

# **FACILITY MANUAL**

## **C&D Transfer Station**

Peconic Environmental Services Corp.  
Medford, New York

H2M Project No.  
GSRC1901

August 2020

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### **Prepared for:**

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Medford, New York 11763

Facility Location  
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Medford, New York 11763

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Peconic Environmental Services Corp.  
Medford, New York  
Construction and Demolition Debris Transfer Station

## FACILITY MANUAL

Project: C&D Transfer Station  
Address: 100 Peconic Avenue, Medford, NY 11763  
Applicant: Peconic Environmental Services Corp  
SCTM No. 200-736-2-8.3

### a. WASTE CONTROL PLAN

#### i. FACILITY SERVICE AREA

Residential and commercial construction projects in Suffolk County, Nassau County and New York City.

#### ii. WASTE CHARACTERIZATION

Accepted waste at the site shall consist of Construction & Demolition Debris consisting mainly of, but not limited to the following elements:

- |   |                      |
|---|----------------------|
| a. Asphalt products; roofing, pavements | h. Insulations       |
| b. Brick & masonry materials            | i. Metals            |
| c. Concrete                             | j. Plumbing fixtures |
| d. Electrical equipment                 | k. Stone             |
| e. Glass                                | l. Wood              |
| f. Gypsum, plaster, wall coverings      |                      |
| g. Heating equipment                    |                      |

in addition to the C&D Debris material noted above, the facility will accept and comingle the following materials with the C&D

- a. Auto Recycling Residue
- b. Carpeting

The basis of the facility design is:

|                       |                      |
|-----------------------|----------------------|
| Work days/year        | 304                  |
| C&D density (CY/ton): | 3.75                 |
|                       | Permitted<br>Maximum |
| Tons/day              | 1,938.00             |
| CY/day                | 7,268                |
| Tons/year             | 589,152              |
| CY/year               | 2,209,320            |

iii. STANDARDS OF ACCEPTANCE

C&D acceptability shall be determined by visual inspection. In the event that facility staff are unsure if the waste is acceptable for the facility, NYSDEC shall be contacted for guidance. All loads entering the facility shall be visually inspected and monitored to identify unauthorized wastes.

Waste identified in Section ii above shall be accepted. Wastes not accepted at the property include: Regulated Medical Waste (RMW), Hazardous Waste including Hazardous Material Spills and Radioactive Waste.

iv. DISPOSAL LOCATIONS

C&D accepted at the site shall be transferred to one of two (2) Subtitle D Landfills located in Ohio:

- a. Sunny Farms Landfill in Fostoria, OH

Routing

NYA-FPONJ-CSXT-CLMBO-CUOH

Carriers

New York & Atlantic Railway (NYA)

CSX Railway (CSXT)

Columbus and Ohio River Railroad (CUOH)

- b. Tunnel Hill Reclamation in New Lexington, OH

Routing

NYA-FPONJ-CSXT

Carriers

New York & Atlantic Railway (NYA)

CSX Railway (CSXT)

v. AUTHORIZED WASTE PROGRAM

Peconic Environmental Services shall institute, maintain, and enforce a waste acceptance plan. Components of this plan shall include, but not be limited to, the following measures to ensure that only authorized waste is accepted at the facility:

- a. Clear, legible signs shall be posted at all public access points indicating hours of operation and the types of waste accepted and not accepted
- b. Incoming loads of waste shall be inspected
- c. Contracts with waste suppliers shall specify which types of waste are authorized to be accepted at the facility
- d. A sign will be posted, in a conspicuous location, stating that mercury-added thermostats are not accepted at the facility.
- e. Prepare and distribute educate material to customers on the proper methods for the management of electronic waste, including:
  - Providing written information annually to all users of the facility on the proper methods of recycling electronic waste
  - Maintaining written information on-site and upon request, providing the information to users of the facility
  - Posting, in conspicuous locations at the facility, signs stating that electronic waste cannot be disposed of at the facility

vi. UNAUTHORIZED WASTE PROGRAM

In order to detect, discourage and prevent the receipt of hazardous wastes at the site, facility staff shall:

- a. Perform random inspections of incoming loads



- b. Perform inspections of suspicious loads
- c. Keep accurate records of inspections
- d. Notify the proper authorities if a hazardous waste is discovered in a load
- e. Manage the discovered hazardous waste as outlined below:

Any unauthorized waste shall be identified and separated from the construction and demolition debris. If unauthorized waste is delivered to the facility, it shall be segregated, secured, and contained in order to prevent leakage or contamination of the environment. It shall be removed within seven (7) days after receipt. Transportation shall be performed by a company authorized to transport the waste, and disposition shall be to a facility authorized to receive the waste.

If the facility accepts unauthorized waste, a record of the incident identifying the type of waste and its final disposition shall be prepared. These incident reports shall be made part of the annual facility report. For each incident, the information shall be recorded:

- The date and time
- A description of the incident
- Contact and vehicle information for the waste transporter that delivered the unauthorized waste
- Contact information for the generator of the unauthorized waste; and
- A description of the response to the incident and the disposition of the waste

vii. ADDITIONAL REQUIREMENTS

Not applicable to this site

viii. FRIABLE ASBESTOS

Friable Asbestos shall not be accepted at this facility

**b. OPERATIONS & MAINTENANCE PLAN**

**i. OPERATION OF FACILITY**

The site shall have three (3) buildings when complete including:

- a. One small existing 514 square foot building shall be retained and used for security and monitoring the flow of vehicles into and out of the site.
- b. A large new building with 38,755 square feet of space shall be constructed to house the transfer operations. The building shall be large enough to allow trucks that bring debris to the facility to off load the material completely within the building.
- c. A third building will function as a scalehouse and shall be constructed immediately adjacent to and be attached to the large transfer operations building. From this building, two scales shall weigh the incoming trucks carrying material and weigh them again before they leave the site thereby determining the weight of the material left at the site.
- d. The facility is designed to accept large volumes of C&D delivered via on-road trucks and transfer the C&D onto rail cars for the efficient removal off of Long Island via railroad and ultimate disposal at Subtitle D Landfills.
- e. In the unlikely event railroad access is interrupted; the facility shall have the ability to load C&D onto on-road tractor trailers and remove from the site. It is not the intention of this application to store waste in the event of rail disruption. The operation will switch to loading tractor trailers. Tractor trailers will enter the transfer station building from the west door and stop along the south side of the tipping floor. They will get loaded with the onsite equipment and exit via the east door.
- f. The site shall have dedicated ingress approaches via one existing curb cut on the western property which shall be reused and widened, and egress via a new curb cut to the east of the existing security guard booth. One existing curb cut in the center of the property shall be closed.
- g. The site will be paved to facilitate internal site navigation, truck parking /overflow area and employee parking. Sixteen (16) employee parking spaces have been provided south of the scalehouse. Eight (8) parking stalls and four (4) ADA stalls have been provided just north of the security building.
- h. At the north side of the site a rail spur and sidings shall be constructed to provide access to the LIRR rail system. The spur shall provide the ability to transport large quantities of material great distances in an efficient manner.
- i. By utilizing a combination of (15) 52' and (13) 65' long gondola railcars, the facility will be able to manage 150% of the permitted daily tonnage requested by the NYSDEC. The required length of track to store a minimum of (28) railcars is 1,737 linear feet. The Peconic Environmental facility has 1,834 linear feet of track storage available. Please refer to the following engineering drawing in Appendix A:
  - Rail Plan

**ii. CAPACITIES**

A steel building and concrete slab are proposed for the transfer station. The purpose of the project is to move C&D in the most efficient manner from waste delivery trucks into railcars. Detention times shall be held to a minimum. In the unlikely event rail service is interrupted, the facility shall switch to tractor trailer loading and remove the waste via roadways.

The building has been designed to store in excess of one day's maximum waste deliveries. The basis of the calculation follows:

|   |        |
|---|--------|
| Building Area (SF)                          | 38,755 |
| Building Design Basis<br>(tons/day/1,000SF) | 50     |
| Capacity (tons/day)                         | 1938   |
| Delivered C&D Density<br>(CY/ton)           | 3.75   |
| Volume of waste per day (CY)                | 7268   |
| Building Storage Capacity<br>(CY)           | 8,006  |
| Building Storage Capacity<br>(Tons)         | 2,134  |
| No. of days storage (Days)                  | 1.1    |

The pile dimensions on the tipping floor used to calculate the storage capacity are depicted in the following Figure in Appendix A:

- Figure 1 – C&D Storage Plan

(2) 100'L x 77'W x 30' high piles with 1 on 1 side slopes. Each pile volume is 4,003 cy. A 25' wide pathway for loading railcars shall remain in the center of the two (2) piles. The proposed transfer station building height is 67'. Our proposed pile height of 30' is below the 2/3 value ( $2/3 \times 67' = 44.9'$ ) typically suggested by DEC.

## 1. ROADWAYS

Wastes shall not overflow out of the building. There shall be no queuing of truck traffic on public roadways. There is over 225' of pavement between the entrance scale and the Peconic Avenue ROW. In this space nine (9) 40' long delivery vehicles can queue. In addition to the long queuing length, preventing trucks from backing up onto the ROW, this site has a Truck Staging Area between the building and weight scale to the south. There is an approximately 144 foot by 40 foot (5,760 ft<sup>2</sup>) area for delivery vehicle staging, turning and queuing, assuring that no vehicles will be staged or parked on Peconic Avenue.

The facility does not anticipate receiving waste via 100 cy dump trailers. As indicated in Section 1D of the Engineering Report, it is anticipated that two-thirds of the material will arrive using the 40 cubic yard trucks and one-third will arrive using the 20 cubic yard trucks. In the event a 100 cy delivery truck comes to the site with C&D waste, it will be physically able to unload within the building. The proposed building will have 40' eaves, at a minimum, that will permit the raising and dumping of the load inside the building. The dump trailer will enter the building via the west side overhead door and exit via the east side overhead door. 20cy and 40cy delivery vehicles will be able to utilize these same doors as well as one of the three (3) overhead doors on the south side of the building.

## 2. RAIL OPERATIONS

52' and 65' Gondola Railcars are proposed to be used at site. Upon loading with C&D each car will be covered with a Rail Tariff Compliant Tarp. 235' of track will be inside the

building and available to load railcars. Four (4) 52' Gondola Railcars can fit inside the building at one time. Three (3) 65' Gondola Railcars can fit inside the building at one time.

In accordance with NYSDEC experience and review of similar operations, the number of railcars available on-site must be able to handle at least 1.5 times the daily throughput. The Peconic Environmental Services site permit capacity is 1,938 tons. 150% of this value is 2,907 tons.

When C&D is loading into railcars its density is increased. Installing 100 ton into a 52' gondola railcar and 110 ton into a 65' gondola railcar is regularly attained in the industry.

As indicated in the chart below, to achieve 150% railcar storage capacity, (28) railcars will be needed, and 1,737 feet of track will be required. The required rail lengths and railcar storage are depicted on the following drawing contained in Appendix A:

- Rail Plan

Peconic Environmental Services Corp - Transfer Station

Material C&D  
 Transfer Station Capacity (ton) 1938  
 Rail storage capacity 150% of TS (ton) 2907

| Rail Equipment      | Railcar Dimensions | Railcar volume (cy) | Waste Weight per railcar (tons) | Loaded waste Density per railcar (ton/cy) | Loaded waste Density per railcar (cy/ton) | Portion of Daily Tonnage | Required No. of Railcars | Railcar Length, coupler to coupler (ft.) | Required Length of Track (ft.) |
|---------------------|--------------------|---------------------|---------------------------------|---|---|--------------------------|--------------------------|--|--------------------------------|
| 52' Gondola Railcar | 52'L x 8' W x 8' H | 123                 | 100                             | 0.81                                      | 1.23                                      | 1500                     | 15                       | 56                                       | 840                            |
| 65' Gondola Railcar | 65'L x 8' W x 8' H | 154                 | 110                             | 0.71                                      | 1.40                                      | 1407                     | 13                       | 69                                       | 897                            |
| Total:              |                    |                     |                                 |   |   | 2907                     | 28                       |  | 1737                           |

Loading times for C&D into gondola railcars is estimated to be between 30 and 45 minutes.

### iii. PROCESS

Waste shall enter the transfer building on the west side. The vehicle shall dump on the tipping floor and proceed to exit the building either to the south or east. The wheel loader shall be primarily utilized to feed and direct C&D material towards the larger Crawler Material Handling Machine (CMHM). The CMHM shall transfer and compact the waste into waiting rail cars. The railcars shall be stacked on adjacent railroad sidings and leave the facility after midnight each evening. The wheel loader can be utilized to load railcars also.

The design waste quantities are as follows:

|                       |                   |
|-----------------------|-------------------|
| Work days/year        | 304               |
| C&D density (CY/ton): | 3.75              |
|                       | Permitted Maximum |
| Tons/day              | 1,938.00          |
| CY/day                | 7,268             |
| Tons/year             | 589,152           |
| CY/year               | 2,209,320         |

iv. MACHINERY

The literature for the machinery and equipment planned for the facility listed below can be found in Appendix C:

- Sennebogen 835E – Crawler Material Handling Machine
- Caterpillar 966 G Wheel Loader
- Ludlum Measurements, Inc. – Model 4525 Series Radiation Portal Monitor
- Emery Winslow Genesis II Low Profile Truck Scale
- Fogmaster Corp. Handheld Fogger for odor control
- Fogmaster Corp. Micro Jet ULV 7401 Ultra Low Volume Fogger

v. FLOOR DRAINS

The facility shall not collect leachate and store it in underground tanks. These are prone to clogging and produce foul odors. Instead, the concrete slab shall be pitched towards the center region of the tipping floor. Moisture is typically absorbed within the C&D material. In the event standing water is discovered, absorbent pads or booms shall be utilized and then disposed of with the C&D material.

vi. COMPOSTING

No composting shall occur at the facility

vii. MAINTENANCE

The facility shall be designed to be maintenance free. Other than the overhead doors, there shall be no moving parts. Light sources shall be replaced as needed. The largest anticipated maintenance item is the concrete tipping floor. The cutting edge of the wheel loader can abrade and prematurely wear away the top of the concrete slab. To combat this, composite cutting edges can be used on the bucket and surface hardeners can be added to the concrete.

viii. HOURS OF OPERATION

The hours of operation planned are Monday through Saturday, 6:00 am to 7:00 pm

ix. CALIBRATION

The two (2) weigh scales shall be permitted with the Suffolk County Department of Weights and Measures. The calibration schedule of the scale load cells shall be in accordance with the Departments requirements to conduct transactions based on weight.

x. TRAFFIC

The proposed transfer facility shall generate approximately 32 new entering and 32 new exiting traffic trips per hour. The increase is minimal and shall have no noticeable impact. The proposed site plan shall provide 16 parking spaces, less than the 106 required by Town Code. The site shall have only five full time employees on-site and, other than haulers bringing debris to the site, shall have no visitors. The 16 parking spaces provided shall be more than sufficient.

The assessment and traffic engineering analysis of the proposed project indicates the site shall not have a detrimental impact on traffic conditions on the surrounding road network in the vicinity of the site. The traffic engineering analysis also concludes that the 16 parking spaces provided is sufficient.

Trucks bring the material to the site shall typically have 20 and 40-yard carrying capacities. It is anticipated that two-thirds of the material shall arrive using the 40-yard trucks and one third of the material shall arrive using the 20-yard trucks. Based on these assumptions the site shall generate 21 forty-yard deliveries and 11 twenty-yard deliveries per hour, assuming the Facility operates at maximum capacity.

xi. TREATMENT

No treatment shall occur at the facility

xii. COMPLIANCE WITH OPERATING REQUIREMENTS OF 360.19, PART 361 & PART 362

**PART 360.19 OPERATING REQUIREMENTS**

**(a) Applicability.**

This transfer facility requires a permit and is subject to operate under Part 360.19 Operating Requirements.

**(b) Water protection.**

- (1) Waste shall be prevented from being deposited in or entering surface waters or groundwater. All operations shall occur indoors. All concrete tip floors shall be pitched towards the inside of the building.
- (2) The facility shall operate in a manner that minimizes the generation of leachate and that does not allow any leachate to enter surface waters or groundwater.

