

NYCRR PART 360 FACILITY OPERATING PERMIT
TOWN OF COLONIE LANDFILL
FORMER PROVAN FORD SITE
146-172 MILL STREET
NEWBURGH, NEW YORK

Prepared for:

CITY OF NEWBURGH
CITY ENGINEER'S OFFICE
123 GRAND STREET (2ND FLOOR)
NEWBURGH, NY 12550

AND

FIRST ENVIRONMENT, INC.
91 FULTON ST
BOONTON, NJ 07005

Prepared by:

OP-TECH ENVIRONMENTAL SERVICES, INC.
150 ROTTERDAM INDUSTRIAL PARK
SCHENECTADY, NY 12306

OCTOBER 12, 2010

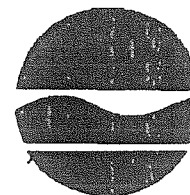


New York State Department of Environmental Conservation**Division of Environmental Permits, Region 4**

1150 North Westcott Road, Schenectady, New York 12306-2014

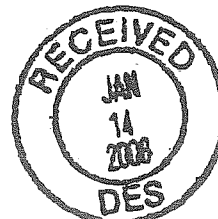
Phone: (518) 357-2069 • FAX: (518) 357-2460

Website: www.dec.state.ny.us

Alexander B. Granris
Commissioner

January 10, 2008

F. Joseph Stockbridge, P.E., Director
Department of Public Works
Environmental Services Division
Town of Colonie
1319 New Loudon Road
Cohoes, NY 12047



Re: Permit #4-0126-00033/00001
Colonie Landfill Part 360 permit renewal
Colonie (T), Albany County

Dear Mr. Stockbridge:

Enclosed is your renewed solid waste permit for the operation of the town's landfill facility. Please review it carefully as some of the special conditions in the permit have been renumbered and reworded.

Should you object to the permit as issued and are unable to resolve such objections with this office you may, within 30 calendar days of this transmittal, send a written request for a hearing to the attention of the Regional Permit Administrator. The number listed above pertains to this permit and should be referenced on all correspondence related to this permit and any future applications for permits associated with this facility or project.

Please note the expiration date of the permit. An application for renewing the permit must be made in advance of the expiration date. Please refer to the general conditions listed in the permit for specific instructions.


Feel free to contact me at 357-2446 should you have any questions about the extent of the work authorized in this permit or your obligations under the permit.

Sincerely,

Angelo A. Marcuccio
Deputy Permit Administrator
Region 4

Enclosure: permit

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC PERMIT NUMBER 4-0126-00033/00001	 PERMIT Under the Environmental Conservation Law (ECL)	EFFECTIVE DATE January 14, 2008
FACILITY/PROGRAM NUMBER(S) 01-S-26		EXPIRATION DATE(S) December 31, 2017


TYPE OF PERMIT (Check All Appropriate Boxes)

NEW
 RENEWAL
 MODIFICATION
 PERMIT TO CONSTRUCT
 PERMIT TO OPERATE

<input type="checkbox"/> ARTICLE 15, TITLE 5: PROTECTION OF WATER	<input type="checkbox"/> ARTICLE 17, TITLES 7, 8: SPDES	<input type="checkbox"/> ARTICLE 27, TITLE 9; 6NYCRR 373: HAZARDOUS WASTE MGMT.
<input type="checkbox"/> ARTICLE 15, TITLE 15: WATER SUPPLY	<input type="checkbox"/> ARTICLE 19: AIR POLLUTION CONTROL	<input type="checkbox"/> ARTICLE 34. COASTAL EROSION MANAGEMENT
<input type="checkbox"/> ARTICLE 15, TITLE 15: WATER TRANSPORT	<input type="checkbox"/> ARTICLE 23, TITLE 27: MINED LAND RECLAMATION	<input type="checkbox"/> ARTICLE 36: FLOODPLAIN MANAGEMENT
<input type="checkbox"/> ARTICLE 15, TITLE 15: LONG ISLAND WELLS	<input type="checkbox"/> ARTICLE 24: FRESHWATER WETLANDS	<input type="checkbox"/> ARTICLES 1, 3, 17, 19, 27, 37, 6NYCRR 380: RADIATION CONTROL
<input type="checkbox"/> ARTICLE 15, TITLE 27: WILD, SCENIC & RECREATIONAL RIVERS	<input type="checkbox"/> ARTICLE 25: TIDAL WETLANDS	<input type="checkbox"/> ARTICLE 27, TITLE 3, 6NYCRR 364: WASTE TRANSPORTER
<input type="checkbox"/> 6NYCRR 608: WATER QUALITY CERTIFICATION	<input checked="" type="checkbox"/> ARTICLE 27, TITLE 7: 6NYCRR 360: SOLID WASTE MANAGEMENT	<input type="checkbox"/> OTHER:

PERMIT ISSUED TO Town of Colonie		TELEPHONE NUMBER (518) 783-2728	
ADDRESS OF PERMITTEE PO Box 508, 534 Loudon Road, Newtonville, NY 12128			
CONTACT PERSON FOR PERMITTED WORK F. Joseph Stockbridge, Director, Dept. of Public Works, Environmental Services Division		TELEPHONE NUMBER (518) 783-2827	
NAME AND ADDRESS OF PROJECT/FACILITY Town of Colonie Landfill, 1319 Loudon Rd., Cohoes, NY 12047			
LOCATION OF PROJECT/FACILITY East side of US Route 9 (Loudon Road) north of Arrowhead Lane and south of Crescent Terrace			
COUNTY Albany	TOWN Colonie	WATERCOURSE/WETLAND NO. n/a	NYTM COORDINATES E:603.6 N:4740.3
DESCRIPTION OF AUTHORIZED ACTIVITY: Continued operation of the Town of Colonie Landfill facility in accordance with the terms and conditions contained herein. Facility operations authorized for operation include:			
<ul style="list-style-type: none"> • Solid Waste Landfill • Solid Waste Transfer Station facility • Yard Waste Composting facility • Material Recycling Facility • Regulated Medical Waste Collection, Storage and Transfer Facility • Household Hazardous Waste Transfer Station • Residential convenience drop-off area 			

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (see page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR: Angelo A. Marcuccio	ADDRESS NYS DEC, Region 4 Headquarters 1130 North Westcott Road, Schenectady, NY 12306
AUTHORIZED SIGNATURE 	DATE January 10, 2008
Page 1 of 11	

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee 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.

GENERAL CONDITIONS

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 or Modifications

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 or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. The permittee must submit a renewal application at least:

- a) 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); and
- b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 4
1130 North Westcott Road, Schenectady, NY 12306
(for Albany, Columbia, Greene, Rensselaer,
Montgomery & Schenectady Counties)

NYSDEC Deputy Regional Permit Administrator, Region 4
Stamford Field Office, 65561 State Highway 10, Suite 1
Stamford, NY 12167
(for Delaware, Otsego, & Schoharie Counties)

4. Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit in accordance with 6 NYCRR Part 621. 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.

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions
FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

1. Terms used in this permit have the same meaning as those set forth in ECL Article 27, Title 7 and 6 NYCRR Parts 360 and 621, unless this Permit specifically states otherwise. Where terms are not otherwise defined, their meanings are those found in a standard dictionary, or the generally accepted scientific or industrial meaning of the term.
2. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by the Department, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.
3. This permit does not relieve the permittee from the responsibility of complying with other federal (e.g., 40 CFR Part 258), State, and/or local laws, rules or regulations.
4. In accordance with the provisions of 6 NYCRR Part 360-1.11 (b), this permit is only transferable upon the written approval of the Department. The owner(s) or operator(s) shall be deemed to be co-permittees if they are separate people or entities.
5. Unless otherwise specified, all submissions required by this permit and 6 NYCRR Part 360 must be made in duplicate to the Department, attention: Region 4 Solid Waste Engineer, 1150 North Westcott Road, Schenectady, NY 12306.
6. For the purposes of this permit, "facility" shall mean a solid waste management facility as defined in 6 NYCRR Part 360-1.2(b)(158).
7. The permittee shall allow any authorized representative of the Department and/or the County Health Department, upon presentation of proper credentials to:
 - i) have access to and copy, during normal working hours, any records that must be kept under the conditions of this permit, including any and all data asserted to be confidential that may be included in such records;
 - ii) enter and inspect during normal working hours, solid waste management facilities, and/or activities associated with this permit.
8. The provisions of this permit shall not limit the Department's authority as otherwise established by law or regulation
9. A maximum of 820 tons per operating day (tpd) (based on a 25 operating day rolling average) of waste (as defined in Special Condition #16) is authorized to be received and disposed of in the landfill, providing that on an annual basis, no more than 170,500 tons per year of waste is received and disposed of in the landfill.

