

**New York State Department of Environmental Conservation  
Notice of Incomplete Application - This is NOT a Permit**



*Application ID:* 7-3126-00070/00039

*Batch Number:* 878854

*Facility:* SYRACUSE HAULERS WASTE REMOVAL INC  
6223 THOMPSON RD - PLANT 1  
SYRACUSE, NY 13206

*Applicant:* SYRACUSE HAULERS WASTE REMOVAL INC  
6223 THOMPSON RD STE 8000  
SYRACUSE, NY 13206

*Owner ID:* 1544126

*Permit(s) Applied for:* 1 - Article 27 Title 7 Solid Waste Management

*Project Location:* in DEWITT in ONONDAGA COUNTY

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**Your application for Permit is incomplete. The following items are required:**

DEC has reviewed the resubmission received on September 27, 2022, and August 23, 2023. Upon review of the provided material, please see DEC's technical comments:

- A **radioactive waste detection plan must be** provided that describes the procedures and equipment that will be used to demonstrate compliance with requirements for detecting radioactive material and include the specific make and model of the radiation detectors already installed. – Per 362-3.4(a)
- A description of setting alarm set points to at least two times but no greater than five times facility background - Per 362-3.5(e)(2)
- A description of measuring background readings daily- Per 362-3.5(e)(3)
- Field checking of radiation detector weekly, and what source is used - Per 362-3.5(e)(4)
- Prior to having a contaminated load returned to the generator, it should be determined which isotope has been detected. Depending on the isotope a special transporters permit may be required to return the load to the generator.
- Training related to radiation detection system operating procedures and radiation investigation alarm response procedures must be conducted at least annually. - Per 362-3.5(e)(7)
- In the engineering report, page 18. The cost based on removal and disposal must be based on maximum permitted storage capacity.
- In the engineering report, page 18. The cost based on removal and disposal must be based on maximum permitted storage capacity.

FOR REFERENCE:

Per 362-3.4(a) and (b):

**(a) A radioactive waste detection plan.**

If a radiation detection unit is required at the facility pursuant to section 362-3.5(e) of this Subpart, a radioactive waste detection plan must be provided that describes the procedures and equipment that will be used to demonstrate compliance with requirements for detecting radioactive material; operation and maintenance documents for radiation detectors including investigation alarm setpoint settings and calibration methods; and response procedures to be implemented when radioactive waste is detected as required by section 362-3.5(e) of this Subpart.

**(b) A program for detecting and preventing the receipt of hazardous wastes at the facility.**

This program must include, but not be limited to:

- (1) random inspections of incoming loads;
  - (2) inspections of suspicious loads;
  - (3) records of inspections;
  - (4) procedures for notifying the proper authorities if a hazardous waste is discovered in a load;
- and
- (5) procedures for proper management of discovered hazardous waste.

Per 362-3.5(e):

**(e) Radioactive waste detection procedures and requirements.**

Permitted transfer facilities from which MSW or drilling and production waste is transported out of state must meet the following requirements:

- (1) A fixed radiation detection unit must be installed and operated at a location appropriate for the monitoring of all incoming waste.
- (2) The investigation alarm set point of the radiation detector must be set at least two times, but no greater than five times, facility background radiation levels.
- (3) Background radiation readings at the facility must be measured and recorded at least daily.
- (4) Field checks of the radiation detector utilizing a known radiation source must be performed and recorded at least weekly.
- (5) The radiation detector must be calibrated at least annually or more often as recommended by the manufacturer, and documentation describing the calibration must be maintained at the facility.
- (6) Each instance in which the radiation detector is triggered by a waste load must be documented and reported to the department within 24 hours. Recorded information must include the date the waste was received, transporter name, origin of the waste, truck number or other identifying marking, detector reading, disposition of the waste, and date of disposition.
- (7) Training related to radiation detection system operating procedures and radiation investigation alarm response procedures must be conducted at least annually.

**Climate Leadership and Community Protection Act**

As you may know, the Climate Leadership and Community Protection Act (CLCPA) became effective January 1, 2020. (Chapter 106 of the Laws of 2019). Among other requirements, the CLCPA directs state agencies to determine if the decisions they make are consistent with the Statewide greenhouse gas (GHG) emission limits established by the CLCPA in Environmental Conservation Law (ECL) Article 75. In the case of the DEC, this includes determining if permits issued are consistent with or would interfere with the attainment of the Statewide GHG emission limits in ECL Article 75. In addition, the CLCPA requires that permitting and other administrative decisions by DEC and other state agencies not disproportionately burden Disadvantaged Communities.

To address Section 7(2) of CLCPA, please provide a CLCPA analysis following the procedures described in DAR-21: The Climate Leadership and Community Protection Act and Air Permit Applications (DAR-21). As discussed in DAR-21, the analysis must include any upstream emissions that are attributable to the project. These emissions should be calculated using the emission factors found in Appendix A: Emission Factors for Use by State Agencies and Applicants of the most recent Statewide Greenhouse Gas Emissions Report. A copy of that document is attached to this request for your convenience.