**(c) Waste acceptance and control.**

- (1) The owner of the facility shall institute, maintain, and enforce a waste control plan. The plan must ensure that only authorized waste is accepted at the facility:
  - (i) The waste acceptance protocol shall be as outlined in Section a. v. Authorized Waste Program above.
- (2) The facility intends on only accepting waste generated within municipalities of NYS that have department-approved comprehensive recycling analysis (CRA) or a department-approved local solid waste management plan (LSWMP).
- (3) The facility owner shall train all staff in accordance with the Section c. Training Plan
- (4) The unauthorized waste acceptance protocol shall be as outlined in Section a.vi. Unauthorized Waste Program above
- (5) The facility shall not accept waste unless the vehicle transporting the waste is adequately covered or the waste is containerized. When leaving the facility, all vehicles containing waste must utilize a cover which prevents waste and leachate from escaping the vehicle, or the waste must be containerized
- (6) Mercury-containing devices or mercury-added consumer products shall be listed as an unauthorized waste, not to be accepted at the site. In the event a mercury-containing device is identified at the site, it shall not be transported to the landfill.
- (7) A residential drop-off area for non-commercial vehicles is not part of the facility design. No recyclable collection is anticipated
- (8) All waste leaving the facility is destined to be managed at a facility authorized by the department if located in New York State or authorized by the appropriate governmental agency or agencies if located in another state, territory, or nation.
- (9) The facility is designed to ensure that all unloading and loading areas are adequate in size and designed to facilitate efficient movement of waste to and from the collection vehicles and to facilitate the unobstructed movement of vehicles.
- (10) The facility shall ensure that all areas containing waste are strictly and continuously secured to prevent unauthorized access by use of fencing, gates, signs, and natural barriers. Waste shall not be used as a barrier.
- (11) The facility shall ensure that storage volumes and throughput limits established by the Department for the facility are not exceeded.
- (12) An attendant shall be on duty at the facility to operate mechanical equipment whenever the facility is open.

**(d) Operation and maintenance.**

The owner or operator of a facility shall ensure that the following criteria are satisfied:

- (1) All maintenance and operating activities at the facility are performed in accordance with the facility manual
- (2) The facility shall accommodate expected traffic flow in a safe and efficient manner. Facility roadways shall be passable in all weather conditions.
- (3) Tracking of soil, waste, leachate, and other materials from the facility onto off-site roadways shall be prevented.
- (4) All equipment, storage containers, and storage areas shall be sufficient for the quantity and type of waste managed at the facility. Adequate numbers, types, and sizes of properly maintained equipment shall be available during all hours of operation.
- (5) All floors and working areas shall be adequately drained, properly maintained, to have standing water minimized. All drainage and wash waters shall be collected and handled in a manner acceptable to the department.
- (6) The facility shall be properly graded to prevent soil erosion and to minimize ponding.
- (7) Equipment and systems required to manage waste at the facility shall be properly operated, calibrated, and maintained at all times.
- (8) Prior to leaving the facility, any vehicle containing waste shall be covered with, at a minimum, a mesh or fabric cover acceptable to the Department.
- (9) If an unscheduled total facility shutdown exceeds 24 hours, the facility shall immediately notify the Department describing the incident and the proposed waste management activities.

**(e) Routine inspection.**

The on-site staff shall monitor and inspect the facility for malfunctions, deteriorations, operator errors, and incidents no less frequently than on a daily basis when the facility is open. The facility staff shall immediately undertake any and all measures needed to eliminate any violation of an operational, closure, or post-closure care requirement of this Part and of Part 361, 362, 363, and 365 of this Title. Measures taken do not preclude the Department from exercising its enforcement powers.

**(f) Confinement of waste.**

The facility shall ensure that waste at the facility is confined to an area that can be effectively maintained, operated, and controlled; and that blowing litter is confined to waste holding and operating areas by fencing or other suitable means. Any litter found outside the building shall be removed and discarded by staff.

**(g) Dust control.**

The facility staff shall ensure that dust is effectively controlled so that it does not constitute a nuisance. This will be accomplished with misting sprinklers, which along with water hoses is standard industry practice, in the event the need for dust control arises. The Hose Station is depicted in Figure 2 – Emergency Equipment, contained in Appendix A.

It is located on the southern wall of the transfer station just west of the westernmost overhead door. The hose will be used on an as needed basis only. It will be manually operated by Facility Staff in the event a particularly dusty load is deposited on the tipping floor. It will be turned on manually and the water will be directed above the deposited waste to suppress the dust. A water misting system will be proposed in the rafter area of the building to suppress dust if needed. This system will be manually controlled as well by Facility staff and will not be in operation on a continual basis.

**(h) Vector control.**

The facility staff shall effectively control on-site populations of vectors. Traps and or contracting with an extermination company shall be employed when and if needed.

**(i) Odor control.**

C&D operations typically do not generate offensive odors due to the nature of C&D waste, and as such, we do not anticipate any odor issues. In the event, odors are encountered at the site, they will be controlled by a Fogmaster Micro-Jet Drum ULV 7401 Unit dispensing AiReactor OWD Organic Waste and Decomposition Odor Counteractant Concentrate.

**(j) Noise.**

The fully enclosed facility and its physical distance from receptors shall ensure that noise resulting from equipment or operations at the facility does not exceed the following energy equivalent sound levels beyond the property line:

| Suburban<br>Setting | <u>Leq Energy Equivalent Sound Levels</u> |                   |
|---------------------|---|-------------------|
|                     | 7 a.m. to 10 p.m.                         | 10 p.m. to 7 a.m. |
|                     | 62 decibels (A)                           | 52 decibels (A)   |

The Leq is the equivalent steady-state sound level which contains the same acoustic energy as the time varying sound level during a one-hour period. It is not necessary that the measurements be taken over a full one-hour time interval, but sufficient measurements must be available to allow a valid extrapolation to a one-hour time interval.

- (1) If the background sound level exceeds the referenced Leq sound level limit, the Leq sound levels from facility sources and background sources when combined must not exceed the Leq sound level of the background sources alone by more than three decibels (A).
- (2) The background sound level, measured as Leq, is the existing ambient sound level during a period of peak acoustical energy measured in the absence of sound produced by equipment or operations at the facility. A background sound level monitoring protocol must be submitted to the department for approval prior to conducting background measurements.
- (3) Sound levels must be measured using the slow time constant and A-weighting. During the measurement period, no precipitation must occur, and wind speeds must not exceed 12 miles per hour.
- (4) Measuring instruments must be type 1 or class 1 precision sound level meters, type 2 or class 2 general purpose sound level meters, or corresponding special sound level meters type S1A or S2A.
- (5) Noise assessments must include details of the attenuation factors and calculations utilized. Noise assessment calculations are allowed to utilize average annual conditions when calculating atmospheric attenuation.
- (6) Mufflers shall be used on all internal combustion-powered equipment used at the facility.

**(k) Recordkeeping and reporting.**

- (1) Application documents. Staff shall maintain and make readily available for inspection throughout the life of the facility including the post-closure care period and the custodial care period, a copy of all information and data required as part of the application for the permit or submittal for registration, as well as construction certification and closure construction certification documents.
- (2) Operating records. The operator of a facility shall maintain at the facility, and make readily available for inspection for a period of no less than seven years from the date a particular record was created, the following operating records:

- (i) a daily log of wastes received that identifies the waste type, quantity, date received, and planning unit where the waste was generated, and the quantity and destination of any waste, products that are removed from the facility.
  - (ii) routine inspection logs that must include, at a minimum, the following information: the date and time of the inspection, the name of the inspector, a description of the inspection including the identity of specific equipment and structures inspected, the observations recorded, and the date and nature of any remedial actions implemented, or repairs made as a result of the inspection;
  - (iii) all monitoring information necessary for compliance with the requirements of this Part and the requirements applicable to permitted facilities in Parts 361, 362, 363, and 365.
  - (iv) records documenting training programs, schedules, and certifications as required.
  - (v) any other information required in a permit or that the department may require be created and maintained as part of the daily operating records.
- (3) Annual report.
- (i) The operators of the facility shall submit a completed annual report in a format acceptable to the Department no later than March 1st of each year for the previous calendar year, on forms prescribed by the department.
  - (ii) The operators of the facility are required to report to the Department related to the facility's compliance under Parts 361, 362, 363, or 365, or under the terms of any permit issued, must make, sign, and submit with the report the following certification:

*I certify, under penalty of law, that the data and other information identified in this report have been prepared under my direction and supervision in compliance with the system designed to ensure that qualified personnel properly and accurately gather and evaluate this information. I am aware that any false statement I make in such report is punishable pursuant to section 71-2703(2) of the Environmental Conservation Law and section 210.45 of the Penal Law.*

**(l) Personnel training.**

The operator of the facility shall ensure sufficient and appropriately trained staff are available to manage the quantity and type of waste that shall be handled at the facility. Personnel training shall be in accordance with Section c. Training Plan.

**(m) Emergency response.**

The operator of the facility shall adequately respond to emergencies such as fires, natural disasters, and spills that occur at the facility.

**(n) Tank requirements.**

No waste storage tanks are proposed for this facility.

**PART 361 – MATERIAL RECOVERY FACILITIES**

**361-5.4 Design and operating requirements**

The facility will be designed, constructed, maintained, and operated in compliance with the following:

- (a) All receiving, processing, and sorting activities shall be conducted in the enclosed building.
- (b) All waste and recovered material delivered to and leaving the facility shall be weighed and recorded in cubic yards and tons.



(c) Friable asbestos-containing waste shall not be accepted at the facility. Non-friable asbestos-containing waste, if received at the facility, shall not be handled or processed in any way that would cause the material to become crumbled, pulverized, or reduced to powder.

(d) The facility shall not accept C&D debris, fill material, or similar material from a site being remediated pursuant to a program administered by the department or EPA unless accompanied by written approval from the department or EPA.

(e) Should any fill material or residue leave the facility for reuse, it shall be analyzed in accordance with the sampling and analysis requirements outlined in section 360.13(e) of Part 360. A minimum of one analysis is required for every 1000 cubic yards of fill material and must follow the criteria outlined in section 360.13(f) of Part 360.

(f) The facility shall maintain financial assurance in an amount sufficient to cover the cost of closure of the facility as specified by Part 360.22 and Section e. Closure Plan.

#### **361-5.5 Recordkeeping and reporting requirements**

(a) The facility shall keep records in accordance with section 360.19(k) of Part 360. In addition to the requirements of section 360.19, the facility shall maintain daily records of the quantity of recyclables sent from the facility by material type, including the quantity and destination of material used as alternative operating cover as described in section 363-6.21.

(b) The facility shall submit an annual report as required by section 360.19(k)(3)

#### **361-5.6 C&D debris tracking the facility**

(a) All fill material, material that does not qualify for a beneficial use under section 360, or residue leaving the facility, and any other material if required pursuant to a department-approved remedial plan, must be accompanied by a C&D debris tracking document prescribed by the DEC that indicates, at a minimum:

- (1) the name and address of the C&D debris handling and recovery facility that generated the waste or material transported;
- (2) the name of the transporter; and
- (3) the intended destination of the material.

(b) Once the waste or material has reached its destination for disposal or use, the transporter shall sign the C&D debris tracking document confirming its delivery. The receiving facility shall then sign the C&D debris tracking document and return it to the generating facility within two weeks. The generating facility shall maintain these C&D debris tracking documents at its facility for inspection by the department.

(c) If materials are transported to other DEC permitted facilities, the additional processing and ultimate disposal or use must be recorded on the C&D debris tracking document or on a new tracking document.

(d) The facility shall maintain all C&D debris tracking documents for a minimum of seven years as required by section 360.19(k)(2).

**Part 362 - COMBUSTION, THERMAL TREATMENT, TRANSFER, AND COLLECTION FACILITIES**

**Subpart 362-3 TRANSFER FACILITIES**

**s 362-3.1 Applicability** - this Subpart applies to this facility since it will receive solid waste for the purpose of subsequent transfer to another facility for further processing, treatment, transfer, or disposal.

**s 362-3.2 Exempt facilities** – This facility does not meet the exemptions described in this subpart.

**s 362-3.3 Registered facilities** – this facility does not meet the qualifications that require a registration under this subpart

**s 362-3.4 Permit application requirements**

- (a) A radioactive waste detection plan – the proposed project will not be transferring MSW or drilling & production waste out of state and therefore, is not subject to the Radioactive waste detection procedures and requirements outlined in Section 362-3.5 (e)
- (b) The program for detecting and preventing the receipt of hazardous wastes at the facility is outlined in Section a. v. Authorized Waste Program & a.vi. Unauthorized Waste Program above.

**s 362-3.5 Design and operating requirements**

The facility is required to obtain a permit under this Subpart and shall, in addition to the requirements identified in Part 360, design, construct, maintain, and operate the facility in compliance with the following criteria:

- (a) Source-separated recyclables, source-separated household hazardous waste, source-separated electronic wastes, source-separated rechargeable batteries, source-separated mercury-containing products, and other source-separated items that are subject to legislatively enacted product stewardship programs in New York State must not be accepted by the facility. Source-separated recyclables must only be accepted at a facility that is authorized as a recyclables handling and recovery facility under Subpart 361-1 of this Title.
- (b) All tipping, storage, loading, and related activities shall be conducted in the enclosed building with adequate odor controls to effectively control off-site nuisances. Non-putrescible waste may be stored in outdoor areas if it is stored in closed containers or covered trailers.

The only planned outside storage of non-putrescible waste is in railcars. All railcars loaded with C&D will be stored on tracks and covered with a rail tariff compliant tarp.

- (c) The storage, loading, and unloading areas shall be constructed of concrete or asphalt paving material. Excess water shall be managed as depicted in Section b. Operations & Maintenance Plan v. Floor Drains.
- (d) The tipping floor shall be cleaned at the end of each operating day unless otherwise determined by the department.



- (e) Radioactive waste detection procedures and requirements - The proposed project will not be transferring MSW or drilling & production waste out of state and therefore, is not subject to the Radioactive waste detection procedures and requirements outlined in Section 362-3.5 (e)
- (f) Putrescible waste – this waste stream will not be accepted at the facility.
- (g) Friable asbestos-containing waste – will not be accepted at the facility and shall be managed in accordance with the facility's waste control plan.
- (h) All waste delivered to and leaving the facility shall be weighed and recorded in tons.
- (i) The facility shall maintain financial assurance in an amount sufficient to cover the cost of closure of the facility as specified by Part 360.22 and Section e. Closure Plan.

**s 362-3.6 Recordkeeping and reporting requirements**

- (a) In addition to the recordkeeping requirements of section 360.19(k) of this Title, transfer facility records must include records associated with the radioactive waste detection procedures required by section 362-3.5(e) of this Subpart, if applicable.  
- The proposed project will not be transferring MSW or drilling & production waste out of state and therefore, is not subject to the Radioactive waste detection procedures and requirements outlined in Section 362-3.5 (e)
- (b) This permitted Transfer Facility shall submit an annual report in conformance with Part 360.19(k)(3) to the Department.

**xiii. FACILITY RECORDS**

Documentation will be prepared in accordance with Section xii (k) Record Keeping & Reporting

- a. Application Documents – copies of the documents utilized to obtain the permit will be maintained in the Administration/scale house building located adjacent to the transfer facility.
- b. Daily logs, routine inspection logs and monitoring information will also be maintained in the administration building.
- c. Annual Reports shall be prepared in accordance with Part 360.19(k)(3) and submitted to the Department no later than March 1st of each year for the previous calendar year.

**xiv. RESIDENTIAL DROP OFF**

A residential drop off area is not proposed.

**xv. TANK COMPLIANCE**

In accordance with Section xii (n) Tank requirements, no waste storage tanks are proposed for this facility.

c. **TRAINING PLAN**

i. **OVERVIEW**

The proper and safe operation of the transfer station for C&D debris requires that all employees receive appropriate job and facility-specific training and are provided with or have access to personnel protective equipment (PPE) and safety equipment. C&D debris results from demolition or construction of buildings, roads, and other structures, and, as reported in the Waste Control Plan, typically consists of concrete, brick, wood, masonry, roofing materials, sheetrock, plaster, metals, carpeting and glass.