A maximum of 225 tons per operating day (tpd) (based on a 25 operating day rolling average) of waste (as defined in Special Condition #16) is authorized to be received at the transfer station when the landfill is in operation and a maximum of 500 tons per operating day (tpd) (based on a 25 operating day rolling average) of waste (as defined in Special Condition #16) is authorized to be received at the transfer station when the landfill is not in operation.

A maximum of 20,000 tons per year is authorized to be received and handled at the facility's composting operation.

A maximum of 50 tons per day (tpd) is authorized to be received and handled at the facility's materials recycling facility.

DEC PERMIT NUMBER 4-0126-00033/00001	Town of Colonie Landfill	PAGE 3 OF 11
FACILITY ID NUMBER 01-S-26	PROGRAM NUMBER	



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions
FOR ARTICLE 27 , Title 7 (Solid Waste Management Facility)

10. The following portion of the facility shall be constructed and operated in strict conformance with the provisions of this permit, 6 NYCRR Part 360, and the following engineering reports, plans and correspondence:

Construction/Closure and Operation in Area 5

- November 1993 6NYCRR Part 360 Application, prepared by Malcolm Pirnie;
- December 1993 Hydrogeologic Assessment Report, prepared by Malcolm Pirnie;
- November 1993 Environmental Monitoring and Site Analytical Plan, prepared by Malcolm Pirnie;
- February 2, 1994 Response to NYS Department of Environmental Conservation (Department), Region 4,
- January 19, 1994 Area 5 Piggyback Landfill Permit Application related comments, prepared by Malcolm Pirnie.

Construction/Closure and Operation in Area 6

- November 2001 6 NYCRR Part 360 Permit Application, prepared by Malcolm Pirnie;
- December 2001 Hydrogeologic Assessment Report, prepared by Malcolm Pirnie;
- November 2001 Environmental Monitoring and Site Analytical Plan, prepared by Malcolm Pirnie
- December 2001, January 2002, January 23, 2002, February 2002, March 12, 2002 (with attachments 7, 10 & 13), April 3, 2002 (with attachment No. 1), April 15, 2002 and May 1, 2002 Area 6 Landfill Permit Application related comments, prepared by Malcolm Pirnie;
- December 2002, 6 NYCRR Part 360 Permit Modification Application, Area 6 Landfill, prepared by Malcolm Pirnie.

Medical Waste Collection, Storage and Transfer Facilities

- February 2004, 6 NYCRR Part 360 Permit Modification Report, Medical Waste Collection, Storage and Transfer Facilities, prepared by Malcolm Pirnie, Inc.

11. A written notice of commencement [via U.S. Mail, Fax, Hand Delivery or Electronic Mail(Attention: Solid Waste Project Manager)] of all major* portions of on-site construction and testing activities must be submitted to the Department a minimum of five business days before commencement of the activity. The notice must identify the quality assurance engineer, inspector/monitor and/or contractor, stating each person's responsibilities and qualifications (unless previously received by the Department) and specifying the chain of command for the inspectors and contractors performing the on-site work.

* Major portions of on-site construction and testing activities include, but are not limited to:

- subgrade stability modifications;
- preparation and testing of the subgrade;
- the placement and testing of the soil component of the composite liner;
- installation and testing of the geosynthetic primary and secondary liner(s);
- construction of geosynthetic and/or soil leachate drainage layers;
- the leachate collection and removal system piping, manholes, and conveyance lines.

continued -

DEC PERMIT NUMBER 4-0126-00033/00001	Town of Colonie Landfill	
FACILITY ID NUMBER 01-S-26	PROGRAM NUMBER	PAGE 4 OF 11



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions

FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

11. (continued)

During construction of Area 6, the permittee will host regular construction status meetings. The Department must receive advance written notice identifying meeting dates, times and locations a minimum five (5) days prior to said meeting. Minimum topics to be addressed must include: work completed since last meeting, upcoming construction activities (at least during the next two week period), changes in schedule, design, materials, etc., and projected substantive project completeness.

12. The permittee shall not accept at this facility, solid waste that was generated within a municipality located in New York State that has either not completed a comprehensive recycling analysis, or is not included in another municipality's comprehensive recycling analysis satisfying the requirements of 6 NYCRR Part 360-1.9 (f) and which has been approved by the Department. In either case, the municipality must have implemented the recyclables recovery program determined to be feasible by the analysis.

13. Leachate discharge from the pore pressure relief system (Phase I and Phase II), or contaminated surface water, including runoff, shall not be discharged directly or indirectly from the site into ground or surface waters, unless a State Pollutant Discharge Elimination System (SPDES) permit is obtained prior thereto, and all discharges comport with the terms of the permit. For the purposes of this permit, leachate shall mean any solid waste as defined by 6 NYCRR Part 360-1.2(98)

14. The permittee shall take all reasonable steps to minimize or correct all significant, adverse impacts on human health or the environment which result from facility operations. Any such information shall be reported verbally, or by email, within 24 hours of the time the permittee becomes aware of the circumstances and in writing within seven (7) calendar days, unless a more stringent time frame has been approved by the Department in Special Condition No. 10, in which case, the more stringent time frame would apply. As an example, this would include any leachate observed outside the landfill's double composite liner system.

15. Sediment shall be removed from the leachate storage facility as required by the Operation and Maintenance schedule, or more frequently, if necessary to provide adequate capacity for leachate storage. Sediment from the leachate storage facility shall be de-watered and disposed of in the landfill or other Department approved disposal facility. The leachate storage lagoons must be operated in a manner which maintains a minimum of two feet of freeboard.

16. Waste disposal at this facility:

A) The following wastes may be disposed of at this facility:

1. household wastes (as defined in 6 NYCRR Part 360);
2. commercial wastes (as defined in 6 NYCRR Part 360);
3. industrial wastes (as defined in 6 NYCRR Part 360) if the waste hauler possesses a valid Part 364 permit which specifies this landfill as a disposal site for such wastes;
4. ash residue (as defined in 6 NYCRR Part 360) resulting from incineration of a municipal solid waste generated by facilities that have a current Department permit to operate; and,
5. non-hazardous alum and/or stabilized sewage sludges having a solids content greater than 20% and stabilized so as they do not cause adverse odor impacts outside the perimeter of the facility.
6. construction and demolition (C&D) debris (as defined in 6 NYCRR Part 360)
7. recyclable materials as defined in 6 NYCRR Part 360.
8. yard waste as defined in 6 NYCRR Part 360.

DEC PERMIT NUMBER 4-0126-00033/00001	Town of Colonie Landfill	Page 5 OF 11
FACILITY ID NUMBER 01-S-26	PROGRAPROGRAM NUMBER	



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions

FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

16. Waste disposal at this facility (continued)

B) The following wastes shall not be disposed of at this facility:

1. waste identified in 6 NYCRR Part 360-1.5(b);
2. any empty drum or any container which has held hazardous waste and is not empty according to 40 CRF 261.7(a)(3);1;
3. any regulated medical waste as defined by 6 NYCRR Part 360-17.2(h);
4. any industrial and commercial liquids, sludges, slurries, which are less than 20% solids.

17. The Department shall be notified, in writing, a minimum of five (5) business days in advance of the quarterly groundwater and/or leachate sampling.
18. The permittee shall notify the Department through the quarterly landfill report whenever changes in operations plans, waste deposition rates, facility design, or events occurring during the active life of the landfill change the projected final closure date by more than one year. This condition does not exempt the permittee from obtaining any of the necessary permit modifications required for such changes.
19. Solid waste shall be confined to an area which can be effectively maintained, operated and controlled in accordance with 6 NYCRR Part 360-1.14(j).
20. Liquid flows from Area 5 and Area 6's secondary leachate collection and removal system (leak detection system) shall be monitored daily, during days of operation. Quarterly summaries shall be submitted to the Department within 15 calendar days following the end of each quarter.
21. The liquid flow data and summaries, required in Special Condition 20, shall be included in the Quarterly Landfill Reports. Quarterly periods will be January through March, April through June, July through September, and October through December. Quarterly Landfill Reports must be submitted to the Department no later than 60 days following the end of each reporting period.
22. Wind blown paper and litter, at a minimum, shall be controlled as described in the "Landfill Operation Plan," submitted as part of the November 1993 Part 360 Permit Application; and as resubmitted on behalf of the Town of Colonie by Malcolm Pirnie in their February 2, 1994 response to the Department's January 19, 1994 Permit related technical comments. If, during the active life of Area 5 and Area 6, the permittee receives an "Inspection Report" indicating an alleged violation of this Special Condition, the permittee shall correct said unacceptable conditions within 5 working days of receiving such notification. Following the winter season, the permittee shall be given 21 calendar days to remove wind blow debris that has accumulated in areas which are not accessible during the winter months. This clean-up must be completed by no later than May 1, unless an alternative schedule has been approved, in writing, by the Department.
23. The permittee shall conduct an annual written review of the Contingency Plan which is to be included in the facility's annual report. Should any element of the Contingency Plan become unavailable or inoperative, the permittee shall submit a revised plan for Department review and approval within 60 days of the identification of such condition.

