

**NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
STATE 6NYCRR PART 373 PERMIT
FACT SHEET
FOR**

**Brookhaven National Laboratory
53 Bell Avenue
Upton, New York 11973-5000**

**EPA I. D. No: NY7890008975
DEC Permit No: 1-4722-00032/00102**

This fact sheet has been developed in accordance with the requirements of 6 NYCRR 373-1.4(f).

The New York State Department of Environmental Conservation (Department) intends to issue a renewed Part 373 Permit to Brookhaven National Laboratory (Brookhaven) at 53 Bell Avenue, Upton, NY, 11973. This action would continue to authorize the operation of a hazardous waste storage facility at this location in Upton, NY.

A. PURPOSE OF THE PERMITTING PROCESS

The purpose of the permitting process is to allow the Department, interested citizens and other governmental agencies the opportunity to evaluate the ability of the Permittee (Brookhaven) to comply with the applicable requirements promulgated under the Department regulations. The Department is required to prepare a draft permit which sets forth in concise documents all the applicable requirements which the Permittee must comply with during the duration of the permit. The public is given forty-five (45) days to review the application and comment on the draft permit prior to the Department taking any final permitting action on the application for a hazardous waste management permit.

B. PROCEDURE FOR REACHING A FINAL DECISION

Article 27 of the Environmental Conservation Law, 6 NYCRR Part 62, requires that the public be given a minimum of forty-five (45) days to comment on the permit application and draft permit prepared. The comment period will begin on June 21, 2017 and will end on August 7, 2017, as indicated in the public notice. Any person interested in commenting on these documents must do so within this comment period. All persons wishing to comment on the Draft Part 373 Permit should submit the comments in writing to:

**Mr. Mark Carrara, Deputy Regional Permit Administrator
New York State Department of Environmental Conservation,
Region 1 Headquarters,
Division of Environmental Permits,
SUNY @ Stony Brook / 50 Circle Road**

Stony Brook, NY 11790-3409

Comments should include all reasonably available references, factual grounds and supporting material. In lieu of, or in addition to the submittal of written comments, any interested person may request a public hearing in writing, stating the nature of the proposed issues to be raised in the hearing, as per 6NYCRR 621. Any hearing request also must be submitted within the above comment period.

The Department will consider all written comments received during the public comment period, requirements of the hazardous waste regulations including 6NYCRR Part 370, Part 371, Part 372, Subpart 373-1, Subpart 373-2, and Part 376, the Department's permitting policies and other applicable regulations in making a final permit decision.

When the Department makes a final permit decision to either issue, deny to modify this permit, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final decision. If the decision is to issue a permit, this notice will include a summary of responses to comments, identifying the conditions in the permit which are different from those in the draft permit and the reasons for the changes. The permit becomes effective immediately on the date of issuance, unless a later date is specified.

C. DOCUMENT AVAILABILITY

The draft permit, the application and fact sheet are available for public review during normal business hours at:

New York State Department of Environmental Conservation
Division of Environmental Permits
Building 40 - SUNY
Stony Brook, NY 11790-2356
Contact: Mark Carrara: (631) 444-0374

New York State Department of Environmental Conservation
Division of Environmental Remediation
625 Broadway
Albany, NY 12233-7017
Contact: Mike Rich (518) 402-9813

Mastic-Moriches-Shirley Community Library
407 William Floyd Parkway
Shirley, NY 11967.

D. FACILITY DESCRIPTION

Brookhaven National Laboratory (Brookhaven) is a multi-disciplinary scientific research center located close to the geographical center of Suffolk Count on Long Island, New York. The site consists of approximately 5,236 acres, most of which is wooded except for a developed area of about 1,656 acres. Brookhaven conceives, designs, constructs and operates large complex research facilities for fundamental scientific studies.