Training is provided to address chemical, physical and biological hazards from both potential hazards associated with facility operations as well as from the C&D materials brought into the facility.

ii. **STAFFING**

Facility staffing is expected to comprise a total of five (5) full time employees to operate, manage and oversee the facility. Three (3) employees are expected to work in the large transfer facility and two (2) shall conduct administration procedures. The five (5) full time employees shall be identified as:

- a. Site Administrator
- b. Scale operator
- c. Tipping floor inspector
- d. (2) Operating Engineers

iii. **PERSONNEL TRAINING**

- a. All employees of Peconic Environmental Services Corp. are required to be knowledgeable of and comply with the company's Facility Manual.
- b. Formal personnel training for all staff shall be conducted by the company for all new staff prior to the start of work and, at least, annually thereafter, or whenever facility operations change, job descriptions change, or job responsibilities change.
- c. Personnel training shall incorporate the following topics:
  1. Facility design and layout
  2. Personal job-duty responsibilities
  3. Emergency Response Plan (incorporated within the Facility Manual)
    - personnel emergencies
    - site emergencies
    - environmental emergencies
  4. Hazard Communications (hazcom)
    - chemicals and hazards in the workplace
    - labelling
    - Safety Data Sheets (SDSs)
  5. Health and safety training and procedures
    - first aid procedures
    - working around heavy equipment
    - proper use of personal protective equipment (PPE) and fit testing
    - hearing conservation
    - biological hazards
    - blood borne pathogens
  6. Communications
    - during normal operations
    - route of command during emergencies
  7. Equipment operation and maintenance
  8. Regulatory and permit compliance



9. Environmental concerns
10. Waste classification and Identification
  - Unacceptable wastes, e.g., hazardous wastes, universal wastes (mercury devices, batteries), asbestos, radioactive wastes
11. Spill response

iv. PERSONAL PROTECTIVE EQUIPMENT (PPE)

- a. At a minimum, the following PPE and equipment is provided:
  - Safety Vests
  - Safety Boots
  - Safety Glasses
  - Heavy Duty Latex Gloves
  - Non-Toxic Dust and Filter Mask, or appropriate respirator
  - ABC Type Fire Extinguisher (DOT approved)

d. **EMERGENCY RESPONSE PLAN**

i. **INTRODUCTION**

This plan is designed to describe proper actions and procedures to be followed by Peconic Environmental Services Transfer Station Facility employees during an emergency or event involving a fire, natural disaster, spill or release of hazardous chemicals, or in the case of a workplace related injury.

Furthermore, this plan includes information necessary to respond to an emergency situation to prevent or minimize hazards to human health or the environment and contain the incident, if possible, until professional responders such as the Medford Fire Department can take over the response.

Basic components of the plan include:

- a. Pre-emergency planning
- b. Personnel roles, lines of authority, and communication
- c. Emergency recognition and prevention
- d. Personal protective equipment and emergency equipment
- e. Emergency coordination procedures
- f. Emergency protocols
- g. Safe distances and places of refuge
- h. Site security and evacuation procedures
- i. Disaster Response
- j. Emergency medical treatment and first aid
- k. Critique of response and follow-up
- l. Training, plan review and additional information

This plan, its contents, and emergency notification procedures shall be made available to all appropriate transfer station employees.

ii. **PRE-EMERGENCY PLANNING**

The contents of this plan shall constitute the basic pre-emergency plan for the Transfer Station Facility and shall be augmented by other technical resource publications as required.

Pre-emergency planning includes identifying and recognizing the major hazardous substances that could potentially be delivered to the Transfer Station Facility. These primary substances include the following:

- a. Mercury containing devices
- b. Asbestos containing material
- c. Radioactive waste

iii. **PERSONNEL ROLES, LINES OF AUTHORITY AND COMMUNICATIONS**

a. **Management**

The Site Administrator shall function as the emergency coordinator. The emergency coordinator shall assume the primary responsibility for administering and coordinating the emergency spill response plan, which includes training, communicating, planning, and maintaining records and ensuring that all safety equipment is in proper working condition.

➤ Overall Primary Responsibilities:

Overall primary areas of the Emergency Coordinator's responsibility include:

1. Maintain a list and accurate headcount of all personnel at each facility.
2. Maintain, in a central accessible location, an inventory of all hazardous materials.

3. Periodically review and update emergency spill response plan. Conduct periodic drills and evaluate performance and modify accordingly.
4. Review emergency spill response plan initially and annually with new personnel. Also, review any chemical hazards - storage and safety. Provide personnel with proper training on safety equipment on a regularly scheduled basis.
5. Coordinate all activities relating to press contacts, public statements, and communications to the media and the community.
6. Post any safety or hazardous conditions those employees may encounter.
7. Maintain compliance with all local, state and federal regulations

In the event an emergency situation develops, the emergency coordinator shall be responsible for the tasks listed below. An emergency is defined as any sudden event or situation that is beyond the control of the workforce, or an event that is considered to be hazardous to employees, customers, or the environment (i.e., fire, gas release, etc.).

**b. Emergency Responsibilities**

- Assess the nature of the emergency and select the course of action to best prevent or minimize impact on human health and the environment.
- Contact and act as a liaison with emergency response personnel.
- Aid in the emergency response efforts within the scope of staff members' training.
- Conduct an initial building search concurrent with emergency evacuation.
- Provide emergency response personnel with information regarding storage of chemicals and chemical hazards. Present MSDS (Material Safety Data Sheet) for all chemicals.
- Ensure that no one enters an area until an "all clear" signal or message is given by emergency response personnel.
- Ensure that employees and visitors are safely and promptly evacuated.

**c. Employees**

It is the primary responsibility of each employee to follow the pre-established guidelines set forth in any emergency plan.

All chemical and fuel spills must be reported to the emergency coordinator. Employees reporting a spill must provide the following information:

- Location of the spill
- What has spilled (type of chemical / fuel).
- How much has spilled.
- The condition of the spilled material –
  1. Is it damp or dry?
  2. Is there evidence a reaction has started (bubbling, fuming, hissing, bulging containers)?
  3. Are there signs a fire may have started?

**If there is a fire, chemical reaction, or if the product is contaminated with another chemical, the area must be evacuated immediately, emergency fire department response must be initiated, and the procedures outline below shall be followed.**

In the event of an emergency:

- The General Manager, Foreman and Equipment Operators all have Radios for internal communication.
- Phones are located in the office and weigh scale. Workers can use these telephones to summon emergency assistance from local police departments, fire departments and state or local emergency response teams, if necessary.

- Lists of emergency numbers are included in Tables 1 and 2 of this manual must be maintained at each telephone.
- Employees should assess the nature of the emergency and immediately contact the emergency coordinator.
- If the emergency coordinator cannot be contacted immediately, dial 911 and report the nature and location of the emergency.
- All employees are responsible for ensuring that all visitors are properly and orderly evacuated via the proper exit(s).
- All employees are responsible for closing all doors and securing the emergency / impacted work area.
- Employees and visitors shall assemble outside the main entrance gate of the impacted facility.
- All employees should report areas "all clear" to the emergency coordinator or safety personnel after evacuation.
- Employees MUST inform the emergency coordinator or emergency personnel of any hazardous situations that may be present.

d. **Emergency Personnel**

The facility is served by the Sixth Police Precinct located in Suffolk County and the Medford Fire Department located at 171 Oregon Avenue, Medford, NY.

The facility is located approximately six miles from Brookhaven Memorial Hospital and Medical Center in Patchogue, and approximately 14 miles from Stony Brook University Medical Center. Table 1 lists Police, Fire, and Hospital information.

The Medford Fire Department and Sixth Precinct Police Department will have primary responsibility when on scene and will provide the necessary trained personnel to address the emergency situation. Designated personnel and the Emergency Coordinator will provide logistical support as required to the responding emergency agencies.

| TABLE 1 - POLICE, FIRE AND HOSPITAL FACILITIES |  |
|--|--|
| <b>POLICE</b><br>Dial 911                      | Sixth Precinct<br>400 Middle Country Road,<br>Selden, NY 11704<br>(631) 854-8689                     |
| <b>FIRE</b><br>Dial 911<br>or (631) 226-1212   | Medford Fire Department Headquarters<br>171 Oregon<br>Medford, NY 11763<br>(631) 475-0411            |
| <b>HOSPITALS</b>                               | Brookhaven Memorial Hospital<br>101 Hospital Road<br>Patchogue, NY, 11772<br>(631) 654-7100          |
|  | Stony Brook University Medical Center<br>101 Nicolls Road<br>Stony Brook, NY 11794<br>(631) 689-8333 |

In the event of a fire or spill, the following contacts are to be made in addition to police and fire departments:

|                                  |                |
|----------------------------------|----------------|
| NYSDEC                           | (631) 457-7362 |
| Suffolk County Health Department | (631) 451-4627 |

Table 2 provides the name and telephone number (office and cellular) of the individual qualified to act as an emergency coordinator. This individual is completely familiar with the layout of the facility, the types of wastes handled, places where facility personnel would be working, entrances to the facility, and all possible evacuation routes. The emergency coordinator has a copy of the emergency response plan which includes the floor plan, emergency response contacts and relevant emergency equipment maintained at the facility.

| TABLE 2 - EMERGENCY COORDINATOR |                                 |
|---------------------------------|---------------------------------|
| Name: Ray Colon                 | Work: 631-289-6188<br>Cellular: |

#### iv. EMERGENCY RECOGNITION AND PREVENTION

##### a. **Emergency Recognition**

All fires, spills and natural disasters have the potential to become an emergency. Accordingly, all must be reported to the Emergency Coordinator in accordance with the procedures provided.

##### b. **Testing Programs**

Fire extinguishers shall be tested on an annual basis by an approved tester and labeled as to date of test. Spill control equipment and personnel safety equipment are replaced as needed.

The Fire extinguisher service is by:  
Town Fire Equipment  
P.O. Box 5561  
Hauppauge, New York 11788  
(631) 724-9851

##### c. **Hazard Minimization**

Peconic Environmental Services Corp. shall minimize hazards to human health and the environment resulting from fires, or releases into the air, onto the soil, or into the groundwater, or surface water. The operating procedures used by this facility include non-acceptable waste signage prominently posted and inspection of each load delivered. Any operational changes must be approved by the NYSDEC.

In addition, stormwater storage at this site provided for a 2" rainfall in drywells and an additional 3" in on-site ponding. The sandy soils on Long Island provide for good drainage. Therefore, only in cases of heavy storm events such as a 100-year storm will more action need to be taken. In the case of heavy winds, this building is able to handle up to 130-mph winds.

v. PERSONAL PROTECTIVE EQUIPMENT AND EMERGENCY EQUIPMENT

a. **Personal Protective Equipment**

All employees will be provided with the required personal protective equipment and will be trained on how to properly use it.

b. **Fire Equipment**

A list of all emergency equipment stored on site in response to a fire emergency is listed below. The location of the employee work areas, entrances, exits, and emergency equipment are clearly marked in the following drawing contained in Appendix A:

- Figure 2 – Emergency Equipment

| Item               | Location   |
|--------------------|--|
| Fire Extinguishers | Wall mounted throughout facility with indicator sign |
| Fire Hose          | South Side of Tipping Floor Area                     |
| Smoke Detectors    | Scale house and security building                    |
| Fire Hydrant       | Peconic Avenue                                       |

c. **Spills Equipment**

| Item   | Location                        |
|--|---------------------------------|
| Absorbent Materials<br>Speedy Dry – 24 50lb bags | Storage Lockers                 |
| First Aid Materials                              | Security office and Scale House |

vi. EMERGENCY COORDINATION PROCEDURES

The emergency coordinator shall comply with and be completely familiar with all items listed under this section, as follows:

- At all times during facility operation, there must be at least one employee either on the facility premises or available to respond to an emergency by reaching the facility within a short period of time, with the responsibility for coordinating all emergency response measures. The emergency coordinator must be thoroughly familiar with all aspects of the facility's emergency response plan, all operations and activities at the facility, the location and characteristics of the construction and demolition debris waste managed, the location of all records within the facility, and the facility layout. In addition, the emergency coordinator has the authority to commit the personnel, equipment, and financial resources needed to implement the requirements of the contingency plan.
- Whenever there is an emergency situation, the emergency coordinator must immediately ensure that internal facility alarms and communication systems are activated to notify all facility personnel and, if their help is needed, all appropriate State or local agencies with designated response roles. The emergency coordinator must also ensure that all persons have exited and have been directed to a safe exit. All employees are responsible for closing all doors and securing the emergency/impacted work area.
- If the emergency coordinator determines that the facility has had a fire which could threaten human health or the environment beyond the facility, this finding must be reported by the emergency coordinator to the appropriate officials.

- d. During an emergency, the emergency coordinator must take all reasonable measures necessary to ensure that fires do not occur, recur, or spread into other areas of the facility. These measures shall include, where applicable, stopping equipment and operations, collecting, and containing incoming waste, and removing or isolating containers.
- e. Immediately after an emergency, the emergency coordinator must provide or arrange for treatment, storage, or disposal of waste at the facility, contaminated soil or water, and any other material at the facility.
- f. The emergency coordinator must ensure that cleanup procedures are completed, and emergency equipment listed in the contingency plan is cleaned, prepared, and/or replaced for its intended use. The owner/operator must notify the department and appropriate State and local officials before the facility is to resume operation in the affected areas of the facility.
- g. The owner/operator must note in the operating record and the annual report, the time, date, and details of any incident that requires implementing the emergency response plan and must submit a written report on the incident if requested by the department. The report shall include:
  - the name, address, and telephone number of the operator and the facility;
  - the date, time, and type of incident (i.e., fire)
  - the type and quantity of materials involved;
  - the extent of injuries, if any;
  - an assessment of actual or potential hazards to human health or the environment, where this is applicable;
  - the estimated quantity and disposition of debris waste, liquids, or material recovered that resulted from the incident; and
  - the procedures or equipment available to prevent a recurrence of the reported event.

vii. EMERGENCY PROTOCOLS

- a. **Fire**  
The building is fire resistant, as it is constructed of concrete and steel. The building is equipped with numerous fire extinguishers. In the event of a small fire, the employees shall first attempt to quench the fire with the available fire extinguishers. In the event of a large fire, all employees shall immediately evacuate the building through the numerous bay door and man door openings.
- b. **Natural Disaster**  
In the case of a 100-year storm or heavy wind events disrupting on-site activities the emergency coordinator ensure that all facility doors are closed to prevent vertical forces on interior space.
- c. **Spill**  
The following response plan shall be used to respond to the unauthorized delivery of hazardous waste or material.

The tipping floor inspector shall examine all waste loads as they are dumped on the tipping floor. If unacceptable waste is inadvertently dumped on the tipping floor, the waste shall be temporarily moved to the unacceptable waste storage area at the northwest corner of the building. In the event of a small liquid spill, the foreman shall contain the spill with a dike of speedy-dry absorbent. The foremen shall then contact the emergency coordinator for clean-up and disposal of the spilled materials. In the event of a large volume spill, the hazardous waste contractor must be immediately contacted to arrange for clean-up and disposal. Until the arrival of the hazardous waste contractor, a dike of speedy-dry absorbent shall be used to contain the spill. The hazardous waste contractor shall clean

up all affected floor areas where spilled chemicals may have accumulated. Under no circumstances shall the facility personnel become involved in the clean-up of hazardous or unknown spills.

The hazardous waste contractor is:

**RGM Liquid Waste Disposal**  
**972 Nicolls Road**  
**Deer Park, NY 11729**  
**(631) 499-9800**

viii. SAFE DISTANCES AND PLACES OF REFUGE

Places of refuge will be designated by the emergency coordinator or responding emergency agency (local fire or police department) depending on the nature of the incident at the time of evacuation. Continuous reassessment of conditions at the scene will be necessary in order to respond to changes.

ix. SITE SECURITY AND EVACUATION PROCEDURES

Initial site security and control responsibility rests with the emergency coordinator until the arrival of trained emergency personnel (i.e., local fire and police departments). Employees will be provided with specific evacuation routes and procedures upon exiting the impacted area. The local fire and police departments will determine if evacuation of any adjacent public or commercial facilities and / or private residences is deemed necessary. Both agencies will be responsible to coordinate the same. Under no circumstances will any employee or visitor be permitted to reenter any area which has been ordered evacuated until clearance to do so is granted by the local fire and / or police departments.

x. DISASTER RESPONSE

a. **Inoperable Facility**

In the event that the facility is shut down for more than 24 hours no material will be accepted at the site.

xi. EMERGENCY MEDICAL TREATMENT AND FIRST AID

The local Fire Department will provide emergency medical treatment and first aid when summoned. In the event that more services are needed, Brookhaven Memorial Hospital and the Stony Brook University Medical Center are nearby to provide assistance.

xii. CRITIQUE OF RESPONSE AND FOLLOW-UP

It is imperative that detailed records and logs be kept throughout any type of incident in order to ensure that all required measures and procedures are put into effect during and after the incident in addition to providing data for any required after incident reports.