DEC PERMIT NUMBER
4-0126-00033/00001

Town of Colonie Landfill

PAGE 6 OF 11

FACILITY ID NUMBER
01-S-26

PROGRAM NUMBER



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions

FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

24. Permittee shall not place waste within a cell, or area, which has been capped without the prior removal of the final or intermediate cover materials.
25. During the placement of the first lift of waste above the primary leachate collection and removal system, the permittee shall observe the following precautions and practices:
- i) haul trucks and other landfill operation vehicles shall avoid the liner and leachate collection laterals; and
 - ii) an adequate buffer must be maintained between the waste and the landfill's liner perimeter to allow for proper leachate control and effective placement of final cover; and
 - iii) the first layer of refuse placed above the leachate collection layer must be a minimum of five feet in compacted thickness, and be of a select nature containing no large objects such as demolition debris, large metal wastes, long items such as poles, piping and bulky wastes in general.
26. On site roads used to transport solid wastes shall be passable at all times during active filling.
27. Twelve months before the date on which the landfill shall cease accepting waste, the permittee shall submit a scope of work to the Department which shall include:
- a) a site investigation plan; and
 - b) a schedule of all tasks required to implement a closure program in conformance with the landfill application report
28. The final elevation contours of the site at the time of closure shall not exceed those shown on Sheet 7 of 23, "Proposed Closure Plan" of engineering drawings contained in the November, 2001 6 NYCRR Part 360 Permit Application for the Area 6 Landfill Expansion.
29. Sampling of the primary leachate collection and removal system shall be performed in accordance with the latest Department approved Environmental Monitoring and Site Analytical Plan for that particular area, and in accordance with 6 NYCRR Part 360-2.11(c)(3).
30. The Area 6, Phase II geotechnical site improvements will be based on the design provided in the March 12, 2002 Response to Technical Comments, and Additional Information and Geotechnical Analysis Report, dated April, 2006, both prepared by Malcolm Pirnie, Inc. If during the development of the final design for this phase of cell construction, an alternate geotechnical site improvement design is developed a revised geotechnical design must be submitted to the Department for approval.
31. The Department will provide a written response and/or approval of all submissions within sixty (60) days of receipt and within thirty (30) days of receipt of the Department's written response, the permittee must respond in writing and/or submit a modified submission for Department consideration (unless other time periods are specified in this permit, Part 360 or Part 621).
32. Prior to the construction of Area 6, Phase II, the permittee must review existing Quality Assurance and Quality Control documents determine the need for updating activities/procedures and will make any changes as needed.

DEC PERMIT NUMBER
4-0126-00033/00001

Town of Colonie Landfill

FACILITY ID NUMBER
01-S-26

PROGRAM NUMBER

PAGE 7 OF 11

Special Conditions
FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

Special Conditions applicable to the Composting Facility

33. The compost facility will be operated in accordance with: 1) the September 1997 Town of Colonie, Yard Waste Composting Facility, Application for Modification to General Solid Waste Permit No. 4-0126-00033/00001-1, Engineer's Report, submitted by J. Kenneth Fraser & Associates, P.C., on behalf of the Town of Colonie; and, 2) the March 24, 1998 letter from F. Joseph Stockbridge.
34. The compost produced at the facility shall be non-putrescible, nonmalodorous and stable. All compost of unacceptable quality shall be disposed of or treated in a manner acceptable to the Department.
35. The permittee is responsible for providing an adequate supply of water to the composting site for the composting process and fire control. The moisture content of processed raw yard waste will be adjusted to levels that will promote maximum biological activity during composting as part of windrows construction.
36. The windrows will be turned at the frequency specified in the operation plan contained in the September 1997 Application for Modification. As a minimum, regardless of facility/material conditions, the windrows must be turned every two weeks.
37. The permittee must submit an annual report for the composting operations that complies with the requirements of 6NYCRR 360-5.5(m). Yard waste/compost quantities required for reporting purposes may be "best estimates."
38. Within 90 days of the effective date of this renewal permit, the permittee will submit an updated compost facility operating manual to the attention of the Region 4 Solid and & Hazardous Materials Engineer. The manual must include at a minimum, windrow turning rates, specific handling procedures for grass clippings, any testing to be performed, finished compost marketing program, seasonal variations in operations (cold vs. warm weather) and operation of the odor control system.

Special Conditions applicable to the Medical Waste Collection, Storage, and Transfer Facilities

39. Permitted activities are limited to the delivery, unloading, packaging and reloading of medical waste delivered to the storage/transfer facility from residential sources, medical waste separated from other solid wastes and recyclable materials, and medical waste from the Town of Colonie Emergency Medical Services Department.
40. The permittee must notify the Regional Solid & Hazardous Materials Engineer whenever an unscheduled medical waste storage/transfer facility shutdown occurs for more than 24 hours. Within 72 hours of shutdown, a written report of the incident must be sent to the Regional Solid & Hazardous Materials Engineer.
41. All manuals, plans, and operations pertaining to medical waste storage and transfer must be maintained and updated upon renewal of the permit or whenever a modification is proposed. Any proposed modifications of the medical waste storage/transfer operations must be submitted in writing prior to its implementation.

DEC PERMIT NUMBER 4-0126-00033/00001	Town of Colonie Landfill	
FACILITY ID NUMBER 01-S-26	PROGRAM NUMBER	PAGE 8 OF 11

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions

FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

42. In addition to any reporting requirements required by this permit and Part 360, a copy of any reports or modifications pertaining to the medical waste, collection and transfer facility must be submitted to the Bureau of Solid Waste, Reduction and Recycling, 625 Broadway, Albany, NY 12233-7253.
43. All regulated medical waste received at the facility must be packaged and labeled in accordance with 6 NYCRR Part 364 prior to storage at the facility or transfer off-site. Medical waste previously packaged may not be opened and consolidated at the facility. Off-site transport may only be conducted by transporters permitted by the Department.
44. The Town of Colonie is authorized to accept up to 750 pounds of medical waste per quarter for storage and transfer. The medical waste storage facility is permitted to store a maximum of 15 containers, not to exceed a total weight of 600 pounds (waste plus containers), at any time. Storage of waste must not exceed 90 days and any putrescent containers must be removed immediately.
45. On-site disposal of regulated medical waste is prohibited.
46. All storage and transfer operations must be conducted in accordance with 6 NYCRR Subpart 360-10 and the February 2004 "Medical Waste Collection, Storage and Transfer Facilities 6 NYCRR Part 360 Permit Modification Report" prepared by Malcolm Pirnie, Inc.
47. No hazardous waste, toxic drug waste or radiologically contaminated medical waste may be accepted at the medical waste storage/ transfer facility.
48. All regulated medical waste transported off-site must be weighed and accompanied by a Medical Waste Tracking Form.

Special Conditions applicable to the landfill gas pipeline

49. Construction and operation related to the new gas pipeline must be in accordance with the following documents submitted by the Town of Colonie:
- a) Permit application signed by Mary Brizzell on October 5, 2005;
 - b) Engineering report titled: 6NYCRR Part 360 Permit Modification Application - Landfill Gas System, Town of Colonie New York, prepared by Malcolm Pirnie, Inc., September 2005;
 - c) Response letter to A. Marcuccio, NYSDEC prepared by Todd Minehardt, P.E., of Malcolm Pirnie, Inc. dated December 21, 2005

DEC PERMIT NUMBER 4-0126-00033/00001	Town of Colonie Landfill	PAGE 9 OF 11
FACILITY ID NUMBER 01-S-26	PROGRAM NUMBER	

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Special Conditions
FOR ARTICLE 27, Title 7 (Solid Waste Management Facility)

Special Conditions applicable to the Household Hazardous Waste Storage Facility

50. Construction and operation of the Household Hazardous Waste Storage Facility shall be in conformance with all the applicable provisions of 6NYCRR Part 360 and the following documents and plans submitted by the town of Colonie:
- a) Document titled "Town of Colonie Landfill, Albany County NY, Permit Application for a Permanent Household Hazardous Waste Storage Facility, February 2006, prepared by Barton & Loguidice, P.C.";
 - b) Memorandum from Susan Caponera, Town of Colonie dated February 28, 2006 with attached agreement between the Town of Colonie and West Central Environmental as the contractor to provide emergency hazardous waste spill clean up services for the town.
 - c) Letter dated April 14, 2006, from F. Joseph Stockbridge, Director, Town of Colonie Public Works, Environmental Services Division, providing responses to NYS DEC comment letter dated March 27, 2006.
51. Within 60 days of the effective date of this renewal permit the permittee must submit to the department, to the attention of the Region 4 Solid and Hazardous Materials Engineer, a current drawing (minimum size 22 inches by 34 inches) of the entire facility showing in detail the location of each of the separate operations occurring at the facility, including but not limited to landfilling, composting, material recycling facility, transfer station, regulated medical waste storage and transfer, residential convenience drop off area, landfill gas/energy facility, and hazardous waste drop off area. The drawing must depict the traffic flow pattern particular to each of the operations.
- c: Thomas Reynolds, P.E., Division of Solid & Hazardous Materials, Region 4
Alan G. Woodward, Ph.D., Division of Solid & Hazardous Materials, Albany Headquarters

