site monitor shall be notified a minimum of 5 days prior to beginning the cleaning. A written summary of the leachate collection system cleaning shall be submitted to the RSME within 30 days following completion of the cleaning.
41. The interior of the expansion landfill primary leachate collection and transfer piping, shall be videoed at least once every two years. This includes the primary leachate collection sumps. The video inspection shall be recorded and maintained on file at the landfill. A written summary of the inspection shall be submitted to this Department within 30 days following completion of the video inspection. Routine video taping of the leachate collection and transfer pipes associated with the existing landfill is not required. However, in the event that a video inspection is deemed necessary, the permittee will video tape all or portions of the interior of the existing landfill's leachate collection and transfer piping, as requested by this Department. The on-site monitor shall be notified a minimum of 5 days prior to beginning the video inspection.
42. Annually, all of the leachate transfer, storage, and load-out facilities must be emptied for cleaning and maintenance. These facilities include, but are not limited to, leachate storage tanks, sumps, manholes, the vault, load-out pads, etc. These leachate transfer, storage and load-out facilities must be emptied, cleaned and inspected for deterioration as outlined in the appropriate sections of the approved Operations and Maintenance Manual (see special condition 8.a. of this permit). At a minimum, all accumulated sediment/debris must be removed and all deterioration that may adversely effect the operation of the facility must be repaired. A written summary of all cleaning and remedial activities must be forwarded to the RSME within 30 days of completing the cleaning event. The on-site monitor shall be notified a minimum of 5 days prior to beginning the cleaning.

### **Groundwater/Surface Water Monitoring**

43. All analytical work conducted under the permittee's approved Environmental Monitoring Plan (EMP - see Special Conditions 8.a. and 8.l. of this permit) must be performed by a laboratory certified by the New York State Department of Health for the analysis to be performed.
44. Prior to the deposition of waste in any of the landfill cells in the expansion area, the downgradient monitoring wells associated with the cell must be sampled for a minimum of 6 rounds of analyses, as specified in the approved EMP (see Special Condition 8.a. of this permit). For the initial cell construction only, the Department will allow the sample rounds to be completed at a frequency shorter than quarterly.
45. If fluid is found in any of the leak detection locations, it shall be analyzed for routine leachate indicator parameters [6 NYCRR Part 360-2.11(d)(6)] within 5 business days unless otherwise approved by the Department. This does not include liquids from the secondary leachate collection system which shall be tested in accordance with the approved EMP (see Special Condition 8.a. of this permit).

## SPECIAL CONDITIONS

46. Water quality monitoring data must be reported to the addresses listed in Special Condition 54 of this permit, as required by Part 360-2.11(c)(4)(iv) within 90 days of the sampling date, unless more rapid reporting is required to address an imminent environmental or public health concern.
47. Contingency monitoring - The facility must implement the contingency monitoring set forth in the approved EMP (see Special Condition 8.a. and 8.l. of this permit) under the provisions of Part 360-2.11(c)(5)(ii) if any organic or inorganic parameter is found in the groundwater or surface water at a significant increase from existing water quality as set forth in the EMP, and it cannot be demonstrated that the contamination is derived from a source other than the facility. The RSME may also require a greater frequency of monitoring, expanded range of constituents, increased number of monitoring points or other measures.
48. In the event of damage to or inability to sample any monitoring point, the RSME shall be notified in writing within 10 work days of the attempted sampling. The notification must include the facility's plans for repair or replacement of the monitoring point and a schedule for performance of the necessary work. Unless otherwise approved, all work must be completed within 120 days of the date of notification. In the case of a replacement well, the well must be initially sampled for baseline parameters. In addition, the Department will require 10 work days notice prior to installation, repair, or replacement of any monitoring wells at the facility. When wells are installed, replaced, or repaired, a report detailing the work performed must be submitted to the RSME within 45 days after completion of the work. For new well installations, the reports must include the information listed in Appendix D of the EMP (see Special Condition 8.a. of this permit).
49. Any proposals to extend or reduce the height of monitoring wells due to construction must be approved by the RSME prior to implementation.
50. The porewater drain for cell 6 shall be incorporated into the monitoring program in accordance with the approved EMP (see Special Condition 8.a. of this permit). If, during excavation of any of the other cells, excessive seepage is encountered in the till soils which does not cease after a reasonable period of time, a porewater drain system may be required if the seepage is within 5 feet of the subgrade and/or would create difficulties installing the liner system. If additional systems are constructed they must be incorporated into the quarterly monitoring program.
51. The RSME shall be notified a minimum of 10 days in advance of when the quarterly groundwater sampling will be conducted.
52. If there is any indication that surface runoff which is being directed to the sedimentation basins may be contaminated due to a leachate breakout, spill, or other event, the facility must direct the surface runoff immediately into the contingency surface water runoff basin, so that it may be held and tested, as detailed in the Contingency Plan (see Special Condition 8.a. of this permit), prior to determining whether to release it or dispose of it at a wastewater treatment plant.