After-incident follow up shall be in accordance with the federal, state, and local regulations governing the type of incident, the material or chemical involved, the extent of damage to the environment, and the consequences on the health effects on humans.

The operator must ensure that the provisions of the plan are carried out in the event of an incident covered by it. Amendments to the plan must be submitted to and approved by the NYSDEC.

xiii. TRAINING, PLAN REVIEW AND ADDITIONAL INFORMATION



This plan will be evaluated and updated on a continuous basis. The emergency coordinator will monitor and maintain records of employee training and provide advisement on upcoming training needs.

e. **CLOSURE PLAN**

i. **360.21 COMPLIANCE**

- a. Department Notification - The department shall be notified in writing 30 days prior to the anticipated final receipt of waste and within seven (7) days of completion of all closure activities.
- b. Annual Report – An annual report shall be submitted to the department within 30 days after receiving the final quantity of wastes.

The annual report shall be prepared in accordance with b.(xii)(k) Recordkeeping & Reporting.

- c. Final Waste Deliveries – All waste delivered to the site shall be removed within 60 days after receipt. Disposal of any remaining waste shall be to a facility authorized to accept the waste.

The authorized disposal facilities have been identified in a.(iv) Disposal Locations

- d. Closure Activities – within 90 days after receiving the final quantity of waste, the owner shall complete all closure activities, including removal of all products resulting from the processing of waste and decontamination of all equipment and structures involved in any aspect of waste management, in a manner acceptable to the department.

ii. **WASTE REMOVAL & SITE RESTORATION**

Appropriate reuse or disposal of all equipment – the equipment at the site, identified in b.(iv) Machinery shall be sold, scrapped, or legally disposed offsite.

Cleaning of the buildings and grounds – the facility cleaning shall include, but not be limited to the following:

- a. Collection and disposal of all debris on site, such as blowing papers and plastics. This would include all building perimeters, landscaping and wooded areas
- b. Mowing grass and clearing weeds
- c. Removal of facility signs
- d. Street sweeping of all pavement areas

Securing the building and grounds unless put to alternative use – the perimeter fence shall be repaired if breaches are present.

The facility owner at the time of closure shall conduct a Phase I Environmental Site Assessment (ESA) for the subject property. The Phase I ESA shall be conducted based upon the protocol of ASTM 1527-13 or the industry standard at the time of closure. The Phase I ESA shall assess any environmental impact observed from the prior activities at the site. The areas to be evaluated are any buildings existing at the time of closure, any drainage pools, catch basins, drywells, and/or sanitary disposal system on the property.

A Phase II ESA Investigation is likely warranted as the property contains stormwater drainage pools, catch basins and dry wells on a commercial property. The property owner shall complete the Phase II ESA work to the satisfaction of the NYSDEC. The Phase II ESA investigation shall include subsurface soil investigations to include test pits or geo-probe work. Phase II ESA investigations shall also include drywell and cesspool sampling, laboratory analysis of soil samples and the preparation of a Closure Work Plan. The Closure Work Plan shall detail the location of test pits and geo-probes on a Site Plan and identify what laboratory analysis shall be required for any soil samples collected. Current NYSDEC standards include soil sample laboratory analysis for metals




(Method SW6010B and SW7471B), semi-volatile organics (Method SW8270), volatile organics (Method SW8260), pesticides (Method SW8081), PCB's (Method SW8082A) and herbicides (Method SW8082A). The Closure Work Plan would be submitted to NYSDEC at the time of the Facility Closure for review and approval.

If the Phase II ESA Investigation results in a subsurface soil contamination occurring then the property owner shall prepare a Soil Remediation Work Plan to recommend to the NYSDEC the means of conducting the soil remediation program to include the testing parameters, number of samples and soil collection procedures required at the time of closure. Once the Work Plan is approved by the NYSDEC, the property owner would contract with a remediation contractor to conduct any remediation required and, once the remediation is completed, submit a Closure Report to certify the remediation work was completed.



iii. CLOSURE COST ESTIMATE

|  |  | <b>Peconic Environmental Services Corp.</b> |              |          |                      |
|---|--|---|--------------|----------|----------------------|
|   |  | <b>Peconic Avenue Transfer Station</b>      |              |          |                      |
|   |  | <b>4/15/2021</b>                            |              |          |                      |
|   |  | <b><u>CLOSURE COST ESTIMATE</u></b>         |              |          |                      |
| ITEM NO.  | DESCRIPTION  | UNIT PRICE                                  | UNIT         | Quantity | EXTENDED PRICE       |
|   | Closure Construction Costs   |   |              |          |                      |
| 1   | Phase I Environmental Site Assessment  | \$ 7,500.00                                 | LS           | 1        | \$ 7,500.00          |
| 2   | Phase II ESA Investigation   | \$ 40,000.00                                | LS           | 1        | \$ 40,000.00         |
| 3   | Sanitary Septic Tank 10' Dia. - pump out & dispose of waste  | \$ 2.50                                     | Gal.         | 2500     | \$ 6,250.00          |
| 4   | Transportation of full building of waste to 110 Landfill (28 miles)(3437 tons)   | \$ 0.50                                     | per/mile ton | 96236    | \$ 48,118.00         |
| 5   | Disposal Fee of full building of waste   | \$ 62.00                                    | Ton          | 3437     | \$ 213,094.00        |
| 4   | Landscaping Budget - remove weeds, maintain grass areas  | \$ 8,000.00                                 | LS           | 1        | \$ 8,000.00          |
| 5   | Post Mounted Traffic Signs - Remove  | \$ 30.00                                    | SF           | 125      | \$ 3,750.00          |
| 6   | 6' High Vinyl Coated Chain Link Fence Repairs  | \$ 36.00                                    | LF           | 150      | \$ 5,400.00          |
| 7   | Pre Engineered Steel Transfer Station Building with Concrete Foundation - Powerwash waste areas with disinfection solution | \$ 0.50                                     | SF           | 38,775   | \$ 19,387.50         |
| 8   | Drain and Winterize Plumbing System  | \$ 0.25                                     | SF           | 39,575   | \$ 9,893.75          |
|   | <b>Closure Construction Subtotal:</b>  |   |              |          | <b>\$ 361,393.25</b> |
|   | Mobilization, Bonding & Insurance:   |   |              | 3%       | \$ 10,841.80         |
|   | LEED Development Fees  |   |              | 0%       | \$ -                 |
|   | Contingency:   |   |              | 15%      | \$ 54,208.99         |
|   | <b>Closure Construction Total:</b>   |   |              |          | <b>\$ 426,444.04</b> |
|   | Professional Services - Geotechnical Report:   |   |              | 0.0%     | \$ -                 |
|   | Professional Services - Survey:  |   |              | 0.0%     | \$ -                 |
|   | Professional Services - Permitting:  |   |              | 3.0%     | \$ 12,793.32         |
|   | Professional Services - Engineering Design:  |   |              | 5.0%     | \$ 21,322.20         |
|   | Professional Services - Eng. Construction Administration:  |   |              | 3.0%     | \$ 12,793.32         |
|   | Professional Services - Eng. Construction Observation:   |   |              | 4.0%     | \$ 17,057.76         |
|   | Professional Services - Legal:   |   |              | 4.0%     | \$ 17,057.76         |
|   | Professional Services -Total:  |   |              |          | \$ 81,024.37         |
|   | <b>Closure Budget:</b>   |   |              |          | <b>\$ 507,468.40</b> |

**f. STATE & LOCAL SOLID WASTE MANAGEMENT PLAN CONSISTENCY**

Pursuant to 6 CRR-NY 360.16 Permit Application Requirements and Permit Provisions, (c) Contents of a new application for a permit, (5) State and local plan consistency:

The proposed facility shall demonstrate that it is consistent with the goals and objectives of:

- a. The New York State solid waste management policy identified under subdivision (1) of ECL section 27-0106, with an emphasis on diversion from thermal treatment and disposal;
- b. The New York State solid waste management plan; and
- c. the department-approved local solid waste management plan (LSWMP) in effect, if one exists, for the municipalities in the facility's service area;
- d. for those municipalities in the service area that do not have a LSWMP in effect, an identification that the municipalities have a department-approved CRA in effect.

**i. SECTION 27-0106 OF THE ENVIRONMENTAL CONSERVATION LAW (ECL)  
SETS FORTH THE STATE'S STATUTORY SOLID WASTE MANAGEMENT POLICY**

This policy provides an ordered listing of preferred solid waste management methodologies for managing solid waste in a manner that will reduce dependency on land burial of raw wastes. This hierarchy, in descending order of preference, is:

- a. first, to reduce the amount of waste generated;
- b. second, to reuse material for the purpose for which it was originally intended or to recycle material that cannot be reused
- c. third, to recover, in an environmentally acceptable manner, energy from solid waste that cannot be economically and technically reused or recycled; and
- d. fourth, to dispose of solid waste that is not being reused, recycled or from which energy is not being recovered, by land burial or other methods approved by the Department (ECL 27-0106.1). (All solid waste management methodologies not specifically identified in the hierarchy under (a), (b) and (c) (for example, non-energy recovery combustion) have equal preference to disposal in a landfill.

Materials easily identified as recyclable in nature will be separated from the waste stream prior to the waste being loaded into rail cars for transport and disposal out of State. Processing of C & D debris through a WTE facility is not practical or compatible with mass burn technology. Landfilling this material is the most economical and environmentally sound method of handling this component of the waste stream.

**ii. THE NEW YORK STATE SOLID WASTE MANAGEMENT PLAN**

Finding of the Plan – Beyond Waste Plan. Construction and Demolition (C&D) debris recycling has been inhibited by a lack of markets for inherently valuable materials, a lack of information on material composition, origin and destination, and concerns about asbestos contamination.

Landfill design has significantly improved over the last 20 years, representing an important investment in environmental protection; creating capacity that will continue to be necessary for the management of waste that cannot be prevented, reused or recycled.

The Beyond Waste Plan also encourages expansion of market development initiatives to target glass, plastic film, plastics #3-7, compost, tires, and C&D materials as a means to create green jobs and encourage local recycling- based manufacturing.

The Plan encourages the establishment a New York State Center for C&D debris recycling through Empire State Development to research issues and solutions relative to C&D debris recycling in New York State; act as a central information access point; promote deconstruction and building materials reuse; provide C&D job site training programs; identify potential investments for ESD's Environmental Services Unit; and recommend policy options to support greater C&D debris recycling. Until these programs are fully developed however, landfilling of this material is the most economical and environmentally sound method of handling this component of the waste stream.

iii. LOCAL SOLID WASTE MANAGEMENT PLAN (LSWMP)

The Town of Brookhaven landfill is scheduled to close in 2024. The Town of Brookhaven has a NYSDEC approved LSWMP. There is an urgent need for regional planning on the part of NYSDEC to ensure wastes currently managed at the landfill have proper disposal options available for 2025. The Town's landfill manages a large portion of the downstate region C&D residual waste stream, and nearly all ash generated at Long Island WTE facilities. Again, there is a clear need for a regional solution, and the Town has "respectfully encouraged NYSDEC to assume a leadership role in addressing this concern". The Town of Brookhaven stands ready to assist the NYSDEC in this matter. The Town of Brookhaven's approved LSWMP recognizes that to avoid a regional waste management crisis, NYSDEC and the private and public sectors of Long Island need "to become proactive and enter in economically active planning processes to ensure that these wastes are not illegally disposed of and that viable solutions are put into place post closure of the Brookhaven landfill." The Town has used its landfill to provide a needed regional disposal facility for processed residues from C&D material. Planning for facilities to be up and running to accept C&D debris material at the time Brookhaven closes is critical. There must be a smooth transition to new facilities built to accommodate the quantities accepted by Brookhaven prior to closure. The planning process must begin now, significant amounts of material are involved in this process.

**Multi-Year Brookhaven Landfill Comparison C&D Debris Tonnage (from the Brookhaven LSWMP)**

|                   |                   |
|-------------------|-------------------|
| 2007 - 467,150.74 | 2015 - 546,774.34 |
| 2008 - 404,381.26 | 2016 - 420,790.43 |
| 2009 - 294,431.20 |                   |
| 2010 - 330,180.33 |                   |
| 2011 - 431,412.73 |                   |
| 2012 - 506,459.93 |                   |
| 2013 - 422,679.15 |                   |
| 2014 - 541,749.00 |                   |



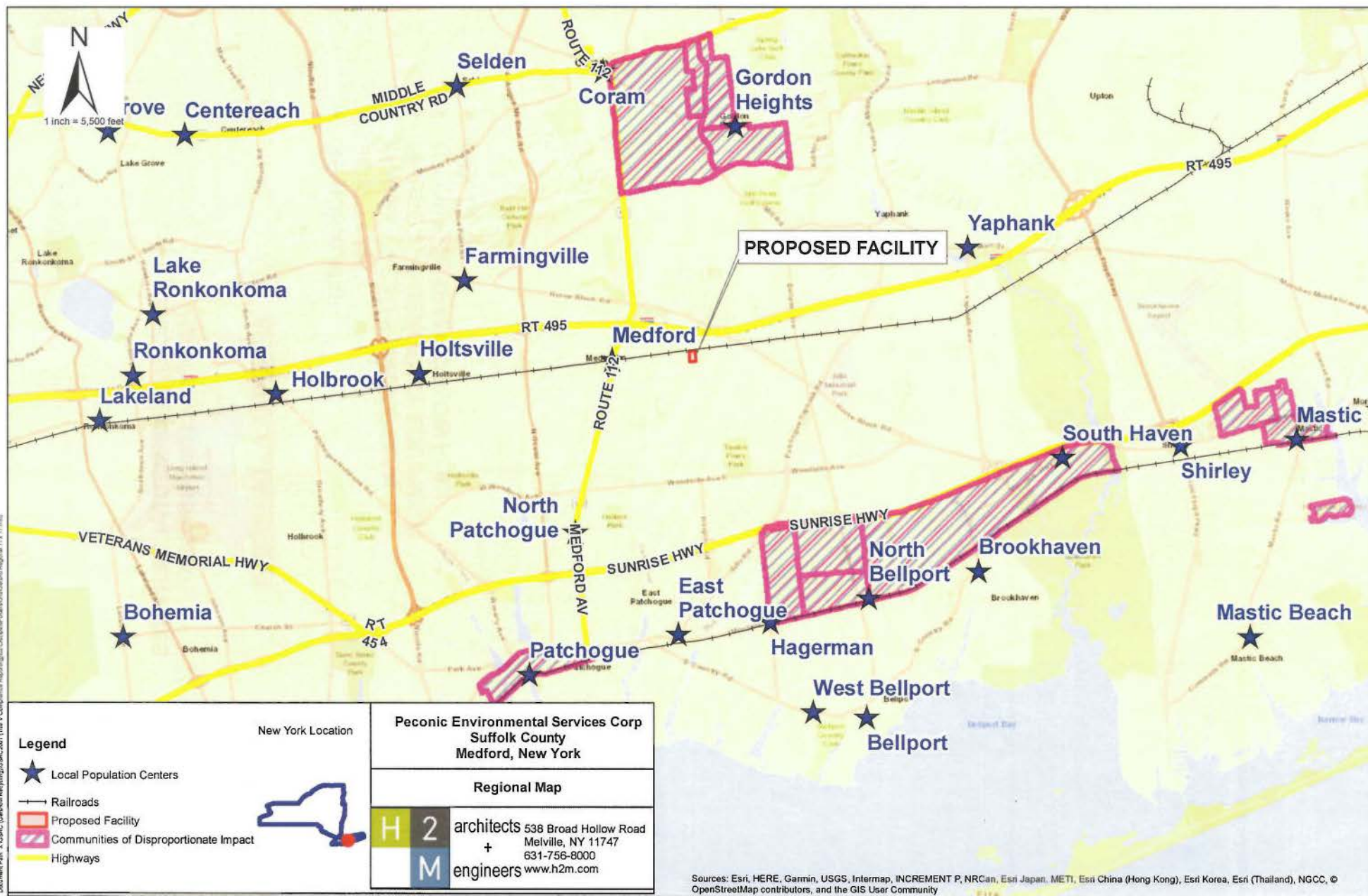
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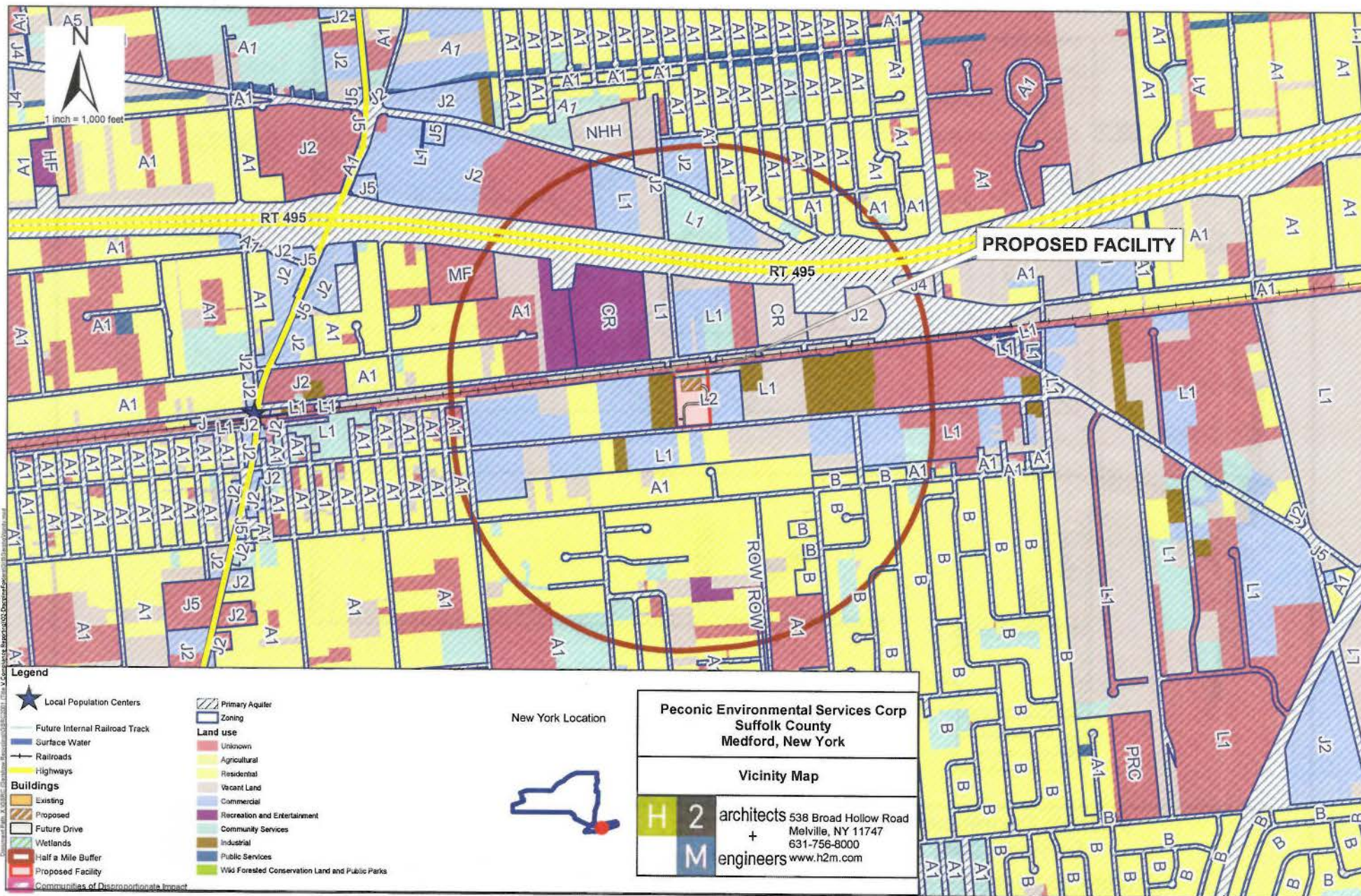
## **PECONIC ENVIRONMENTAL SERVICES**