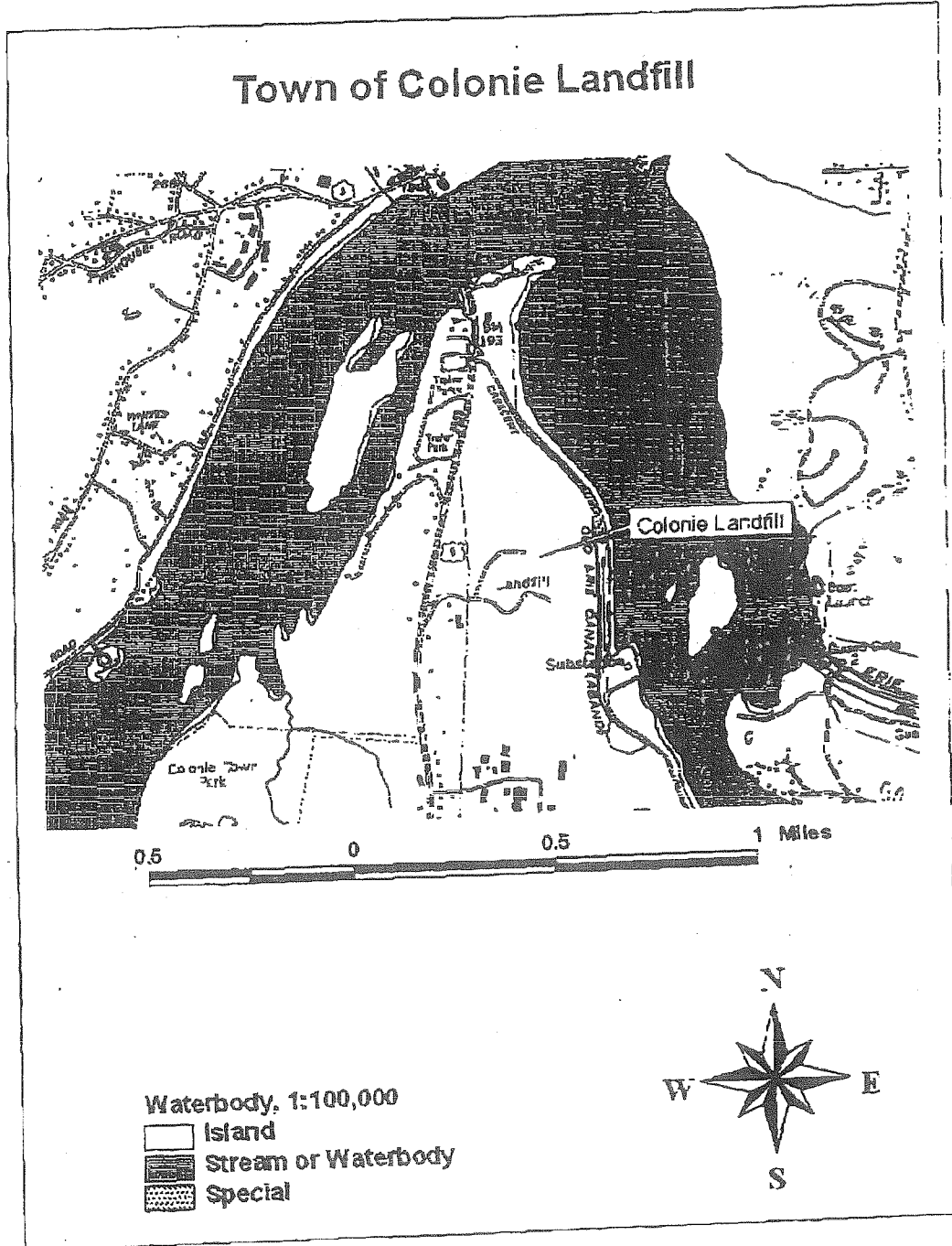
DEC PERMIT NUMBER
4-0126-00033/00001

FACILITY ID NUMBER
01-S-26

PROGRAM NUMBER

PAGE 10 OF 11

Town of Colonie Landfill

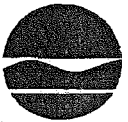


DEC PERMIT NUMBER
4-0126-00033/00001
FACILITY ID NUMBER
01-S-26

PROGRAM NUMBER

PAGE 11 OF 11

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS



PART 364
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:

CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211

PERMIT TYPE:

- NEW
- RENEWAL
- MODIFICATION

CONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294

EFFECTIVE DATE: 04/06/2010
EXPIRATION DATE: 04/05/2011
US EPA ID NUMBER:

AUTHORIZED WASTE TYPES BY DESTINATION FACILITY:

The Permittee is Authorized to Transport the Following Waste Type(s) to the Destination Facility listed:

Destination Facility	Location	Waste Type(s)
Albany Rapp Road	Albany , NY	Non-Hazardous Industrial/Commercial
CHEMUNG LANDFILL LLC	ELMIRA , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
CLINTON COUNTY LANDFILL	MORRISONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Colonie (T) Sanitary Landfill	Cohoes , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Covanta Niagara, L.P.	Niagara Falls , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ESMI OF NEW YORK	FORT EDWARD , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
High Acres Western Expansion Landfill	Fairport , NY	Non-Hazardous Industrial/Commercial
ONEIDA-HERKIMER REGIONAL LANDFILL	BOONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ONTARIO COUNTY LANDFILL	STANLEY , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Seneca Meadows LF	Waterloo , NY	Non-Hazardous Industrial/Commercial

NOTE: By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the Environmental Conservation Law, all applicable regulations, and the General Conditions printed on the back of this page.

ADDRESS:

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials - Waste Transporter Program
625 Broadway, 9th Floor
Albany, NY 12233-7253

AUTHORIZED SIGNATURE:

Alan G. Wood

Date: MAR 02 2010

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS**PART 364**
WASTE TRANSPORTER PERMIT NO. 4A-597

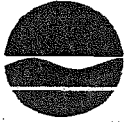
Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211CONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294**PERMIT TYPE:** NEW
 RENEWAL
 MODIFICATIONEFFECTIVE DATE: 04/06/2010
EXPIRATION DATE: 04/05/2011
US EPA ID NUMBER:**AUTHORIZED VEHICLES:**

The Permittee is Authorized to Operate the Following Vehicles to Transport Waste:

(Vehicles enclosed in <>'s are authorized to haul Residential Raw Sewage and/or Septage only)

5 (Five) Permitted Vehicle(s)NY 40172TR
NY AM21002
NY AM21003
NY AR74333
NY AV17248
End of List

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS
PART 364
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:

CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211

PERMIT TYPE:

NEW
 RENEWAL
 MODIFICATION

CONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294

EFFECTIVE DATE: 04/06/2010
EXPIRATION DATE: 04/05/2011
US EPA ID NUMBER:

AUTHORIZED WASTE TYPES BY DESTINATION FACILITY:

The Permittee is Authorized to Transport the Following Waste Type(s) to the Destination Facility listed :

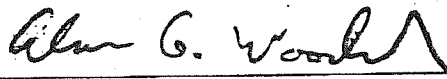
Destination Facility	Location	Waste Type(s)
Albany Rapp Road	Albany , NY	Non-Hazardous Industrial/Commercial
CHEMUNG LANDFILL LLC	ELMIRA , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
CLINTON COUNTY LANDFILL	MORRISONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Colonie (T) Sanitary Landfill	Cohoes , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Covanta Niagara, L.P.	Niagara Falls , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ESMI OF NEW YORK	FORT EDWARD , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
High Acres Western Expansion Landfill	Fairport , NY	Non-Hazardous Industrial/Commercial
ONEIDA-HERKIMER REGIONAL LANDFILL	BOONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ONTARIO COUNTY LANDFILL	STANLEY , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Seneca Meadows LF	Waterloo , NY	Non-Hazardous Industrial/Commercial

NOTE: By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the Environmental Conservation Law, all applicable regulations, and the General Conditions printed on the back of this page.

