

STATE ENVIRONMENTAL QUALITY REVIEW
POSITIVE DECLARATION
NOTICE OF DETERMINATION OF SIGNIFICANCE and
INTENT TO PREPARE A DRAFT EIS
DEC APPLICATION NUMBER 9-0232-00003/00002

This notice is issued pursuant to Part 617 of the State regulations for Article 8 (the State Environmental Quality Review Act - SEQR) of the Environmental Conservation Law.

The Department of Environmental Conservation (the Department), as SEQR Lead Agency, has determined that the proposed action described below may have a significant effect on the environment and that a Draft Supplemental Environmental Impact Statement will be prepared after scoping.

TITLE OF ACTION:

Hyland Facility Associates
Hyland Landfill Expansion
Town of Angelica, Allegany County

PERMIT JURISDICTION:

NYS Department of Environmental Conservation jurisdiction includes permits required by Environmental Conservation Law Article 27, Title 7 (Solid Waste Management) and Article 19 (Air Pollution Control) and Article 17 (Water Pollution Control).

SEQR STATUS: Type I Action

Applicable Threshold: The physical disturbance and alteration of more than 10 acres of land for a purpose other than constructing residential structures.

DESCRIPTION OF ACTION:

Hyland Facility Associates has applied for a Solid Waste Management Facility permit modification for a lateral and vertical expansion of the Hyland Landfill in the Town of Angelica, Allegany County. The proposal includes an additional 107 acres of landfill footprint and a height increase of 120 feet at the top. The expansion would extend the life of the landfill by about 25 to 30 years and would increase the annual disposal rate from 465,000 to 1,000,000 tons per year. Other project components include: leachate storage facilities, stormwater ponds, 37 acre soil borrow area and a truck lane on Peacock Hill Road from Interstate 86 to the landfill entrance.

LOCATION:

The Hyland Landfill facility is located at 6653 Herdman Road, Angelica, New York 14709, south of the Village of Angelica and Interstate 86.

REASONS SUPPORTING THIS DETERMINATION:

During review of this project, the Department identified the following significant and/or

potentially significant adverse environmental impacts:

1. The lateral expansion of the landfill will require excavation of surface and subsurface soils for on-site construction and to obtain liner and cover materials, which may result in significant impacts on land in the area. The proposed borrow areas may also result in potentially significant impacts on land.
2. The height increase of the landfill area over the existing landfill may create additional weight on top of existing landfill cells, potentially causing uneven settlement and problems with the liner and drainage systems.
3. The landfill expansion has the potential to cause increased runoff and erosion. There may be adverse water quality impacts to waters and wetlands associated with the proposed landfill construction and operation. The hydrogeological impacts must be evaluated, and potential mitigation of adverse impacts considered. Avoidance and mitigation measures to reduce impacts to water resources and wetlands will be evaluated.
4. Potential significant impacts to air quality and climate change could result from increased landfill gas production, truck traffic and fugitive dust emissions. Mitigative measures must be thoroughly evaluated and may be able to reduce those potential impacts.
5. The additional landfill and mining areas may create potentially significant noise and odor impacts from construction and operation. These impacts must be adequately considered.
6. There are potentially significant impacts to wildlife habitat resulting from the lateral expansion and mitigation measures must be reasonably evaluated.
7. Impacts on visual resources may be significant and possible mitigation measures must be evaluated. In addition, any potential impacts on historical/archaeological impacts must be thoroughly investigated and evaluated.
8. The landfill expansion will extend the period of time roads are subjected to truck traffic. Also, the proposed increase in the waste acceptance rate will generate traffic beyond that experienced by existing landfill operations. These are potentially significant impacts that require appropriate evaluation.
9. Impacts to local community services such as fire protection, public water supply and wastewater treatment (i.e. leachate), are significant potential environmental impacts that need to be analyzed.
10. The impact upon the adjacent agricultural district must be fully evaluated and mitigation measures analyzed.

The Department of Environmental Conservation, therefore, concludes that the project may have a significant effect on the natural resources of the State and/or the health, safety and welfare of the public and may not be consistent with social and economic considerations.

Therefore, a Draft Supplemental Environmental Impact Statement will be prepared. In reaching this decision, the Department carefully considered the "Criteria" for Determination of Significance listed in the SEQR Regulations (6 NYCRR 617.7).

FOR FURTHER INFORMATION:

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Date: December 28, 2021

David S. Denk

David Denk
Regional Permit Administrator

cc: Environmental Permits (SEQR File)
Environmental Notice Bulletin
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Melanie Stein, P.E., Region 9 Division of Water
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The Honorable Robert Jones, Town of Angelica
Ms. Sherri Presutti, Town of Angelica Clerk
The Honorable Robert Claypool, Village of Angelica
Ms. Karen Herdman, Village of Angelica Clerk
Mr. Larry Shilling, Hyland Facility Associates
Michael Mann, P.E., McMahon and Mann Cons. Eng. And Geo. P.C.