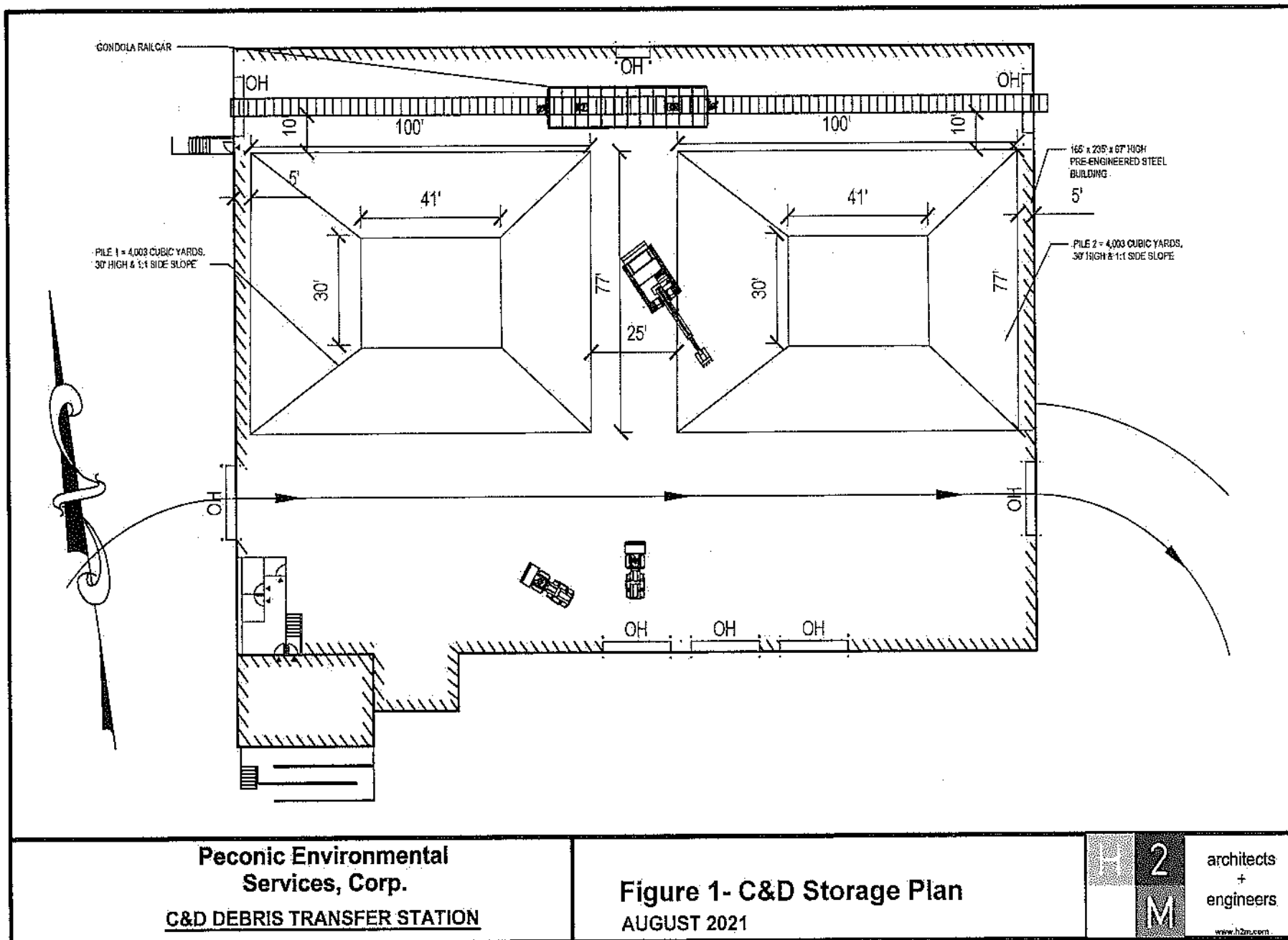
H2M Project No.: GSRC1901

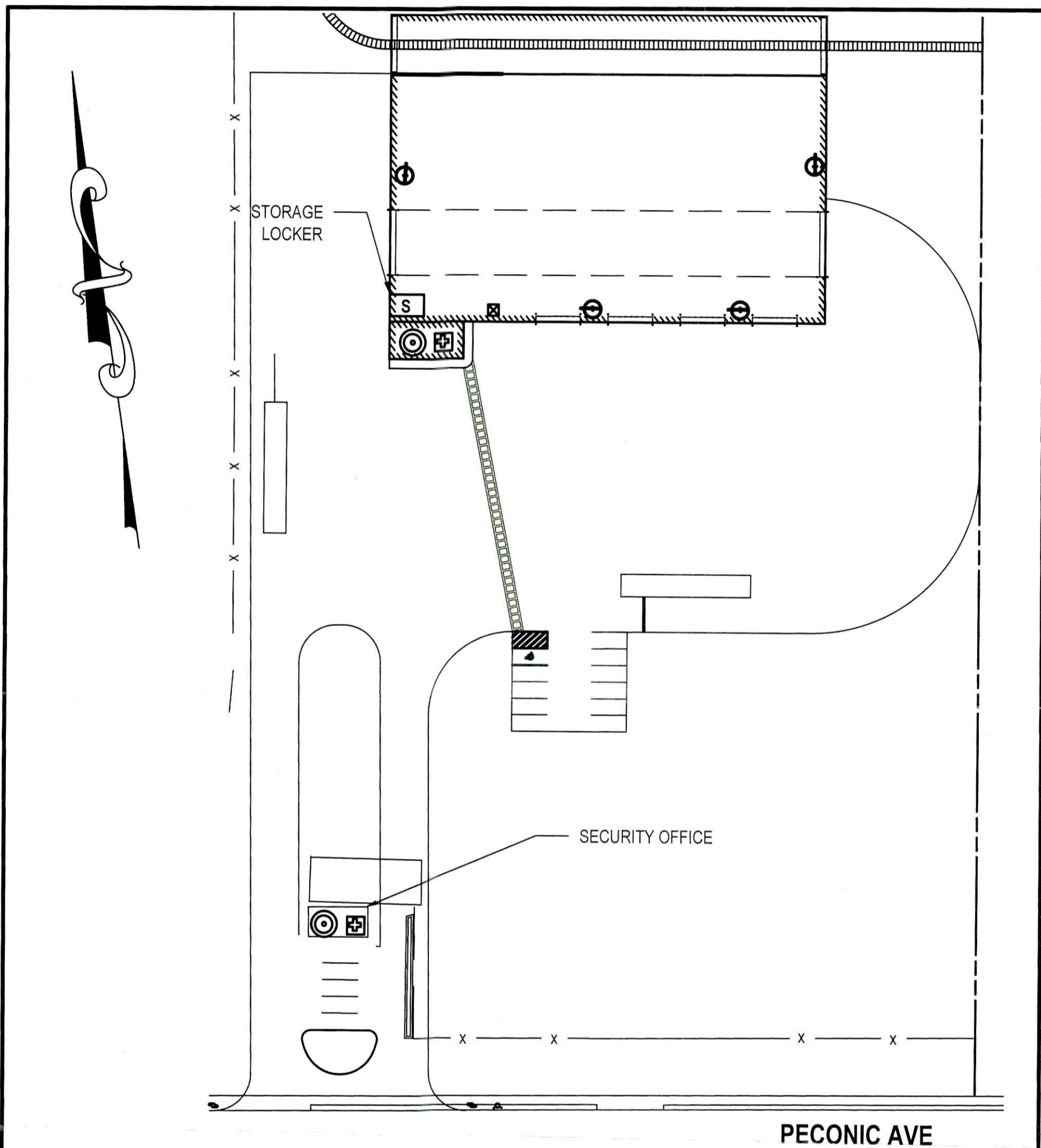
### **APPENDIX A - DRAWINGS**

- REGIONAL MAP
- VICINITY MAP
- FIGURE 1 – C&D STORAGE PLAN
- FIGURE 2 – EMERGENCY EQUIPMENT
- C-1 ON SITE TRAFFIC FLOW PLAN
- RAIL PLAN







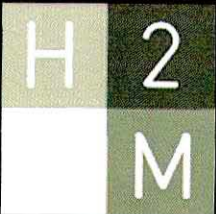


### LEGEND

|                |                 |              |                   |              |               |
|----------------|-----------------|--------------|-------------------|--------------|---------------|
| SMOKE DETECTOR | SPILL EQUIPMENT | HOSE STATION | FIRE EXTINGUISHER | FIRE HYDRANT | FIRST AID KIT |
|----------------|-----------------|--------------|-------------------|--------------|---------------|

**Peconic Environmental  
Services, Corp.**  
**C&D DEBRIS TRANSFER STATION**

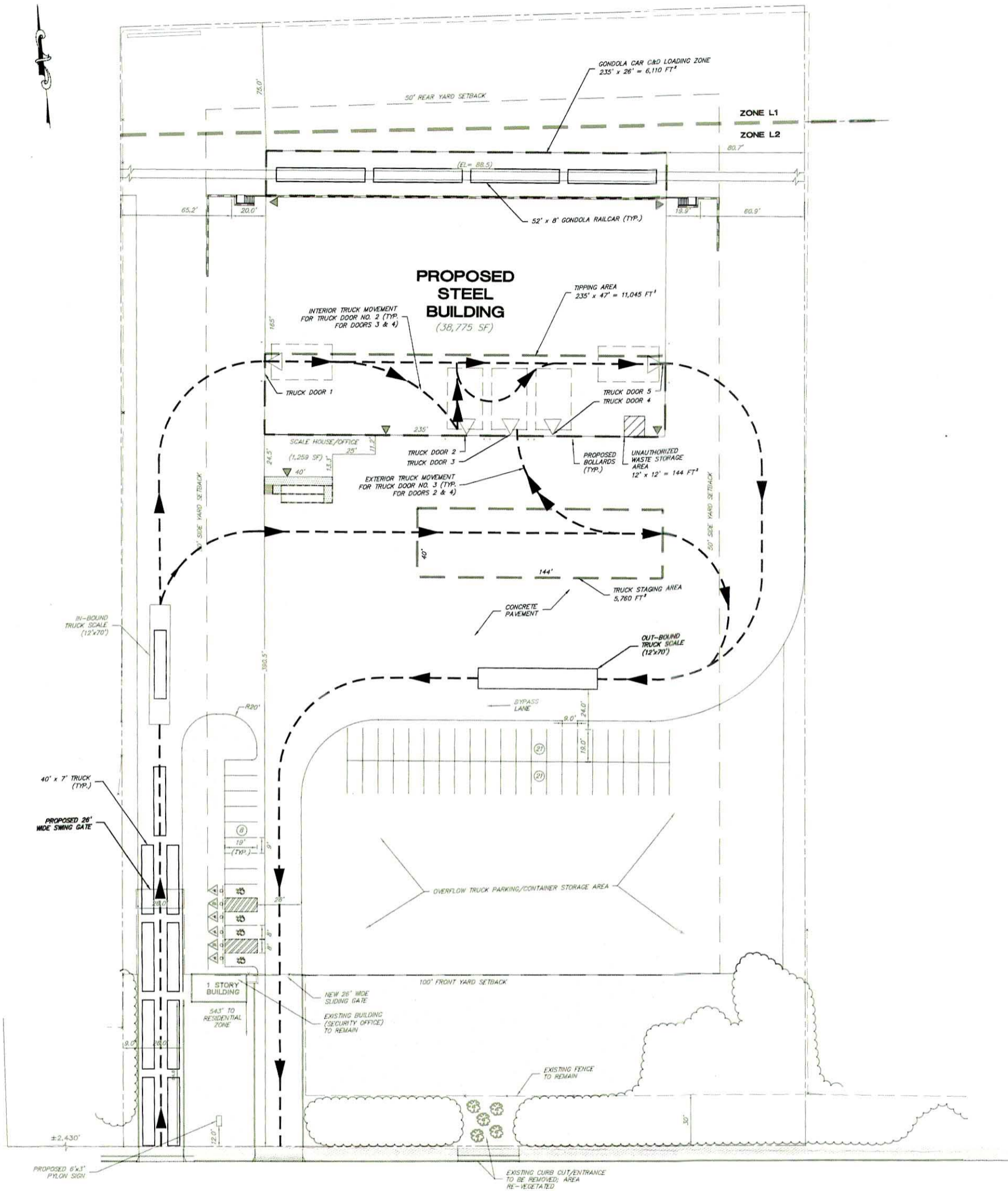
**Figure 2 - Emergency  
Equipment**



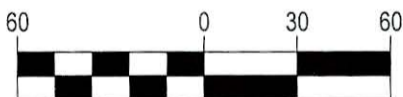
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+  
engineers

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X:\GSRC (Gershow Recycling)\GSRC1901 (Recycling Transfer Station)\02-BIM-CADD\Con-does\mech\C-1 On Site Traffic Flow Plan.DWG Last Modified: Aug 06, 2021 - 1:02pm Plotted on: Aug 26, 2021 - 1:16pm By jaccioppoli



#### GRAPHIC SCALE



(IN FEET)  
1 inch = 60 ft.