ADDRESS:

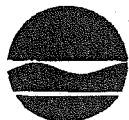
New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials - Waste Transporter Program
625 Broadway, 9th Floor
Albany, NY 12233-7253

AUTHORIZED SIGNATURE:



Date:

MAR 16 2010

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS**PART 364**
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211**PERMIT TYPE:**

-
- NEW
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- RENEWAL
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- MODIFICATION

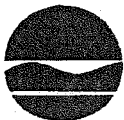
CONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294EFFECTIVE DATE: 04/06/2010
EXPIRATION DATE: 04/05/2011
US EPA ID NUMBER:**AUTHORIZED VEHICLES:**

The Permittee is Authorized to Operate the Following Vehicles to Transport Waste:

(Vehicles enclosed in <>'s are authorized to haul Residential Raw Sewage and/or Septage only)

7 (Seven) Permitted Vehicle(s)

NY 37824KA
NY 40172TR
NY 80430JU
NY AM21002
NY AM21003
NY AR74333
NY AV17248
End of List

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS**PART 364**
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211**PERMIT TYPE:**

-
- NEW
-
-
- RENEWAL
-
-
- MODIFICATION

CONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294EFFECTIVE DATE: 08/31/2010
EXPIRATION DATE: 04/05/2011
US EPA ID NUMBER:**AUTHORIZED WASTE TYPES BY DESTINATION FACILITY:**

The Permittee is Authorized to Transport the Following Waste Type(s) to the Destination Facility listed :

Destination Facility	Location	Waste Type(s)
Albany Rapp Road	Albany , NY	Non-Hazardous Industrial/Commercial
CHEMUNG LANDFILL LLC	ELMIRA , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
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Covanta Niagara, L.P.	Niagara Falls , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
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High Acres Western Expansion Landfill	Fairport , NY	Non-Hazardous Industrial/Commercial
ONEIDA-HERKIMER REGIONAL LANDFILL	BOONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ONTARIO COUNTY LANDFILL	STANLEY , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Seneca Meadows LF	Waterloo , NY	Non-Hazardous Industrial/Commercial

NOTE: By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the Environmental Conservation Law, all applicable regulations, and the General Conditions printed on the back of this page.**ADDRESS:**New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials - Waste Transporter Program
625 Broadway, 9th Floor
Albany, NY 12233-7253

AUTHORIZED SIGNATURE:

Date: 8/31/2010

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS



PART 364
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:

CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211

PERMIT TYPE:

- NEW
- RENEWAL
- MODIFICATION

CONTACT NAME: LAURA SZESNAT
 COUNTY: ALBANY
 TELEPHONE NO: (518)458-8294

EFFECTIVE DATE: 08/31/2010
 EXPIRATION DATE: 04/05/2011
 US EPA ID NUMBER:

AUTHORIZED VEHICLES:

The Permittee is Authorized to Operate the Following Vehicles to Transport Waste:

(Vehicles enclosed in <>'s are authorized to haul Residential Raw Sewage and/or Septage only)

8 (Eight) Permitted Vehicle(s)

- NY 21355PB
- NY 37824KA
- NY 40172TR
- NY 80430JU
- NY AM21002
- NY AM21003
- NY AR74333
- NY AV17248
- End of List

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALSPART 364
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:

CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211

PERMIT TYPE:

 NEW
 RENEWAL
 MODIFICATIONCONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294EFFECTIVE DATE: 12/28/2010
EXPIRATION DATE: 04/05/2011
US EPA ID NUMBER:

AUTHORIZED WASTE TYPES BY DESTINATION FACILITY:

The Permittee is Authorized to Transport the Following Waste Type(s) to the Destination Facility listed :

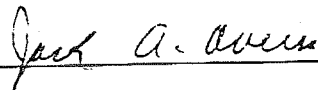
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Covanta Niagara, L.P.	Niagara Falls , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
DEEP GREEN OF NEW YORK	NEW WINDSOR , NY	Petroleum Contaminated Soil
ESMI OF NEW YORK	FORT EDWARD , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
High Acres Western Expansion Landfill	Fairport , NY	Non-Hazardous Industrial/Commercial
ONEIDA-HERKIMER REGIONAL LANDFILL	BOONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ONTARIO COUNTY LANDFILL	STANLEY , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Seneca Meadows LF	Waterloo , NY	Non-Hazardous Industrial/Commercial

NOTE: By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the Environmental Conservation Law, all applicable regulations, and the General Conditions printed on the back of this page.

ADDRESS:

New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials - Waste Transporter Program
625 Broadway, 9th Floor
Albany, NY 12233-7253

AUTHORIZED SIGNATURE:



Date: 12, 28, 2010

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF ENVIRONMENTAL REMEDIATION



PART 364
WASTE TRANSPORTER PERMIT NO. 4A-597

Pursuant to Article 27, Titles 3 and 15 of the Environmental Conservation Law and 6 NYCRR 364

PERMIT ISSUED TO:

CONSTANTINE CONSTRUCTION AND FARM, INC.
564 ALBANY SHAKER ROAD
LOUDONVILLE, NY 12211

PERMIT TYPE:

NEW
 RENEWAL
 MODIFICATION

CONTACT NAME: LAURA SZESNAT
COUNTY: ALBANY
TELEPHONE NO: (518)458-8294

EFFECTIVE DATE: 04/06/2011
EXPIRATION DATE: 04/05/2012
US EPA ID NUMBER:

AUTHORIZED WASTE TYPES BY DESTINATION FACILITY:

The Permittee is Authorized to Transport the Following Waste Type(s) to the Destination Facility listed :

Destination Facility	Location	Waste Type(s)
Albany Rapp Road	Albany , NY	Non-Hazardous Industrial/Commercial
CHEMUNG LANDFILL LLC	ELMIRA , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
CLINTON COUNTY LANDFILL	MORRISONVILLE , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Colonie (T) Sanitary Landfill	Cohoes , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Covanta Niagara, L.P.	Niagara Falls , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
DEEP GREEN OF NEW YORK	NEW WINDSOR , NY	Petroleum Contaminated Soil
ESMI OF NEW YORK	FORT EDWARD , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
High Acres Western Expansion Landfill	Fairport , NY	Non-Hazardous Industrial/Commercial
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ONTARIO COUNTY LANDFILL	STANLEY , NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Seneca Meadows LF	Waterloo , NY	Non-Hazardous Industrial/Commercial

NOTE: By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the Environmental Conservation Law, all applicable regulations, and the General Conditions printed on the back of this page.

ADDRESS:

New York State Department of Environmental Conservation
Division of Environmental Remediation - Waste Transporter Program
625 Broadway, 11th Floor
Albany, NY 12233-7020

AUTHORIZED SIGNATURE: _____

J. P. O'Connell

Date: 3/10/2012

NOTICE

PAGE 1 OF 2

This permit is not valid until the effective date listed on the permit

NYCRR PART 360 FACILITY OPERATING PERMIT
TPS TECHNOLOGIES SOIL RECYCLERS (DEEP GREEN)
FORMER PROVAN FORD SITE
146-172 MILL STREET
NEWBURGH, NEW YORK

Prepared for:

CITY OF NEWBURGH
CITY ENGINEER'S OFFICE
123 GRAND STREET (2ND FLOOR)
NEWBURGH, NY 12550

AND

FIRST ENVIRONMENT, INC.
91 FULTON ST
BOONTON, NJ 07005

Prepared by:

OP-TECH ENVIRONMENTAL SERVICES, INC.
150 ROTTERDAM INDUSTRIAL PARK
SCHENECTADY, NY 12306

OCTOBER 12, 2010



DEC PERMIT NUMBER

3-3348-00150-00001-0

FACILITY/PROGRAM NUMBER(S)

SW# 36-Z-02



PERMIT

Under the Environmental Conservation Law (ECL)

EFFECTIVE DATE

March 20, 2006

EXPIRATION DATE

March 19, 2011

TYPE OF PERMIT (Check All Applicable Boxes)

 New
 Renewal
 Modification
 Permit to Construct
 Permit to Operate

<input type="checkbox"/> Article 15, Title 5: Protection of Water	<input type="checkbox"/> Article 17, Titles 7, 8: SPDES	<input type="checkbox"/> Article 27, Title 9: 6NYCRR 373: Hazardous Waste Management
<input type="checkbox"/> Article 15, Title 15: Water Supply	<input type="checkbox"/> Article 19: Air Pollution Control	<input type="checkbox"/> Article 34: Coastal Erosion Management
<input type="checkbox"/> Article 15, Title 15: Water Transport	<input type="checkbox"/> Article 23, Title 27: Mined Land Reclamation	<input type="checkbox"/> Article 36: Floodplain Management
<input type="checkbox"/> Article 15, Title 15: Long Island Wells	<input type="checkbox"/> Article 24: Freshwater Wetlands	<input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control
<input type="checkbox"/> Article 15, Title 27: Wild, Scenic & Recreational Rivers	<input type="checkbox"/> Article 25: Tidal Wetlands	<input type="checkbox"/> Other _____
<input type="checkbox"/> 6NYCRR 608: Water Quality Certification	<input checked="" type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management	