### **Closure**

53. The landfill shall be properly closed in accordance with 6 NYCRR Part 360-2.15 and the approved Final Closure Plan to be submitted in accordance with Special Condition 19 of this permit. The height of the finished landfill is limited to a maximum elevation of 1,658 feet. The final topography shall not exceed those elevations shown on sheet 7 of the plans entitled "Chaffee Facility Expansion Western Expansion" (see Special Condition 8.b. of this permit).

## SPECIAL CONDITIONS

### Post-Closure

54. The facility shall be monitored and maintained in accordance with 6 NYCRR Part 360-2.15(k) and the approved Post-Closure Plan to be submitted with the Closure Plan in accordance with Special Condition 21 of this permit. The period of post-closure care shall continue for a minimum of 30 years after facility final closure.

### Quarterly/Annual Reports

55. Each quarterly monitoring report must provide information 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 60 days after the last day of the quarter in question. All quarterly reports must be submitted on the forms provided by the Department (see attached) or electronically as specified by the Department and shall also contain the information identified in Section 19.2.1 of the approved Operation and Maintenance Manual (see Special Condition 8.a. of this permit).
56. An Annual Report must be submitted no later than 60 days after January 1 of each year on forms provided by the Department (see attached) or electronically as specified by the Department and shall also contain the information identified in Section 19.2.2 of the approved Operation and Maintenance Manual (see Special Condition 8.a. of this permit). In addition, the annual report shall contain:
- a. A list of all municipalities serviced by the facility.
  - b. A completed Landfill Gas Recovery Facility Annual Report (see attached) and the information required in 6 NYCRR Part 360-2.16(e)(6).
57. All quarterly and annual reports shall be submitted to the following:

NYSDEC  
Division of Solid and Hazardous Materials  
Bureau of Solid Waste, Reduction & Recycling  
625 Broadway  
Albany, New York 12233-7253

NYSDEC  
270 Michigan Avenue  
Buffalo, New York 14203-2915  
Attn: Regional Solid Materials Engineer

### Financial Surety

58. The permittee shall maintain a financial surety instrument, acceptable to the RSME, that complies with 6 NYCRR Part 360-1.12 and Part 360-2.19 for closure and for a minimum of 30 years of post-closure monitoring and maintenance of the facility.
59. Within 60 days of Department approval of the annual revised closure and post-closure estimates provided in accordance with the Annual Report (see special condition 56 of this permit), a revised financial surety(s) shall be submitted (if needed) to the RSME.