#### NOTES

1. THIS PLAN REFERENCES A SURVEY PREPARED BY BARRETT, BONACCI & VAN WEELE, PC (DATED 6/28/19).
2. SEE ARCHITECTURAL PLANS PREPARED BY H2M FOR ADDITIONAL INFORMATION.

#### LEGEND

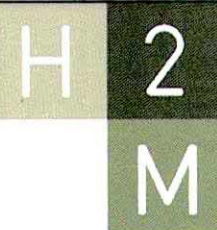
- ▶ FORWARD DRIVING
- ◀ REVERSE DRIVING

**Peconic Environmental  
Services, Corp.**

**C-1 ON SITE TRAFFIC FLOW**

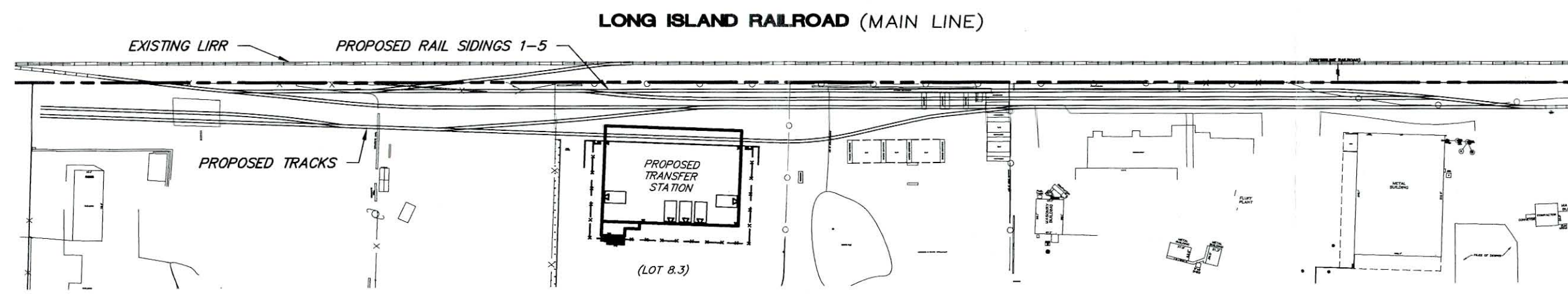
Project #  
**GSRC1901**

DATE:  
**AUG. 2021**



**architects  
+  
engineers**


H2M Associates, Inc.  
NJ Certificate of Authorization  
No. 24GA28019100  
[www.h2m.com](http://www.h2m.com)



**RAIL TRACK INFORMATION**

LENGTH OF TRACK REQUIRED @ 150% PERMITTED CAPACITY - 1,737 LF (28 RAILCARS)  
LENGTH OF TRACK PROVIDED ON SITE (LOT 8.3) - 1,834 LF

| RAIL SIDING | LENGTH (ON TAX LOT 8.3) |
|-------------|-------------------------|
| 1           | 401 LF                  |
| 2           | 365 LF                  |
| 3           | 401 LF                  |
| 4           | 266 LF                  |
| 5           | 401 LF                  |
| TOTAL       | 1,834 LF                |

|  |  |                    |                         |                     |               |
|--|--|--------------------|-------------------------|---------------------|---------------|
| Date   |  | By                 |                         | Revision            |               |
| Designed by: LZ  |  | Drafted by: LZ     |                         | Checked by: MM      |               |
| <div><b>Barrett Bonacci &amp; Van Weele, PC</b><br/>Engineers • Surveyors • Planners<br/>175A Commerce Drive Hauppauge, NY 11788<br/>t 631.435.1111 f 631.435.1022<br/>www.bbvp.com</div> |  |                    |                         |                     |               |
| Tax Map: DISTRICT 200 SECTION 736 BLOCK 2 LOT 8.3  |  |                    |                         |                     |               |
| <b>PECONIC ENVIRONMENTAL SERVICES MEDFORD</b><br>TOWN OF BROOKHAVEN SUFFOLK COUNTY, NY   |  |                    |                         |                     |               |
| <b>RAIL PLAN</b>   |  |                    |                         |                     |               |
| Date<br>SEPTEMBER 1, 2021  |  | Scale<br>1" = 200' | Project No.<br>A031425C | Sheet No.<br>1 of 1 | © 2021 BBV PC |



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## **PECONIC ENVIRONMENTAL SERVICES**

H2M Project No.: GSRC1901

### **APPENDIX B – AUTHORIZATION LETTERS**

- APRIL 2, 2020, TUNNEL HILL PARTNERS LETTER TO MR. GERSHOWITZ
- DECEMBER 23, 2020, TUNNEL HILL PARTNERS LETTER TO MR. GERSHOWITZ
- TUNNEL HILL RECLAMATION, NEW LEXINGTON, OH -2021 PERMIT
- SUNNY FARMS LANDFILL, FOSTORIA, OH – 2021 PERMIT
- TRAFFIC ASSESSMENT, DATED SEPTEMBER 25, 2020, PREPARED BY H2M
- DECEMBER 2, 2020, BROOKHAVEN HIGHWAY DEPARTMENT MEMORANDUM

# Tunnel Hill Partners

---

April 2, 2020

**PRIVATE AND CONFIDENTIAL**

Gershow Recycling  
71 Peconic Ave.  
Medford NY 11763  
Attn: Mr. Kevin Gershowitz

Re: Waste by Rail Transportation and Disposal

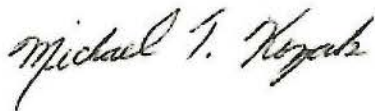
Dear Mr. Gershowitz:

In response to our discussion yesterday, please allow this letter to serve as confirmation that Tunnel Hill Partners, L.P. (THP) owns and operates two rail served Subtitle D landfills located in OH. Sunny Farms Landfill in Fostoria, OH and Tunnel Hill Reclamation in New Lexington, OH are both permitted for and accept, as a matter of normal business, C & D and MSW wastes from rail served Transfer Stations located outside the state of OH. I have attached the facilities respective permits to this letter.

In addition, please allow this letter to also acknowledge the long standing relationship that THP has had with your company. Our hope would be that this relationship will only grow once your facility in Medford becomes fully operational with regards to the receipt of wastes at that location. As THP operates its own NY DEC regulated waste transfer facilities on Long Island, we are very familiar with the tracking procedures and requirements found in Part 361-5.6. Our intention would be to assist you in fully complying with the requirements of those regulations for any materials shipped via rail from your facility to our landfills.

If you have any questions or issues with this or any other matter please don't hesitate to contact me on my cell at 410-591-4857.

Regards,



Michael T. Kozak  
Senior Vice President  
Tunnel Hill Partners, L.P.

# *Tunnel Hill Partners*

December 23, 2020

**PRIVATE AND CONFIDENTIAL**

Gershow Recycling  
71 Peconic Ave. Medford NY 11763  
Attn: Mr. Kevin Gershowitz

Re: Waste by Rail Transportation and Disposal

Dear Mr. Gershowitz:

In response to our discussion yesterday, please allow this letter to serve as confirmation that Tunnel Hill Partners, L.P. (THP) owns and operates two rail served Subtitle D landfills located in OH. Sunny Farms Landfill in Fostoria, OH and Tunnel Hill Reclamation in New Lexington, OH are both permitted for and accept, as a matter of normal business, C & D and MSW wastes, Auto Fluff, and carpeting, from rail served Transfer Stations located outside the state of OH. I have attached the facilities respective permits to this letter.

In addition, please allow this letter to also acknowledge the long standing relationship that THP has had with your company. Our hope would be that this relationship will only grow once your facility in Medford becomes fully operational with regards to the receipt of wastes at that location. As THP operates its own NY DEC regulated waste transfer facilities on Long Island, we are very familiar with the tracking procedures and requirements found in Part 361-5.6. Our intention would be to assist you in fully complying with the requirements of those regulations for any materials shipped via rail from your facility to our landfills.

If you have any questions or issues with this or any other matter please don't hesitate to contact me on my cell at 201-957-5657.

*Jeff Kopyta*

NY/NJ MARKETING MANAGER  
WTI/THP

2021



2021

## Solid Waste Facility License Municipal Solid Waste Landfill

License Expires December 31, 2021

|  |   |
|--|---|
| <b>Facility:</b> Tunnel Hill Reclamation LLC<br>CID: 272650<br>8822 Tunnel Hill Rd.<br>New Lexington, OH 43764 | <b>Licensee:</b> Tunnel Hill Reclamation LLC<br>P.O. Box 625<br>New Lexington, OH 43764 |
|--|---|

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the approved Board of Health and the Director of the Ohio Environmental Protection Agency.

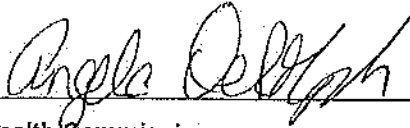
**Licensing Authority: Perry County General Health District**

### Conditions of Licensure:

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734, 3767, 6111, and 3704 and rules adopted thereunder.
2. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
3. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
4. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07. The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734, 3767, 6111, or 3704 of the Ohio Revised Code, or regulations issued thereunder. Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

  
 Health Commissioner

12/15/2020  
 Date Issued

2021



2021

## Solid Waste Facility License Municipal Solid Waste Landfill

License Expires December 31, 2021

**Facility:** Sunny Farms Landfill LLC  
CID: 37706  
12500 W Co Rd 18  
Fostoria, OH 44830

**Licensee:** Sunny Farms Landfill LLC  
12500 West County Road 18  
Fostoria, OH 44830

This license has been issued in accordance with the requirements of state law, is subject to revocation or suspension for cause, and is not transferable without the consent of the approved Board of Health and the Director of the Ohio Environmental Protection Agency.

**Licensing Authority:** Seneca County General Health District

### Conditions of Licensure:

The Licensee hereunder, its agents, employees, and all others in active concert with said licensee, including the facility owner and operator, shall be subject to and shall comply with the following conditions of this license:

1. All applicable requirements of Ohio Revised Code Chapters 3734, 3767, 6111, and 3704 and rules adopted thereunder.
2. Permits-to-install, plans, operational reports, other authorizing documents, and administrative and judicial orders applicable to this facility and as approved by the Director of the Ohio Environmental Protection Agency.
3. This license is conditional upon payment of the applicable fee to the Board of Health or the Director, as appropriate, within 30 days after issuance.
4. By applying for and accepting this license, the licensee specifically consents in advance and agrees to allow the Director, the Health District, or an authorized representative, to enter upon the licensee's premises at any reasonable time during the construction and/or operation of the facility for the purpose of inspecting, conducting tests, collecting samples, or examining records or reports pertaining to construction, modification, installation, or operation of the facility. The licensee hereby acknowledges and agrees that any and all rights of access granted herein shall not be deemed to be unreasonable or unlawful under Ohio Revised Code Sec. 3734.07. The licensee, its agents, employees, and all others in active concert with said licensee shall maintain and operate the facility to which the license pertains in a sanitary manner so as not to create a nuisance, cause or contribute to water pollution, or create a health hazard. This license shall not be construed to constitute a defense to any civil or criminal action brought by the State of Ohio or any duly authorized representative thereof to enforce the provisions of Chapters 3734, 3767, 6111, or 3704 of the Ohio Revised Code, or regulations issued thereunder. Issuance of this license does not relieve the licensee of the duty to comply with all applicable federal, state, and local laws, regulations and ordinances.

☐ If Checked, Additional Conditions Apply to This License (See Back, or Attachment)

  
Health Commissioner

  
Date Issued



architects + engineers

538 Broad Hollow Road 4<sup>th</sup> Floor East  
Melville, NY 11747

tel 631.756.8000  
fax 631.694.4122

September 25, 2020

Mr. Kevin Gershowitz  
Peconic Environmental Services Corporation  
Peconic Avenue  
Medford, New York 11763

**Re: Traffic Assessment  
Special Use Permit Application for a Construction & Debris Transfer Facility  
Peconic Environmental Services Corp.  
Medford, New York  
SCTM: 200-736-2-8.3  
H2M Project No.: GSRC 1901**

Dear Mr. Gershowitz

H2M architects + engineers (H2M) has prepared the following Traffic Assessment in connection with the proposed Facility, subject above. This Facility will be located on the north side of Peconic Avenue between Medford Avenue (Route 112) and Horse Block Road in Medford, in the Town of Brookhaven, New York. In order to clarify and separate the assessment, the report is presented as follows:

- 1) Summary
- 2) Site Location and Description
- 3) Adjacent Roadways
- 4) Rail Access
- 5) Proposed Project
- 6) Routing
- 7) Parking

### **1. Summary**

The proposed transfer facility will generate approximately 32 new entering traffic and 32 exiting traffic trips per hour (including trucks and employees vehicles). The increase is minimal and will have no noticeable impact. The proposed site plan will provide 16 parking spaces, less than the 106 required by Town Code. The site will have only five full time employees on-site and, other than haulers bringing debris to the site, will have no visitors. The 16 parking spaces provided will be more than sufficient.

The assessment and traffic engineering analysis of the proposed project indicates the site will not have a detrimental impact on traffic conditions on the surrounding road network in the vicinity of the site and provides enough parking.

### **2. Site Location and Description**

The proposed Transfer Facility is located on the north side of Peconic Avenue between Medford Avenue (Route 112) and Horse Block Road (County Road 16) approximately 2,430 feet from Buffalo Avenue. The site is currently vacant. The lot consists of 263,787 square feet (6.05 Acres) of property. All access to the subject site is via Peconic Avenue where the site enjoys 400.1 feet of street frontage.

Peconic Avenue, in the immediate vicinity of the site, is Industrial in character as lies between the site and Horse Block Road. Properties to the west of the site, to Buffalo Avenue are also industrial in

nature. West of Buffalo Avenue for approximately a quarter mile, both sides of Peconic Avenue are residential in nature followed, by a mix of uses with residential on the south side of the road and industrial on the north side, through to Medford Avenue. Figure 1 indicates the Town of Brookhaven within Long Island. Figure 2 indicates the site in relation to the surrounding roadway network. Figure 3 presents an aerial photograph of the and indicates its position on Peconic Avenue.

## **2. Adjacent Roadways**

Peconic Avenue is a Town of Brookhaven road consisting of one eastbound and one westbound through lane. Peconic Avenue begins on the west at North Ocean Avenue (County Road 83) and runs east, terminating at Horse Block Road (County Road 16). Peconic Avenue also intersects Medford Avenue (NYS Route 112) to the west of the site. Both Medford Avenue and Horse Block Road intersect and provide direct access to the Long Island Expressway (Interstate I-95) to the north. Both roadways also provide access to Sunrise Highway (NYS Route 27) to the south.

East of the site at the Americus Avenue intersection, Peconic Avenue becomes one-way eastbound and at Horse Block Road, only right turns from Peconic onto southbound Horse Block Road are permitted. Eastbound traffic wishing to go north on Horse Block Road to access the Long Island Expressway must turn north on Americus Avenue, and travel a few hundred feet to the signalized intersection of Horse Block Road with Americus Avenue/Manor Road. Likewise, both north and southbound traffic on Horse Block Road must proceed to the intersection of Horse Block Road at Americus Avenue/Manor Road and turn right to head west bound on Peconic Avenue

Peconic Avenue in the vicinity of the site is forty feet wide with two east/west through traffic lanes that are twelve feet wide and two eight-foot wide shoulders on each side. Peconic Avenue in the vicinity of the site is straight and there are no impediments to sight distance at the proposed access. The vertical profile of Peconic Avenue is rolling, and the vertical profile does not limit sight distance. To the west of the proposed access, sight distance is 550 feet while to the east sight distance is 650 feet. The observed 85<sup>th</sup> percentile speed of 45 miles per hour on Peconic Avenue indicates that recommended intersection stopping sight distance is 500 feet. The available sight distance at the proposed access exceeds the recommended intersection sight distance.