PERMIT ISSUED TO TPS Technologies Soil Recyclers of New York Inc.		TELEPHONE NUMBER (845) 562-8778
ADDRESS OF PERMITTEE 1185 Deer Lake Circle, Apopka, FL, 32712		
CONTACT PERSON FOR PERMITTED WORK Blair W. Dominiak, Mgr. Regulatory Compliance		TELEPHONE NUMBER (407) 814-0963
NAME AND ADDRESS OF PROJECT/FACILITY TPST Soil Recyclers of New York Inc.		
LOCATION OF PROJECT/FACILITY 1106 River Road, New Windsor, NY 12550		
COUNTY Orange	TOWN New Windsor	WATERCOURSE/WETLAND NO. N/A
NYTM COORDINATES E: N: 4		
DESCRIPTION OF AUTHORIZED ACTIVITY The applicant is authorized to continue to operate a stationary Soil Remediation Unit (SRU) for the remediation of petroleum contaminated soils (PCS) at the 4.44 acre site at 1106 River Road, New Windsor, NY, in accordance with all the terms and conditions of this permit.		

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (See Page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR Michael D. Merriman	ADDRESS 21 South Putt Corners Rd., New Paltz NY 12561	MDM
AUTHORIZED SIGNATURE <i>Michael D. Merriman</i>	Date	Page 1 of 10

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee 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.

GENERAL CONDITIONS

General Condition 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.

General Condition 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.

General Condition 3: Applications for Permit Renewals or Modifications

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 or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least:

- a) 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); and
- b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 3
21 South Putt Corners Road, New Paltz, NY, 12561, (845) 256-3054

General Condition 4: Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit in accordance with 6 NYCRR Part 621. 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.



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

A. REQUIRED SUBMITTALS, REPORTING, AND RECORD KEEPING

1. Unless otherwise specified, all submissions required by this permit shall be submitted as follows:

Two copies: New York State Department of Environmental Conservation
Regional Solid & Hazardous Materials Engineer
21 South Putt Corners Rd.
New Paltz, New York 12561-1620

One copy: New York State Department of Environmental Conservation
Division of Solid and Hazardous Materials
625 Broadway, 9th Floor
Albany, New York 12233-7258

2. The permittee shall obtain prior approval from the Department for any new construction or any work which will result in a modification of the facility or any major component of the facility. Prior approval is not required for the repair or replacement of a facility component provided that such repair or replacement does not result in a modification of the facility, any major component of the facility or permitted operation at the facility. For the purpose of this permit condition, modifications requiring prior department approval shall include but not be limited to the following types of work:
- a) Addition or removal of a major facility component which is used for processing, treatment, storage or testing of petroleum contaminated soil or any associated air emissions control equipment. Major facility component is defined as but not limited to, such items as the burner, the after-burner, the baghouse, the rotary drum or the building housing these components;
 - b) Replacement of any major facility component as identified in item (a) above where the replacement component or part is not identical to the original component or part in its rated capacity, size, physical dimensions; or
 - c) Repairs to major facility components as identified in item (a) above which will result in a change in the rated capacity, size, physical dimensions.

NOTE: Emergency repairs to facility components which result in a modification as defined above are undertaken at the risk of the permittee unless prior written approval is granted by the Department. The permittee shall restore the facility to its previously approved configuration if directed to do so by the Department in the time-frame specified by the Department.

3. Within 90 days from the effective date of this permit renewal, the permittee shall submit an updated Operations and Maintenance Manual (O&M) and Contingency Plan, prepared, stamped and signed by a professional engineer licensed to practice in the State of New York, which has been updated to reflect current operating conditions and practices and which is acceptable to the Department. After Department review, the Permittee shall revise, if required, the O&M and Contingency Plan to address in an approvable manner, any Department comments within thirty (30) days after receipt of comments. The Permittee shall carry out all facility operations in accordance with the approved O&M and Contingency Plan.



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

4. For each end use or purchase of Categories A and B, (as defined in Table 5) of remediated petroleum-contaminated soil (PCS) from the facility, the Permittee must obtain from the purchaser/user of the product, a completed and signed "Purchaser/User Notification" form which corresponds to the sample form provided in Attachment #3 of this Permit. The Permittee must obtain this completed form prior to delivery of the remediated PCS and keep the form on file at the facility a minimum of seven (7) years. Completed forms must be available to Department staff for review during facility inspections and must be supplied to the Department upon request. Forms to be used other than Attachment #3 must receive Department approval prior to use.
5. Analytical results for pre-acceptance and post-treatment testing, daily quantities of PCS received, treated soil disposition log, daily summary reports, rejected load records, unauthorized waste log, self inspection log (including problem identification and corrective measures reports), annual reports, complaint log, completed "Purchaser/User Notification" forms, completed Tracking Documents, completed "Generator Waste Profile Sheets" and all pertinent records must be kept on the site for a minimum period of seven years or as otherwise specified in this permit. A copy of this permit, along with all maps and documents mentioned in these Special Conditions, the aforementioned records, and all other pertinent records must be available at the project site for inspection by NYSDEC during facility operating hours.
6. The Permittee shall notify the Regional Solid & Hazardous Materials Engineer (RSHME) if material other than that which is listed in Special Condition #14 is found in the waste after acceptance. If the PCS is determined by testing and/or analysis to be unacceptable, it shall be disposed of at a NYSDEC authorized disposal facility or returned to the point of generation unless precluded by law. It shall be the responsibility of the Permittee to recover and properly dispose of all PCS if it is determined to be unacceptable after it has been unloaded at the facility.
7. If a load of PCS is rejected from the facility due to information indicating that the load may contain a listed hazardous waste, the facility operator must notify the RSHME within 2 hours by telephone or fax and within 5 days in writing of the situation.
8. The Permittee must report any uncontrolled releases of contaminants from the facility immediately upon discovery of the release to:
 - i. The NYSDEC Hazardous Release Hotline at 1-800-457-7362 or 518-457-7362 for spills of petroleum products or hazardous materials.
 - ii. The National Response Center at 1-800-424-8802 for spills of hazardous substances.
 - iii. Local fire officials for a fire or explosion at the unit.
 - iv. The appropriate DEC Regional Air Pollution Control Engineer for any air contaminant releases which exceed the permitted limits.
9. An annual report must be submitted no later than March 1st following each year of operation, on forms acceptable to the department. This report must contain:
 - ✓ a. the total annual amount of PCS received by weight or volume, compiled by waste type; ✓
 - ✓ b. the total quantity of PCS received during each quarter; ✓
 - ✓ c. the origin of the PCS for each incoming category (i.e. residential, industrial/commercial, agricultural); ✓
 - ✓ d. the destination of treated soil for each load shipped from the facility; ✓



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

- ✓e. the weight or volume and grade of treated soil transported off-site;
 - ✓f. the weight or volume and destination of solid waste transported off-site;
 - ✓g. the results of the facility tipping floor inspection;
 - h. any changes or unusual occurrences in the operation that have occurred in the previous year; and
 - I. an updated closure cost estimate.
10. The permittee shall notify the RSHME immediately (within 2 hours by telephone or fax and within 5 days in writing of the situation) of any emergency situations such as, but not limited to fires, receipt of hazardous waste, spills or a prolonged halt to operation of the facility. These incidents must be documented in the facility's annual report.
11. The permittee shall keep a separate log of the date and time of all complaints received by any employee of this facility. The log shall indicate:
- 1) Complainant's name and address;
 - 2) A description of the complaint;
 - 3) Comments from the complainant;
 - 4) Weather conditions; and
 - 5) What actions the permittee took to investigate and address the complaint.

The permittee shall, within 2 hours, inform the RSHME via fax at (845)255-3414 (or early the next business day) of all complaints, to allow the Solid Waste staff to investigate the problem. Documentation must be available for review at the Department's request. Any operational changes deemed necessary by the Department must be followed. The Department may require modification to the design and operation of the facility to alleviate such problems, if they arise, per 6 NYCRR Part 621.14.