To address Section 7(3) of CLCPA, the DEC is required to ensure that its permitting decisions do not disproportionately burden disadvantaged communities and prioritize the reduction of GHG and co-pollutant emissions in disadvantaged communities. Please see <https://climate.ny.gov/Resources/Disadvantaged-Communities-Criteria> for an interactive map of communities that meet the disadvantaged community criteria. This applies to GHG and co-pollutant emissions from new projects and increases in emissions from existing facilities. If this

project is in, or potentially impacts, a disadvantaged community, please calculate the GHG and co-pollutant emissions from the project and their impacts on the disadvantaged community, including any information on existing burdens/criteria used to identify the disadvantaged community. The analysis must also discuss any alternatives or design measures that will be used to reduce the impact of those emissions on the disadvantaged community. If you conclude that existing measures are enough to address these impacts, that should be discussed as well. In addition, an enhanced public participation plan (EPPP) must be prepared for the project. The development of the EPPP should follow the procedural guidance in Section V.D of the Commissioner's Policy on Environmental Justice and Permitting (CP-29), available at: <https://dec.ny.gov/get-involved/environmental-justice/related-policy-regulations> .

### **CLCPA 7(3) Addendum for mobile emissions**

The proposed Solid Waste modification is located within a disadvantaged community mapped by the Climate Justice Working Group pursuant to Section 7(3) of the Climate Leadership and Community Protection Act (CLCPA). As a result, the proposed facility's potential impacts on the disadvantaged community related to emissions of greenhouse gases (GHGs) and co-pollutants must be evaluated. This evaluation must include the potential impacts of emissions from trucks driving to and from the facility. Please provide the following information:

1. A map must be provided that identifies the primary local truck delivery and return route(s) within a ¼ mile of the facility. Calculations of annual miles traveled per vehicle type on identified route(s) within that ¼ mile must be provided, based on round-trip distance.
2. Please identify sources of emissions (facility vehicles and fossil fuel powered equipment) that will operate within the facility and their daily and annual estimated hours of operation.
3. For all the on- and off-site sources identified above, estimate and summarize GHG and co-pollutant emissions using the following emission factors, as appropriate:
  - a. To estimate emissions of CO<sub>2</sub>, CH<sub>4</sub>, and N<sub>2</sub>O, use the EPA emission factors in Tables 2-4 at the following link: <https://www.epa.gov/climateleadership/ghg-emission-factors-hub>. Emissions calculations for on-road vehicles should be based on the total annual miles traveled as Calculated in Item 1 above. Emissions calculations for non-road vehicles and fossil fuel powered equipment should be based on the estimated annual hours of operation as calculated in item 2 above. When calculating carbon dioxide equivalents, please use the 20-year global warming potentials found in 6 NYCRR Section 496.5.
  - b. To estimate emissions of particulate matter (PM), a co-pollutant, use the AFLEET tool at the following link: <https://afleet.es.anl.gov/afleet/>. The 'Footprint - Onroad' and 'Footprint - Offroad' tabs should be used in conjunction with the data identified in Items 1 and 2 above to calculate co-pollutant emissions. Note that while the spreadsheet provides an estimate of GHG emissions as well it should not be used for the purposes of Item 3a above as the calculation methodology is inconsistent with the requirements of CLCPA. Please also include an electronic copy of the completed spreadsheet with the application materials for this facility.
4. Evaluate how estimated GHG and co-pollutants identified above may be reduced by an equal or greater amount within the disadvantaged community.

Before preparing and submitting the information identified above, please contact the Division of Environmental Permits analyst assigned to the application to arrange a meeting to discuss the applicability of CLCPA and the preparation of the analysis.

### **Environmental Justice**

The proposed project is located within and adjacent to potential environmental justice area(s). NYSDEC policy "CP-29 Environmental Justice and Permitting" (March 2003) (CP-29) defines potential environmental justice area(s) as "minority or low income communit(ies) that may bear a disproportionate share of negative environmental consequences..." Section V "Procedures," Subsection D, of CP-29 requires the submission of a written Public Participation Plan to ensure public participation during the application review process. Your Public Participation Plan (PPP) must focus on the community potentially affected by the proposed project, inform interested stakeholders about the proposed action and, also, outline and describe a program of activities that provide opportunities for public participation in the NYSDEC environmental permit review process. Public participation in the NYSDEC environmental permit review process means a program of activities that provides opportunities for stakeholders to be informed about and involved in the review of a proposed action.

Please review the guidance pertaining to CP-29 and PPP preparation outlined below. Once you have prepared your draft PPP, please submit it to the Department for review.

- Please utilize the attached customizable Public Participation Plan (PPP) Template, dated August 19, 2022, to prepare the above-requested plan. In addition to the PPP Template, the materials listed below are included in the attached zip folder your reference and use.
  - One-page PDF document of generic translation flyer that that may be updated with contact information for the project liaison and distributed with written materials to encourage accessibility, meaningful participation and to support engagement of non-English speaking or limited English proficiency stakeholders (see pg. 9 of PPP Template).
  - Template for Excel worksheet that may be utilized to assist the applicant with preparation of the contact list (Appendix A) (presented as an option in the instructions on pg. 15 of PPP Template).

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*cc: Steve Perrigo, Brian Parker - DEC DMM*

William D. Morse, P.E.  
Town Supervisor  
File

***Please submit requested information by \_\_\_\_\_  
No further action can be taken until all of these materials are received.***

Contact Person:

TRENDON P CHOE  
NYSDEC  
5786 Widewaters Pkwy  
Syracuse, NY 13214

Signature: \_\_\_\_\_

Date: May 16, 2024

Telephone Number: (315) 426-7445