## SPECIAL CONDITIONS

### DEC Environmental Monitor (Monitor)

60. The account to fund the Environmental Monitor for the permittee's facility, as established under previously issued permits, shall continue. 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. Funds, as required to support the monitoring requirements, shall be provided to the Department for funding of environmental compliance activities related to the operation of the permittee's facility. This sum is based on annual Environmental Monitor service costs and is subject to annual revision. Subsequent annual payments shall be made for the duration of this Permit to maintain an account balance sufficient to meet the next year's anticipated expenses. The permittee shall be billed annually for each fiscal year beginning April 1. The permittee shall make payment 30 days in advance of April 1.
  - b. The Department may revise the required payment on an annual basis to include all costs of monitoring to the Department. The annual revision may take into account factors such as inflation, salary increases, changes in operating hours and procedures and the need for additional Environmental Monitors and supervision of such Environmental Monitors by full-time Environmental Monitor supervisors. Upon written request by the permittee, the Department shall provide the permittee with a written explanation of the basis of any modification. If such a revision is required, the Department will notify the permittee of such revision no later than 60 days in advance of such revision.
  - c. Prior to making its annual payment, the permittee will receive and have an opportunity to review the annual work plan that the Department will undertake during the year.
  - d. Payments are to be in advance of the period in which they will be expended.
  - e. Upon termination (expiration, surrender, transfer) of this permit and closure of the facility and payment of any outstanding costs, the unexpended balance including interest, will be returned to the Permittee.
  - f. 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.
  - g. The Monitor shall, when present at any Permittee facility, abide by all of the Permittee's health and safety and operational requirements and policies; provided, however, that this subparagraph shall not be construed as limiting the Monitor's powers as otherwise provided for by law and shall not result in the Monitor's being less protected than the Monitor would be if he or she were to abide by Departmental health and safety requirements.
  - h. The NYSDEC Monitor shall receive from the Permittee all general safety training which is normally given to new site employees. This training will be a supplement to the mandatory safety training that Environmental Monitors receive from the Department.

## SPECIAL CONDITIONS

- i. The Permittee shall furnish to the Environmental Monitor a current site policy and procedures manual for health and safety issues. Within ten (10) days of any revision to the health and safety plan, the Permittee shall notify the Department, in writing, of such modification.
  - j. The Permittee shall provide to the Department a Hazard Assessment for the workplace which complies with OSHA rule 29 CFR 1910.132. Based on that assessment, the appropriate Personal Protective Equipment (PPE) will be provided to the monitor.
61. The Permittee shall provide, to the RSME's satisfaction, secured office space, utilities and telephone for on-site monitoring staff. All submissions made to the RSME shall be copied to the on-site environmental monitor. All submissions made to the Environmental Monitor shall be copied to the RSME.

## SPECIAL CONDITIONS

### APPROVED PLAN SHEETS FOR CHAFFEE LANDFILL

#### CHAFFEE FACILITY WESTERN EXPANSION PREPARED BY McMAHON & MANN CONSULTING ENGINEERS, P.C.

Sheet #	CAD File Drawing #	Title	Date	Last Revised Date
1	00016-089	Title Page	February 2005	
2	00016-093	Regional and Vicinity Maps	February 2005	
3	00016-150	Existing Conditions	February 2005	
4	00016-151	Existing Conditions w/Final Cover	February 2005	
5	00016-147a	Subgrade Development Plan – Sht 1	February 2005	
6	00016-161	Subgrade Development Plan – Sht 2	February 2005	
7	00016-153	Conceptual Cover Grading Plan	February 2005	
8	00016-147b	Landfill Sections	February 2005	
9	00016-167	Clay Till Thickness Plan	February 2005	
10	00016-088	Clay Till Thickness Chart	February 2005	
11	00016-228	Clay Till Groundwater Separation Plan	February 2005	
12	00016-073	Perimeter Berm Section Details	February 2005	
13	00016-074	Floor Intercell Berm Sections and Details	February 2005	
14	00016-075	Floor to Overliner Sections	February 2005	
15	00016-160	Liner System Section and Details	February 2005	
16	00016-094	Leachate Collection and Transmission Plan	February 2005	
17	00016-076	Leachate Sump and Riser Plan – Sht 1	February 2005	
18	00016-216	Leachate Sump and Riser Plan – Sht 2	February 2005	
19	00016-085	Leachate Sump and Riser Sections – Sht 1	February 2005	
20	00016-082	Leachate Sump and Riser Sections – Sht 2	February 2005	
21	00016-217	Leachate Sump and Riser Sections – Sht 3	February 2005	
22	00016-086	Leachate Collection System Details	February 2005	
23	00016-092	Leachate Storage Plan, Sections and Elevations	February 2005	
24	00016-254	Leachate Control Vault Sections	February 2005	
25	00016-255	Leachate Loadout Building Plan, Sections and Details	February 2005	
26	00016-256	Leachate Storage Tank #3/#4 Modifications and Misc. Details	February 2005	
27	00016-090	Stormwater Drainage Plan	February 2005	
28	00016-084	Stormwater Drainage Sections and Details – Sht 1	February 2005	
29	00016-268	Stormwater Drainage Sections and Details – Sht 2	February 2005	
29a	00016-279	Stormwater Drainage Sections and Details – Sht 3	February 2005	
30	00016-080	Erosion and Sediment Control Details	February 2005	
31	00016-087	Conceptual Closure and Stormwater Sections	February 2005	
32	00016-259	Phased Operation Plan – Cells 5 & 6 Construction	February 2005	
33	00016-260	Phased Operation Plan – Cell 4 Construction	February 2005	
34	00016-261	Phased Operation Plan – Cell 3 Construction	February 2005	
35	00016-262	Phased Operation Plan – Cell 2 Construction	February 2005	
36	00016-264	Phased Operation Plan – Cell 1 Construction	February 2005	
37	00016-183	Landscape Plan	February 2005	3/31/06