B. GENERAL FACILITY OPERATION REQUIREMENTS

12. Receipt of any solid waste other than PCS is prohibited, unless prior written approval by the Department is granted. Incidental solid waste segregated from the accepted PCS, shall be stored on-site in containers for recycling or off-site disposal. Storage of such incidental wastes shall be limited to a maximum of sixty days.
13. All leachate collected in the leachate collection system will be properly disposed of in accordance with all Federal, State and Local requirements. Re-circulation of leachate is prohibited.
14. The facility is approved to process non-hazardous PCS which falls within the approved limits of contamination with petroleum products listed in Table 1, maximum Total Petroleum Hydrocarbons (TPH) contamination limit as specified by the Article 19, Title 5 Air Permit, and which is contaminated only with the following Petroleum products: #1 thru #6 Fuel Oil, Kerosene, Diesel Fuel, Gasoline, and Jet Fuel, lubricating oils and petroleum based waste oil as defined in 6 NYCRR Part 360.
15. The permittee shall operate the facility in accordance with, but not limited to Part 360-1.11, and Part 360-1.14:
- a) The conditions of this permit;
 - b) Applicable provisions of State; Federal; Article 27, Title 6 NYCRR Part 360 Solid Waste Management Facilities Regulations; Article 19 (Air Pollution control); Article 17 (SPDES); and



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

- c) To the extent that there is no conflict with either (a) or (b), above, the approved Operation & Maintenance Manual, dated October 5, 1995 and entitled "Consolidated Permit Application and Operation & Maintenance Manual for Soil Recycling Facility" and subsequent revisions as approved by the Department. (See Special Condition #3)

Note: Any substantive revisions to the above approved documents or to the operations at the site requires prior written approval from the Department.

16. The hours for receiving soil shipments at the facility are limited to the period from 6:00 a.m. to 6:00 p.m., Monday through Saturday. The facility may operate for a maximum of 21 hours per day Monday through Saturday, and may not process more than 525 Tons of PCS per operating day at rate not to exceed 25 tons per hour. This capacity shall be checked by the facility on a monthly basis and may be reduced by the Department in accordance with the procedures for permit modification in 6 NYCRR Part 621.4 if deemed necessary to ensure adequate treatment or mitigate environmental impacts.
17. Transport of PCS to and from the facility shall meet applicable requirements of 6 NYCRR Part 364 [unless otherwise approved by the Department under a Beneficial Use Determination (BUD)] as set forth in the NYSDEC STARS Memo #1, Petroleum Contaminated Soil Guidance Policy, August 1992.
18. Safety hazards to all persons at the facility shall be minimized at all times.
19. Adequate personnel shall be on-site to maintain proper operation of the facility at all times.
20. Access to and use of the facility shall be controlled by fencing, gates, and signs. A sign must be posted at all access points stating the hours of operation and the types of PCS waste accepted at the facility.
21. The loading/unloading of PCS must occur only on designated areas. Each dumped load must be visually inspected on the staging area, to ensure that no hazardous waste (as defined by 6 NYCRR Part 371), is brought with the load. Thereafter, each trailer load dumped on the staging area shall be cleared off and placed in the storage area before the end of the day. All accepted PCS at the facility must be handled, stored and contained on impervious surfaces.
22. Over the course of each calendar year, the entire facility floor shall be inspected by the facility staff and Department personnel to determine the condition of same. This inspection must be documented (including photos) and the results of the inspection submitted to the Department for review. In addition to the annual floor inspection, the permittee shall clear portions of the tipping floor for inspection at other times as directed by the Department. TPST staff shall ensure that the floor is maintained in an impervious condition in between the annual inspections.

If it is determined that repairs are necessary, the operator shall carry out repairs in accordance with a plan and schedule submitted to and approved by the Department. This plan must be prepared by a Professional Engineer licensed to practice engineering in New York State.

23. Water spray or tarps must be used as necessary for suppressing dust from remediated soil. All remediated soil must be confined to designated storage areas.



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

C. WASTE ACCEPTANCE CRITERIA

24. The facility shall accept only non-hazardous petroleum-contaminated soil which has been tested in accordance with the requirements of special condition # 26, below, and which does not contain contaminants at levels which exceed the maximum allowable concentrations listed in Table 1 of this permit. For the purposes of this permit, petroleum-contaminated soil means soil which has been contaminated with one or more of the following petroleum products only: #1 thru #6 Fuel Oils; Kerosene; Diesel Fuel; Gasoline; Jet Fuel; Lubricating Oils; and Waste Oil as defined in 6 NYCRR Part 360.
25. The facility operator shall not accept a load of petroleum-contaminated soil unless adequate documentation is available to show that the material accepted is not a hazardous waste and that the hazardous waste determination has been carried out in accordance with the requirements of 6 NYCRR Part 372.2(a)(2). For waste material generated from sources other than a residential property, that documentation shall include, at a minimum, a completed Generator Waste Profile Sheet (Attachment 1 of this permit), with attached test results, where applicable, a certification by the Generator, that the waste in question is a non-hazardous waste; and a Soil Tracking Form (Attachment 2 of this permit).
26. All petroleum-contaminated soil accepted at the facility shall be tested to ensure that contaminant levels do not exceed the maximum allowable concentrations listed in Table 1 of this permit. Testing shall be carried out in accordance with the following requirements:
- For each source of petroleum-contaminated soil which is accepted, an adequate number of representative samples shall be collected for analysis in accordance with the requirements specified in Table 1. The minimum number of samples shall conform with the following: one sample for a volume less than 100 cy; two samples for a volume between 100 and 200 cy; three samples for a volume between 200 and 500 cubic yards and, for volumes over 500 cubic yards, 3 samples for the first 500 cy plus one additional sample for each additional 500 cy or portion thereof.
 - Each sample of petroleum-contaminated soil collected shall be a composite sample made by combining a minimum of 3 individual grab samples taken from varying depths and at equally spaced locations which are chosen to provide a representative composite sample.
 - All analyses must be conducted by a laboratory currently certified under the appropriate approval categories by the New York State Department of Health's Environmental Laboratory Approval Program (ELAP). Test methods used shall conform with USEPA SW-846. The analytical results must be signed by the laboratory.
 - ~~Parameters to be tested and maximum allowable contaminant concentrations for all petroleum-contaminated soil accepted at the facility shall comply with the requirements set forth in the attached Table 1.~~

D. WASTE TREATMENT & STORAGE REQUIREMENTS

27. The maximum on-site storage capacity of unprocessed PCS is limited to: 7500 cubic yards (11250 tons), stored in the designated area inside the building. The maximum on-site storage capacity of processed cleaned soil shall be 3665 cubic yards (5498 tons) stored in the assigned storage area.



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

28. All PCS storage must be within the building.
30. All accepted PCS must be treated only in the Soil Remediation Units (SRUs) designed for this purpose. PCS may be mixed with other PCS to support treatment. No PCS may be mixed with clean soil to reduce contamination levels.
31. After exiting the SRU, sample(s) must be collected from the treated PCS. The treated PCS shall be transported to the soil holding bins located on the eastern end of the facility while awaiting the results of the laboratory analysis to determine requirements for beneficial use, disposal or further treatment.

E. TESTING REQUIREMENTS FOR TREATED WASTE

32. All treated petroleum-contaminated soil shall be tested in accordance with the following requirements:
 - a) A minimum of one (1) composite sample shall be collected for each 750 tons, or for each 500 cubic yards, of petroleum-contaminated soil which is treated. Each composite sample shall consist of 5 (five) grab samples collected directly from the discharge end of the SRU or from the treated soil stockpile prior to it being mixed with previously treated soil. Grab samples shall be taken from the discharge end of the treatment unit at regular time intervals so that the resulting composite sample is representative of the entire batch of treated soil and will reflect any variability which occurs during the treatment process.
 - b) Each composite sample of treated petroleum-contaminated soil which is collected shall be subjected to the analyses listed in Table 2.
 - c) Unless otherwise approved by the Department in writing, all analyses must be conducted by a laboratory currently certified under the appropriate approval categories by the New York State Department of Health's Environmental Laboratory Approval Program (ELAP). Test methods used shall conform with USEPA SW-846. The analytical results must be signed by the laboratory.

F. CRITERIA FOR RE-USE OF TREATED WASTE

33. The suitability of petroleum contaminated soil for re-use shall be determined by comparing the analytical results to the criteria listed in Table 3. Soils which do not meet these criteria are not suitable for re-use and must be subjected to further treatment and testing or disposed of at an authorized solid waste management facility. The decision making process to be followed to determine whether treated soils meet criteria for re-use, further testing or disposal is outlined in Figure 1. Soils which meet criteria (Table 3) for re-use based on testing for organic compounds, must be placed into an appropriate re-use category based on metals analysis in accordance with the criteria of Table 4.

33. For soils which meet the re-use criteria in Tables 3 and 4, acceptable re-use options shall be as defined in Table 5.