The posted speed limit on Peconic Avenue is 30 miles per hour east of Buffalo Avenue and is controlled by the Town of Brookhaven. Posting of signs for this speed limit is sporadic and uneven, particularly east bound. Between Medford Avenue and Buffalo Avenue the posted speed limit is 25 miles per hour. West bound at Buffalo Avenue there is a radar activated driver feedback sign which notifies drivers of their speed in comparison to the 25 mile per hour speed sign.

On the northeast corner of Medford Avenue at Peconic Avenue there is a truck exclusion sign facing east bound traffic. We are aware that there is a truck exclusion ordinance covering Peconic Avenue however, New York State Vehicle and Traffic Law does not permit restriction of trucks making local deliveries to any business on Peconic Avenue.

It should be noted that the Horse Block Road bridge over the Long Island Rail Road north east of the site is currently under construction and that Horse Block Road is completely closed north of its intersection with Americus Avenue/Manor Road and north of Peconic Avenue. The closure and detour of traffic is anticipated to last until September of 2020.

### Volumes

In 2014, according to the New York State Department of Transportation, Peconic Avenue had an Average Annual Daily Traffic (AADT) of 2,956 vehicles per day. More recent traffic counts were taken for the purpose of supporting this Assessment. The counts were taken from March 9, 2020 to March 16, 2020 and are provided in the Appendix of this report. They were collected on Peconic Avenue just east of Buffalo Avenue, west of the subject site. Additional counts were taken on Peconic Avenue just west of Americus Avenue and east of the site. In 2020 the Average Annual Daily Traffic (AADT) for that period was 4,619 vehicles per day west of the site and 4,453 vehicles per day east of the site. The directional AADT's indicated that on a daily basis there were approximately 375 more vehicles per day west bound then east bound. It is believed this is primarily due to the detour of traffic resulting from the bridge reconstruction on Horse Block Road.

There were only minor differences between the counts taken east of Buffalo Avenue and those taken west of Americus Avenue. The highest volumes at both locations occurred during the noon hour with the highest peak in the morning occurring between 11:00 AM and 12:00 noon and the highest afternoon peak occurred between 12:30 PM and 1:30 PM; the afternoon peak being higher. During the traditional weekday AM hours, the peaks varied at the two count locations but were the same during the PM peak.

The Count data collected just east of Buffalo Avenue was slightly higher than that collected east of that location. It will be used to represent traffic flow on Peconic Avenue in further discussions. The count data was seasonally adjusted to reflect that counts taken in March are typically lower than average monthly count data. The Adjustment Factor was obtained from the New York State Department of Transportation Data Services Bureau. During the traditional weekday AM peak hour, the peak occurred between 6:45 and 7:45 AM with 312 vehicles counted (187 eastbound and 126 westbound). During the traditional weekday PM peak hour, the peak occurred between 4:15 and 5:15 PM, with 406 vehicles counted (131 eastbound and 275 westbound). During the midday peak of 12:30 to 1:30 PM, 414 vehicles were counted (187 eastbound and 227 westbound).

### Classification Counts

In addition to the 2020 traffic volume counts, vehicle classification data was also collected during the same time period. The results of the classification counts are as follows:

| Vehicle Type                                     | Buffalo Avenue | Americus Avenue |
|--|----------------|-----------------|
| Passenger Vehicles and Trailers                  | 52%            | 46.7%           |
| Buses  | 2%             | 4.5%            |
| 2 Axle Large Vehicles (i.e. pick-ups, vans, etc. | 21%            | 20.6%           |
| 6 Tire Vehicles                                  | 11.5%          | 13.5%           |
| 3 Axle Vehicles                                  | 1.9%           | 3.5%            |
| 4 Axle Vehicles                                  | 0.8%           | 1.7%            |
| 5 Axle Vehicles                                  | 2.1%           | 4.1%            |
| All Others                                       | 8.7%           | 5.4%            |

It should be noted that there is more heavy vehicle activity observed at the eastern location then at the western site, which borders on the residential area of Peconic Avenue. Field observations on Peconic Avenue noted a number of car carrier vehicles which may not readily fit into the FHWA vehicle classification system. This is possibly why there are a higher number of "Others" in the count results.



### Speed Studies

Vehicle speeds were also monitored during the 2020 counts. The speed of traffic was measured for each direction of traffic separately. At the easterly count location, the 85<sup>th</sup> percentile speed was 42 miles per hour in each direction. At the westerly count location, just east of Buffalo Avenue, westbound traffic was measured at an 85<sup>th</sup> percentile speed of 42 miles per hour. At the same location eastbound traffic was measured at an 85<sup>th</sup> percentile speed of 46 miles per hour. It is noted that the posted speed limits on Peconic Avenue are 25 miles per hour between Route 112 and Buffalo Avenue and 30 miles per hour between Buffalo Avenue and Horse Block Road.

### Accident Experience

In order to determine whether there are any existing accident problems within the area of the proposed project, accident records were obtained from the New York State Department of Transportation, for all accidents that occurred along Peconic Avenue from Medford Avenue (Rt. 112) to Horse Block Road (CR 16), from January 1, 2016 to December 31, 2019, a four year period. The Accident Verbal Descriptions received from the State are included in the Appendix of this report.

**Table 1 – Accident Summary** summarizes the number of accidents that occurred along Peconic Avenue in the vicinity of the site by year.

| Location  | 2016      | 2017      | 2018      | 2019      |
|---|-----------|-----------|-----------|-----------|
| Medford Avenue at Peconic Avenue                                    | 10        | 9         | 4         | 5         |
| Peconic Avenue between Medford Avenue and Buffalo Avenue            | 0         | 1         | 3         | 1         |
| Peconic Avenue at Buffalo Avenue                                    | 0         | 0         | 0         | 0         |
| Peconic Avenue between Buffalo Avenue and Kane Avenue               | 0         | 1         | 0         | 0         |
| Peconic Avenue at Kane Avenue                                       | 0         | 0         | 1         | 0         |
| Peconic Avenue between Kane Avenue and Americus Ave/Manor Road      | 0         | 0         | 1         | 1         |
| Peconic Avenue at Americus Ave/Manor Rd.                            | 0         | 1         | 2         | 2         |
| Peconic Avenue between Americus Ave/Manor Rd. and Horse Block Road. | 0         | 0         | 0         | 0         |
| Peconic Avenue at Horse Block Road                                  | 2         | 2         | 1         | 0         |
| Location Not sufficiently Identified                                | 2         | 1         | 1         | 3         |
| <b>TOTAL</b>  | <b>14</b> | <b>15</b> | <b>13</b> | <b>12</b> |

**Table 1 – Accident Summary**

A total of 54 accidents occurred during the four-year period. Twenty-eight of the accidents involved property damage only and eighteen were classified as non-reportable. Only eight accidents involved personal injury.

Eight of the fifty-four accidents occurred during the nighttime, or in dark conditions, and most occurred while pavement conditions were dry. The most prevalent accident type was the rear-end or overtaking accident. Twenty-eight of the accidents occurred at the intersection of Peconic Avenue at Medford Avenue where, due to the routing restrictions that will be imposed on the site access, no site traffic is anticipated to pass through. The majority of these accidents involved rear end crashes or overtaking north and southbound traffic on Medford Avenue. Only one accident occurred on Peconic Avenue between Buffalo Avenue and Kane Avenue, where the site is to be located. There was no pattern of accidents that was identifiable and/or correctable.



The number of accidents reported does not indicate that Peconic Avenue has any accident problems that would be exacerbated by the proposed project.

### **3. Railroad Access**

The proposed site is located adjacent to the Long Island Rail Road Mainline Branch. The railroad provides access to the national rail system which can transport large quantities of material great distances at low cost. At the north side of the site a rail spur will provide access to the rail system.

### **4. Proposed Project**

The proposed project contemplates construction of a Construction & Demolition Debris Transfer Facility on a 6.08 Acre parcel located on the north side of Peconic Avenue, 2,430 feet east of Buffalo Avenue. The site is bounded on the north by the Long Island Rail Road. The site will have three buildings when complete. One small existing 514 square foot building will be retained and use for security and monitoring the flow of vehicles into and out of the site. A large new building with 38,755 square feet of space will be where the construction debris will be transferred from trucks onto rail cars. The building will be constructed to allow trucks that bring debris to the facility to off load the material within the building. The building will have a rail spur passing through it to allow rail cars to enter the building and be loaded with the material for removal off the site and out of the region. Material transfer will entirely be done within the building. Finally, a third small 800 square foot building will be constructed immediately adjacent to and be attached to the large transfer building. From this building the two scales will weigh the incoming trucks carrying material and weigh them again before they leave the site; determining the weight of the material left at the site.

The site will be provided with 16 parking spaces including one handicapped space.

### **Trip Generation Methodology**

To determine the potential impact of the proposed project on traffic operations in the vicinity of the site, the amount of new traffic the site will generate was determined. Typically, the Institute of Transportation Engineer's Trip General Handbook, 10<sup>th</sup> Edition would be examined to determine how much traffic the site will generate in the future. The data presented in the Handbook provides the average amount of traffic which can be anticipated to be generated by a project based on observations of similar sites. There, however, is no data within that reference that would reasonably replicate the anticipated trips the complete site would generate.

In order to determine the amount of traffic the completed site will generate the operation of the site was evaluated. The site is expected to operate from 6 AM to 5 PM Monday thru Saturday. There will be a total of 5 full time employees on site continuously through the workday. The site will be limited to processing 1,938 tons of material. However, the site is not anticipated to operate at full capacity daily. Rather it is anticipated that the site will typically handle half of its total capacity on average. For brief periods of time following a damaging natural disaster such as Superstorm Sandy or other emergencies, the site may function at a full capacity.

For the purpose of examining a reasonably conservative worst case scenario, the traffic analysis will be conducted based on the full capacity of the site rather than the anticipated average operating capacity consistent with industry standard practices for traffic analysis.

On average 3.75-yards of material equates to one ton. Therefore, the site will be limited to handling 7,267.5 yards of material per day at maximum capacity. Trucks bring the material to the site will typically have 20 and 40-yard carrying capacities. It is anticipated that two-thirds of the material will arrive using the 40-yard trucks and one third of the material will arrive using the 20-yard trucks. Based



on these assumptions the site will generate 122 forty-yard deliveries and 120 twenty-yard deliveries for a total of 242 trips to the site over an eleven-hour period, assuming the Facility operates at maximum capacity.

#### Peak Hour Trip Generation Methodology

It is likely that there will be some lull in deliveries at the beginning and ending of the day and some fluctuations hour to hour. In order to generate a reasonably conservative peak hour volume for analysis purposes, it has been assumed that the 242 deliveries occur over a nine-hour period generating 27 entering and exiting truck trips per hour based on the maximum permitted volume for the facility.

At the end of each day, in accordance with Town Code, the Transfer Facility must be cleaned of any remaining debris that has not been loaded onto railcars and removed from the site for final disposal. In order to do this, one or two transfer trailers capable of carrying 100 tons of material will be used. During the final hour of the day the number trucks bring debris to the site will drop. The two transfer trailers brought in at the end of the day will not add to the anticipated 27 truck trips during the final hour of operation.

In addition to the trucks there will be employee arrivals and departures and some other deliveries such as mail. For the purposes of this reasonably conservative peak hour volume analysis it will be assumed that 5 entering and exiting trips will occur each hour. Combined with the anticipated trucks entering and exiting, the combined traffic entering the site will be 32 vehicles and 32 vehicles are anticipated to exit the site per hour. The 32 vehicles entering and exiting the site will be assumed for all peak hours of traffic.

#### 5. Access and Access Capacity

The proposed transfer facility will have one one-way entrance to the site on the west side of the existing security building and one one-way exit from the site on the east side of the existing security building. The two access points will be signed with the appropriate one-way and DO NOT ENTER signing to assure safe traffic flow at the entrance. The Site Operator intends that the site will operate utilizing Horse Block Road and only the easterly portions of Peconic Avenue to service the site. In order to implement this strategy, it is proposed that NO LEFT TURN signing be utilized at the entrance to the site to prohibit eastbound vehicle from turning into the site. NO RIGHT TURN signs will be used to prohibit trucks exiting the site from turning right onto westbound Peconic Avenue. The exclusion of these turns and the restrictions on the site access will assure that the activities of the site will not have any impact on the residential community on Peconic Avenue to the west.

Traffic flow evidenced in the traffic count data on Peconic Avenue has been discussed above. Figure 3, Traffic Assignment, shows the anticipated traffic turning movements at the site access when the site is complete and open. Figure 4, 2022 Composite Build Traffic Volumes, presents the volumes that are anticipated to exist once the transfer facility is open and operating. In order to take a conservative approach, the peak hour of the generator volumes is compared to peak hour volumes of the highway which are unlikely to coincide. Highway Capacity Analysis were conducted to examine how the proposed driveways will operate once the facility is open and operating at full capacity. The results of the capacity analyses, which are provided in the Appendix of this report, indicate that the site access will operate at Level of Service B during all hours of operation.

#### 6. Routing

As noted previously the community along Peconic Avenue west of Buffalo Avenue does not want trucks from the subject facility passing that residential neighborhood on Peconic Avenue. The site plan for the site will include restrictions and signing to prohibit traffic from the west from turning into the site from



eastbound Peconic Avenue. Likewise, traffic exiting the site will be required to turn east on to east Peconic Avenue to travel from the Facility. Directions to the Facility will include information on roadway restrictions and will include directions that indicate visitors must use Horse Block Road and Peconic Avenue east of the site. Based on this the following routing is expected to be used to access the site:

- Northwest and West: Long Island Expressway (I-495) eastbound to Exit 65, Horse Block Road (CR 16) southeast bound to Americus Avenue southbound to Peconic Road eastbound.
- Northeast and East: Long Island Expressway (I-495) westbound to Exit 65, Horse Block Road (CR 16) southeast bound to Americus Avenue southbound to Peconic Road eastbound.
- North: Medford Avenue (Route 112) to Horse Block Road (CR16) southeast bound to Americus Avenue southbound to Peconic Road eastbound.
- Southwest: Sunrise Highway (Route 27) eastbound to Sill's Road (CR 101) northeast bound to north bound Station Avenue to Horse Block Road (CR16) northwest bound to Americus Avenue southbound to Peconic Road eastbound.
- Southwest: Sunrise Highway (Route 27) westbound to Horse Block Road (CR16) northwest bound to Americus Avenue southbound to Peconic Road eastbound.

The routing noted above is similar to the routing currently used to bring construction debris to the Town of Brookhaven Landfill. The Town of Brookhaven will be discontinuing the acceptance of construction debris in 2024, and the proposed Facility will receive a portion of the material that will no longer be accepted by the Town. Access to the Town Landfill is on Horse Block Road between Sunrise Highway and East Woodside Avenue (CR 99). Thus, traffic arriving at the proposed new facility will follow the same general path as would traffic going to the Town facility, except, traffic to the new Facility will turn off of Horse Block Road. Essentially, a portion of existing area traffic will be redistributed to the proposed Facility. The new traffic will be that traffic utilizing Peconic Avenue between the site and Americus Avenue and a short section of Americus Avenue between Horse Block Road and Peconic Avenue.

## **7. Parking**

The proposed modified site plan will provide 16 parking spaces, while the Town Parking Code requires a total of 106 spaces, an 85% deficiency. The Town Code requires the following:

|                       |           |            |
|-----------------------|-----------|------------|
| Office Space          | 1,314 SF  | 9 Spaces   |
| Warehouse Space       | 11,683 SF | 97 Spaces  |
| Total Spaces Required |           | 106 Spaces |

Typical warehouse space employs more personnel to operate than the proposed facility. The "warehouse building" will permit trucks bringing material for disposal at the proposed Facility to enter the tipping floor to deposit waste and will also permit railcars and transfer trailers taking material out of the Facility for off Island disposal to stage on the tipping floor area to be loaded. There will be equipment and operators on site to transfer waste from the disposal vehicles to the rail cars and if rail is not available, to transfer trailers for final disposal off-site. The Site Operator only expects 5 full time employees to be on-site to operate the facility. Three employees are expected to work in the large transfer facility itself. All trucks entering the site for delivery will leave after dumping of their load. It is not anticipated that there will be regular storage of trucks on-site overnight. Pursuant to the Town Code, nine spaces are to be provided for the office use. Site employees will utilize these spaces for parking. It is concluded that the 16 spaces provided will be sufficient parking to meet the needs of the proposed site.