**SPECIAL CONDITIONS**

**APPROVED PLAN SHEETS FOR CHAFFEE LANDFILL**

**PERMIT RENEWAL SUBMITTAL FOR C.I.D. LANDFILL, INC.  
PREPARED BY THE C.I.D. GROUP, INC.**

<u>Drawing #</u>	<u>Title</u>	<u>Date</u>	Last Revised <u>Date</u>
1	Regional and Vicinity Plans	July 1998	7/29/98
2	Existing Site Plan	November 1997	9/21/98
3	Existing Site Plan	November 1997	6/18/98
4	Existing Site Plan	November 1997	6/18/98
5	Existing Site Plan	November 1997	6/18/98
6	Final Site Grading Plan	November 1997	9/22/98
7	Access Road and Leachate Line Layout	November 1997	9/22/98
8	Drainage Ditch and Profile	November 1997	7/23/98
9	Fill Area Modifications	November 1997	9/22/98
10	Section A-A	November 1997	7/24/98
11	Section B-B	November 1997	9/22/98
12	Section C-C	November 1997	7/27/98
13	Section D-D	November 1997	7/27/98
14	Section E-E	November 1997	7/28/98
15	Section F-F	November 1997	7/28/98
16	Section G-G	November 1997	7/28/98
17	Section H-H	November 1997	7/28/98
18	Section I-I	November 1997	7/29/98
19	Section J-J	November 1997	7/29/98
20	Section K-K	November 1997	9/22/98
21	Section L-L	November 1997	12/31/98
22	Proposed Details Cap, Road, Drainage	November 1997	9/29/98
23	100' X 100' Grid	November 1997	7/30/98
24	Landscape Plan	November 1997	7/30/98
25	Modification to Record Drawing Leachate Line Profile	July 1998	7/98
26	Record Leachate Line Profile	August 1985	9/9/86
27	Record Details	October 1981	4/91
28	Record Details	August 1985	11/19/93
29	Record Details	December 1991	12/91
30	Modifications to Record Drawings	November 1993	11/93
31	Record Details	November 1997	7/30/98
32	Fill Progression Plan	November 1997	9/29/98
33	Interim Active Gas Control System	November 1997	7/30/98
34	Flare Station	November 1997	7/31/98
35	Southwest Berm Construction and South Berm Reconstruction Details	September 1998	9/28/98

**SPECIAL CONDITIONS**

**APPROVED FIGURES FOR CHAFFEE LANDFILL**

**BORROW AREA USE PLAN.**

**PREPARED BY McMAHON & MANN CONSULTING ENGINEERS, P.C.**

<u>Figure #</u>	<u>Title</u>	<u>Date</u>	<u>Last Revised Date</u>
1	Site Location Map		
2	Site Plan	March 2009	7/2/09
3	Existing Conditions Plan and Cross Sections	March 2009	7/2/09
4	Reclamation Plans and Cross Sections	March 2009	7/2/09
5	West Area Basin and Sections	March 2009	7/2/09
6	East Area Basin and Sections	November 2008	7/2/09
7	Sections and Details	November 2008	7/2/09