G. CRITERIA FOR MATERIALS SEPARATED FROM PCS

35. Inert debris (rock, stone, concrete, brick, asphalt pavement) segregated from PCS after screening for equivalent spherical diameters equal to or greater than 2 inches shall be cleaned of any residue of petroleum contaminated soil, as per STARS Memo #1. Inert debris cleaned in such a manner are not categorized as industrial waste and may be disposed of as construction and demolition debris (C&D) in accordance with



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

Part 360. Inert debris that cannot be adequately separated from PCS, shall be handled as industrial waste in accordance with Part 360 & 364 requirements.

Any other waste that is contaminated with petroleum or has petroleum contaminated soil (PCS) adhering to it, is considered an industrial waste and must be disposed at a facility authorized to accept industrial waste. However, these materials may be disposed at any facility that is authorized to accept municipal solid waste provided that they are free of petroleum contamination and sufficiently cleaned of all adhering PCS prior to transportation from TPST. None of this waste material, regardless of condition, can be considered C&D debris and it therefore cannot be disposed at a facility authorized to accept only C&D.

H. FACILITY CLOSURE & FINANCIAL ASSURANCE REQUIREMENTS

36. Unless this permit is renewed, the permittee shall close the site prior to the expiration date of this permit or prior to the expiration of any renewals of this permit in accordance with the closure requirements in 6NYCRR Part 360-1.14(w).
37. Within 45 days of the completion of the closure activities, the permittee shall submit to the RSWE a certification, prepared and stamped by a Professional Engineer licensed to practice engineering in the State of New York, that the facility has been closed in accordance with 6NYCRR Part 360-1.14 (w) and certifying that the need for further maintenance or corrective actions is minimized and that adverse environmental or health impacts such as, but not limited to, contravention of surface water and groundwater quality standards, gas migration, odors and vectors is prevented or remedied.
38. The estimated costs of the closure plan must be amended and submitted to the Department whenever changes in operating plans or facility design affect the closure plan, or whenever there is a change in the expected year of closure. In accordance with Special Condition # 9, the cost estimate shall also be adjusted as necessary for inflation or other factors on an annual basis.
39. In accordance with 6NYCRR Part 360-1.12 and Part 373-2.8 of this title, the permittee shall maintain with the Department a form of Financial Assurance along with an original duplicate Standby Trust Agreement or an Escrow Agreement acceptable to the Department, in the amount of the latest annual Department approved closure/post closure cost estimate, currently established at \$ _____ (See Special Condition #9i). Such Financial Assurance document shall clearly state any expiration date, if any, as assigned by the issuing institution. Neither the provision of the Financial Assurance, nor any act of the Department in drawing upon the financial funding, shall relieve the permittee of it's obligation to comply with this permit and the requirements to close the facility properly. The surety shall be in a form acceptable to the Department, and be submitted to:

Regional Solid & Hazardous Materials Engineer

21 South Putt Corners Road

New Paltz, New York 12561-1620

The amount is based on the estimated cost of closing the facility, along with any post closure monitoring requirements.

40. The Department reserves the right to adjust the amount of the Financial Assurance to account for changing closure costs and for non-compliance with any conditions of this permit or any requirement of Part 360.



SPECIAL CONDITIONS

For Article 27 Title 7; 6NYCRR Part 360 (Solid Waste Management Facility)

41. Termination. In the event that the financial institution proposes to terminate the Financial Assurance at any time, the permittee shall, no less than thirty days prior to the effective date of such termination, provide a substitute Financial Assurance in the same amount and form, or other form acceptable to DEC. If an acceptable substitute has not been provided by thirty days prior to the termination date, DEC may draw upon the Financial Assurance for its amount and hold the amount drawn as a cash collateral guarantee until such time as an acceptable substitute is provided or if necessary during the time prior to the provision of a substitute Financial Assurance, may expend such sums as may be required in the event of the permittee's default of its obligations regarding compliance with this permit, the Permit to Operate this facility or its closure.

I. MISCELLANEOUS REQUIREMENTS

42. Due to pre-existing, on-site contamination of soil and groundwater, the Permittee is required to monitor groundwater in accordance with the Stipulation Agreement executed on 8/29/95 and any attachments related to; until further notice/requirements from the Division of Environmental Remediation, Spill Response & Remediation.
43. Failure of the Permittee to meet any of the conditions of this permit is a violation of this permit and is sufficient grounds for an order to immediately cease the permitted activity at the project site. The Department will provide proper notification of any order to cease the permitted activity.

J. ON-SITE MONITOR

44. The Department expressly reserves the right to initiate a proceeding at a later time to modify this permit to include an On-site Environmental Monitor (OSEM) if the Department should make a determination that an OSEM is appropriate. At this time, the Department has not made any determination as to whether an OSEM is an appropriate requirement for the activities authorized by this permit. Issuance of this permit does not constitute a determination that circumstances associated with the activities authorized by this permit do not warrant the requirement of an OSEM. In the event that the Department should initiate a permit modification proceeding to require an OSEM, the Permittee shall have the right to submit a written statement objecting to the proposed modification and/or requesting a hearing, as provided by 6NYCRR Part 621.14(d).

STATE ENVIRONMENTAL QUALITY REVIEW

Under the State Environmental Quality Review Act (SEQR), this project has been determined to be a Type II Action (a renewal) and therefore is not subject to further procedures under this law.

Enc: Attachments #1, #2, #3; Tables 1, 2, 3, 4, 5; Figure 1

Distribution:

cc (w/ enclosures): K. Grzyb; F. Kelly; S. Parisio; S. Menrath, DSW, Albany

cc (w/o enclosures): M. Moran; M. Duke; P. John, DSM, R. Stanton; L. Meyerson

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS



**PART 364
WASTE TRANSPORTER PERMIT NO. 4A-503**

Pursuant to Article 27, Titles 5 and 15 of the Environmental Conservation Law and 6 NYCRR 239

PERMIT ISSUED TO:

FIACCO TRUCKING
35 KUHL BOULEVARD
WYNANTSKILL, NY 12198

PERMIT TYPE:

- NEW
- RENEWAL
- MODIFICATION

CONTACT NAME: EUGENE FIACCO
COUNTY: RENSSELAER
TELEPHONE NO: (518)283-4568

EFFECTIVE DATE: 10.27.2010
EXPIRATION DATE: 10.26.2011
US EPA ID NUMBER:

AUTHORIZED WASTE TYPES BY DESTINATION FACILITY

The Permittee is Authorized to Transport the Following Waste Type(s) to the Destination Facility listed.

Destination Facility	Location	Waste Type(s)
Albany Rapp Road	Albany, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Chemung County Sanitary Landfill	Chemung, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
CLINTON COUNTY LANDFILL	MORRISONVILLE, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Colonie (T) Sanitary Landfill	Cohoes, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Covanta Niagara L.P.	Niagara Falls, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
ESMI OF NEW YORK	FORT EDWARD, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
High Acres Western Expansion Landfill	Fairport, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
HYLAND LANDFILL	ANGELICA, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil Sludge from Sewage or Wastewater Treatment Plant
ONEIDA-HERKIMER REGIONAL LANDFILL	BROCKVILLE, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Soil
Ontario County Sanitary Landfill	Stanley, NY	Non-Hazardous Industrial/Commercial

*** AUTHORIZED WASTE TYPES BY DESTINATION FACILITY LISTING (continued on next page) ***

NOTE: By acceptance of this permit, the permittee agrees that the permit is not to be used in strict compliance with the Environmental Conservation Law, all applicable regulations, and the General Conditions provided on the back of this page.

ADDRESS: New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials - Waste Transporter Program
625 Broadway, 9th Floor
Albany, NY 12233-7253

AUTHORIZED SIGNATURE: *[Signature]*

NOTICE

This permit is not valid until the effective date listed on the permit

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
DIVISION OF SOLID & HAZARDOUS MATERIALS



PART 364
WASTE TRANSPORTER PERMIT NO. 4A-503

Pursuant to Article 27, Titles 5 and 15 of the Environmental Conservation Law and 3 NYCRR 134

PERMIT ISSUED TO:

FIACCO TRUCKING
35 KUHL BOULEVARD
WYNANTSKILL, NY 12198

PERMIT TYPE:

- NEW
 RENEWAL
 MODIFICATION

CONTACT NAME: EUGENE FIACCO
COUNTY: RENSSELAER
TELEPHONE NO: (518)283-4563

EFFECTIVE DATE: 10/27/2010
EXPIRATION DATE: 10/26/2011
US EPA ID NUMBER

AUTHORIZED WASTE TYPES BY DESTINATION FACILITY: (Continued)

The Permittee is Authorized to Transport the Following Waste Types to the Destination Facility listed

Destination Facility	Location	Waste Type(s)
Ontario County Sanitary Landfill	Stanley, NY	Petroleum Contaminated Sol
SENECA MEADOWS LANDFILL	WATERLOO, NY	Non-Hazardous Industrial/Commercial Petroleum Contaminated Sol