Brookhaven currently operates a Waste Management Facility (WMF) for the storage of various types of wastes (radioactive, hazardous and mixed wastes) that are generated by Brookhaven's internal facilities. Brookhaven does not accept wastes that are generated off-site. The waste management activities at the WMF are limited to characterization, consolidation, packaging and storage of hazardous and mixed wastes. There is no treatment or land disposal of hazardous wastes. About one-half of the total area of the WMF is permeable cover including lawn areas and earthen berms. The remaining area is paved for parking and access to the various buildings. There is one building in the WMF that is included in this permit.

The RCRA Waste Building is used for storage of mixed hazardous and radioactive wastes and for liquid waste packaging. This 20,000 square foot building provides for the repackaging and sorting of hazardous and nonhazardous wastes in compliance with the Resource Conservation and Recovery Act (RCRA) such as: shipping/receiving/staging, liquid storage, bulking process, packaging and sorting. The building consists of separate areas for handling and storing different categories of wastes (e.g. reactives, oxidizers, flammables, etc.).

The storage capacities and the types of wastes handled at the facility are as follows:

LOCATION	WASTE TYPE	CAPACITY (gallons)
RCRA Building	D001-D043, F001-F005, P and U listed wastes, B001-B007 (PCB's) and lab packs	16,550
	TOTAL CAPACITY	16,550

E. NEW YORK STATE AND FEDERAL REQUIREMENTS FOR CORRECTIVE ACTION AT PERMITTED FACILITIES

There is currently an Interagency Agreement (IAG), effective May 26, 1992, among the U.S. EPA and the Department that governs corrective action requirements at the Brookhaven facility. The Administrative Docket Number for this agreement is II-CERCLA-FFA-00201, of which a copy is included in Attachment II of the draft permit.

F. PERMIT ORGANIZATION

The 6 NYCRR Part 373 Permit is divided into parts as outlined below:

Module I - General Provisions. Covers the conditions found in 6 NYCRR 373-1, 373-2, 376 and Article 27, Title 9, Section 0908

Module II - Corrective Action Requirements.

Module III - Storage in Containers.

Attachment I – Part A Application

Attachment II – Corrective Action

Attachment III – Waste Analysis Plan

Attachment IV – Personnel Training

Attachment V – Inspection Plan, Security Arrangements & Procedures to Prevent Hazards

Attachment VI - Contingency Plan

Attachment VII - Closure Plan

Attachment VIII - Container Management

Attachment IX - Air Emission Standards

Attachment X - Engineering Drawings

Attachment M - Permit Modifications Log.

G. BASIS FOR PERMIT CONDITIONS

The permit conditions are based on the requirements of 6NYCRR Part 370 (Hazardous Waste Management System - General), Part 371 (Identification and Listing of Hazardous Wastes), Part 372 (Hazardous Waste Manifest System and Related Standards for Generators, Transporters, and Facilities), Subpart 373-1 (Hazardous Waste Treatment, Storage, and Disposal Facility Permitting Requirements), Subpart 373-2 (Final Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities), Part 376 (Land Disposal Restrictions) and applicable regulations.

The appendices to the permit were taken from the Part 373 Permit renewal application submitted by the applicant on May 5, 2016 and updated through August 2016. It is the Department's tentative determination that these appendices are consistent with 6 NYCRR Parts 370-372, Subparts 373-1 and 373-2, and Part 376.

In addition, hazardous waste management activities which were not described in the application and subsequent updates are prohibited by this draft permit.

H. LEGAL REFERENCES FOR THIS PROPOSAL

Permitting requirements for facilities that treat, store or dispose of hazardous waste are promulgated under the New York State Environmental Conservation Law pursuant to Article 19, Title 3; Article 23, Title 23; and Article 27, Titles 7 and 9; and at the Federal level under the Solid Waste Disposal Act as amended by RCRA and HSWA, and implementing regulations 42 U.S.C. 6901 et. seq. and 40. There is currently an Interagency Agreement (IAG), effective May 26, 1992, among the U.S. EPA and the DEC that governs corrective action requirements at the Brookhaven facility. The Administrative Docket Number for this agreement is II-CERCLA-FFA-00201, of which a copy is included in Attachment II of the Permit. CFR Parts 124, 260-264, 266, 268, and 270.