Peconic Environmental Services Corporation  
September 28, 2020  
Page 8 of 8



If you have any questions or require any additional information, please contact me at (516) 455-5530.

Very truly yours,

**H2M architects + engineers**

A handwritten signature in black ink, appearing to read 'Ron Hill', written over the company name.

Ronald N. Hill, P.E.  
Traffic Engineering Practice Leader

X:\GSRC (Gershow Recycling)\GSRC1901 (Recycling Transfer Station)\00-Correspondence\Traffic Assessment Gershow Revised Final 20-0928.doc

Town of  
Highway



Brookhaven  
Department

**Daniel P. Losquadro**  
Superintendent of Highways

**RECEIVED**

By Planning at 9:33 am, Dec 10, 2020

MEMO TO: Joseph Sanzano, Planning Division

FROM: Jason Reznak, Traffic Engineer I *JR*  
Vincent A. Corrado, PE, L.K. McLean Associates, PC *VAC*

DATE: December 2, 2020

RE: **Rezoning: Peconic Environmental Services Corp.**  
**Log #: 2020-018 Sp. Permit**  
**LOCATION: N/side of Peconic Ave., Approx. 2,500 ft E/of Buffalo Ave., Medford**  
**SCTM #: 200-736-2-8.3**  
**Site Usage: Transfer Station**

As requested, we have reviewed our file and the latest submission dated October 2, 2020 and received October 7, 2020 requesting traffic review comments with regard to the above-referred petition.

**Comments:**

1. Based on the traffic assessment submitted by H2M, the proposed transfer facility will be a relatively low traffic generator compared to many permitted uses in the L1 and L2 industrial zones.
2. The requested parking variance is substantial, but based on the proposed use and the anticipated number of employees, the 16 proposed parking spaces should be adequate.
3. The proposed routing to and from the site as described in the H2M report will minimize potential impact on the residential area along Peconic Avenue to the west of the site.
4. The curb radii at the site entrance on Peconic Avenue should be increased to 30 ft. to accommodate the large trucks that are expected to frequent this facility.

If you have any questions, please contact Jason Reznak, Traffic Engineer I at 631-451-6480.

VC:TM:kg

cc: Donna Lent, Town Clerk  
Germaine Ortiz, P.E., Assistant Civil Engineer  
Jon Sullivan, Traffic Engineer III

**Division of Traffic Safety**  
1 Independence Hill, Farmingville, NY 11738  
Phone (631) 451-6480 Fax (631) 451-6256 [www.brookhavenny.gov](http://www.brookhavenny.gov)



architects + engineers

## **PECONIC ENVIRONMENTAL SERVICES**

H2M Project No.: GSRC1901

### **APPENDIX C – EQUIPMENT DATA**

#### **LIST OF EQUIPMENT**

- Sennebogen 835E – Crawler Material Handling Machine
- Caterpillar 966 G Wheel Loader
- Ludlum Measurements, Inc. – Model 4525 Series Radiation Portal Monitor
- Emery Winslow Genesis II Low Profile Truck Scale
- Fogmaster Corp. Handheld Fogger for odor control
- Fogmaster Corp. Micro Jet ULV 7401 Ultra Low Volume Fogger

# SENEBOGEN



224 kW



54,5 t



20 m



MAXCAB

## 835E

Crawler material handling machine

TIER IVf

# 835E Further developed. The E-Series.



1962: Rope-driven S833 with elevated operator cab

## The characteristics of the E-Series

- 60 years of experience in the design and construction of hydraulic material handling machines
- Uncompromising high-performance in all areas: Focus on material handling
- Technology that can be mastered: High-quality components and avoidance of over-engineering
- Long product service life and high value retention

## Your most important advantages:

### 1 Green Efficiency

Save fuel - lower operating costs  
Calm work - easy on the operator and on the environment



### 2 Performance at the highest level

Robust mechanical engineering - parts subject to load are optimized  
High speeds - high safe working loads

### 3 Maximum operating comfort

Maxcab comfort cab - relaxed work  
SENCOR - SENNEBOGEN Control System



### 4 Maximum safety

Safe entry and exit - non-slip step surfaces  
Modern cameras - the entire work area is in view

### 5 Maintenance and service made easy

Easy fault diagnosis - central measuring points  
Easy maintenance - clear markings

### 6 Consultation and support

3 production locations - 2 subsidiaries  
120 Sales Partners - more than 300 service support points





More performance, nevertheless:

- 25% Fuel consumption\*
- 90% Nitrogen oxides / TIER 4f
- 90% Soot particles / TIER 4f

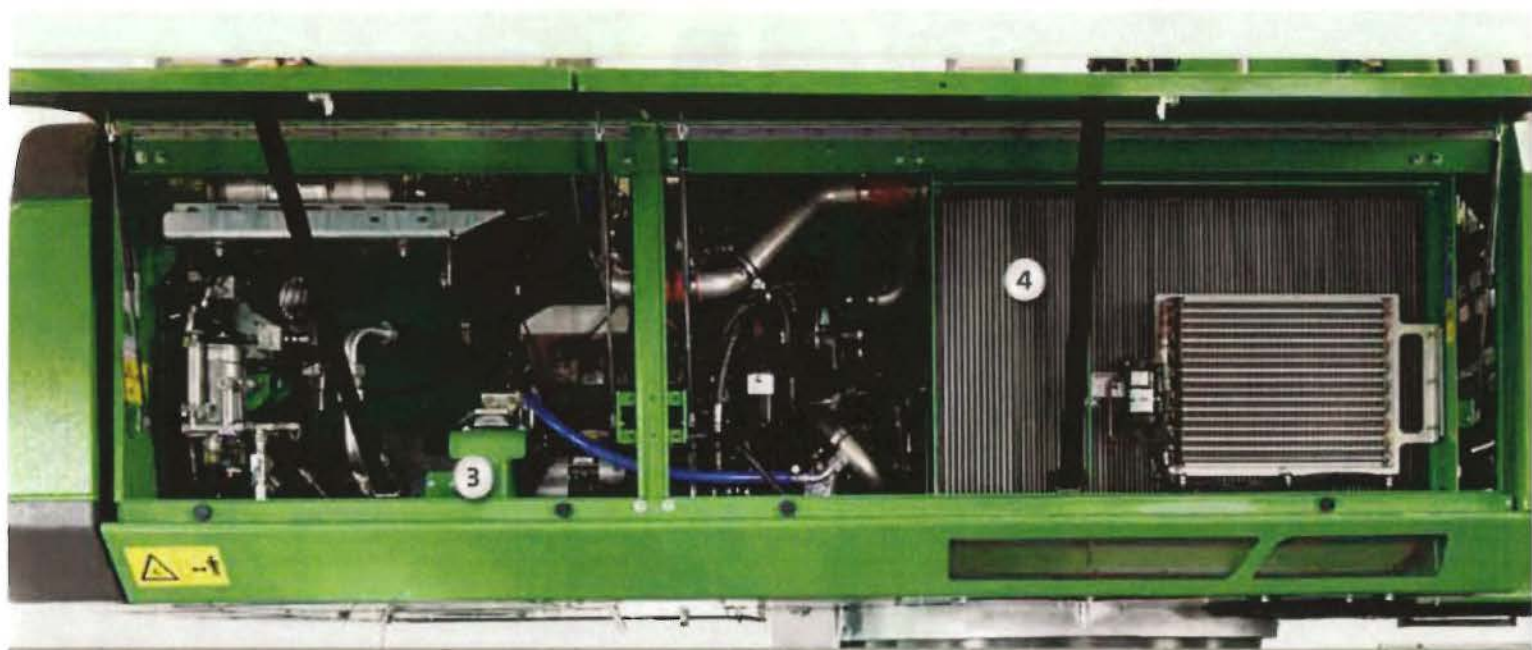
\*Up to 25% depending on work implementation as compared to the D-Series

# 835E The E-Series. At a glance.



## Save fuel 4 times

- Up to 20% savings: Working in Eco Mode with reduced speed
- Idle automation lowers RPM to 40% of working RPM
- Stop automation switches the engine off, when there is no demand for power
- Optimized engine settings, specific fuel consumption lowered, modern exhaust gas aftertreatment



## Quiet work

- Uniformly quiet working machine, thanks to decoupled engine suspension and acoustic insulation mats in the doors
- Sound pressure level reduced by as much as 4.5 dB; sound power level in accordance with 2000/14/EC as much as 2 dB lower than required

3

## High-capacity cooling

- Constant, reliable performance due to large-dimensioned and highly-resistant fans and coolers
- Water coolers and oil coolers with optimal efficiency thanks to control via axial piston pump and motor thermostatic regulation on-demand
- Charge air cooler with mechanical drive

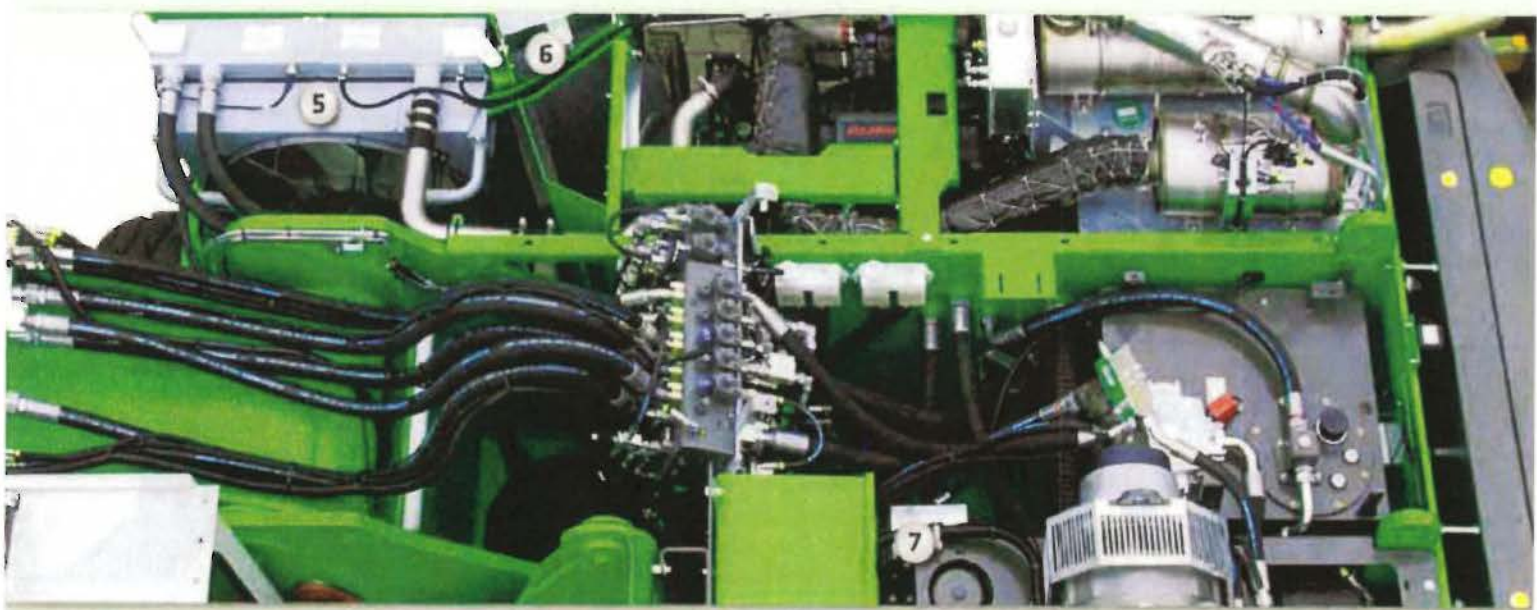
4



### Maximum safety

- Non-slip work surfaces
- Perimeter railing (optional) **1**
- 2 cameras to the right and to the rear
- Step grid with railing sliding door of the cab **2**

preliminary picture with mobile undercarriage



### Intelligent cooler technology

- Standard equipment: Automatic, fast and strong fan reversal for blowing out the coolers and continuous cooling capacity **5**
- Side-by-side coolers, easily accessible and clean cooler technology **6**
- Fuel savings through optimized fan operation

### Powerful hydraulic system

- Strong pumps with power reserves
- Highest levels of efficiency thanks to large-dimensioned hydraulic valves and lines
- Extremely long change intervals of 4,000 op.hrs through initial filling with HVLDP oil with extended oil service life when used with SENNEBOGEN HydroClean\* **7**

\* Option, see page 7

# 835E The E-Series. Comfort pure.

## Comfort cab Maxcab

- Air-suspension comfort seat, with seat heater
- Convenient joystick control,
- Hinged front window
- Sliding door, step grid in front of cab
- Color monitor for camera images to the right and to the rear
- SENNEBOGEN Optimode: Different modes for optimization of performance



## Step grid with railing

- Safety when entering and exiting the cab
- Sliding door facilitates entering and exiting



## Air conditioning automation

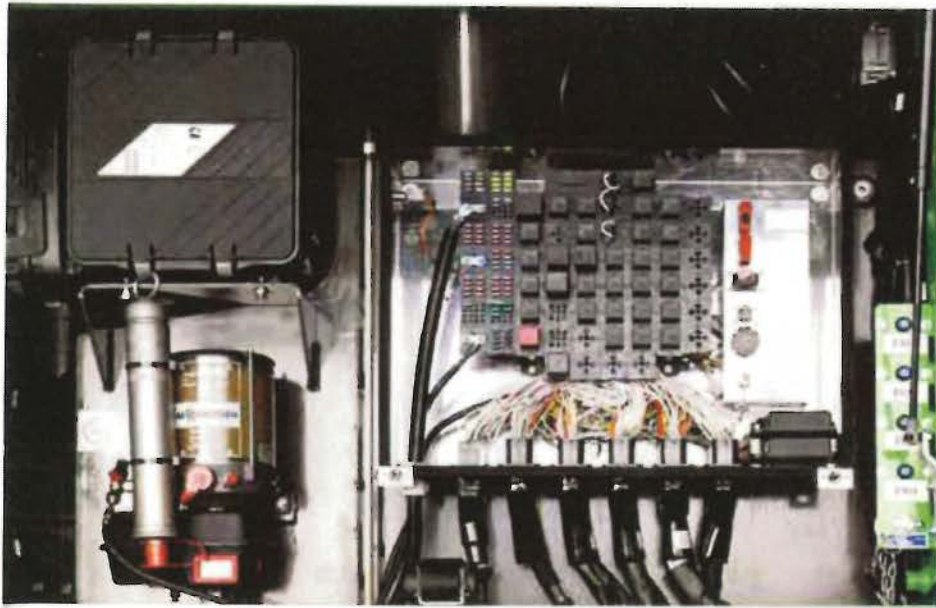
- Work climate is always pleasant, thanks to 10 uniformly distributed fan nozzles
- Easy control via central operating elements



## SENCON

- Clear menu
- Determine actual values without additional measurement devices
- Fast troubleshooting thanks to detailed messages

# 835E Maintenance and service made easy



## Maintenance-optimized

- Fast and easy fault diagnostics through the effectively designed and clearly labeled electrical distributor
- Easy accessibility to all service points of the machine
- Automatic central lubrication for equipment and slewingring raceway



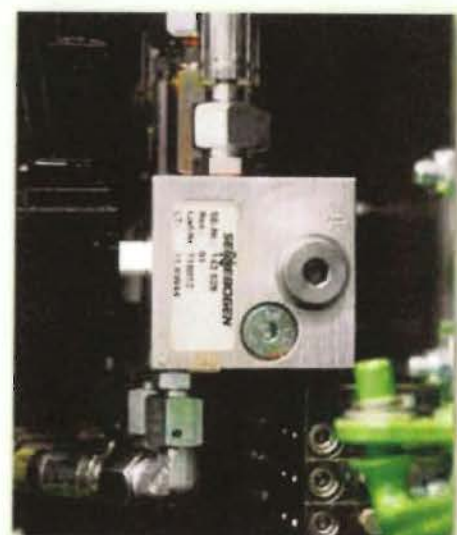
## HydroClean\*

- Optimal protection of hydraulic components thanks to 3  $\mu$ m micro-filter
- Cleaner hydraulic oil, extended oil service life



## Central measuring points

- Easy access, central measuring points
- Fast inspection of the entire hydraulic system



## Clear labeling

- All parts are labeled with a unique part number
- Easy and reliable spare parts ordering

\* optional

# 835E Modular structure - versatile solutions

## Attachments



## Equipment (additional equipment on request)



## Cab elevation



## Uppercarriage

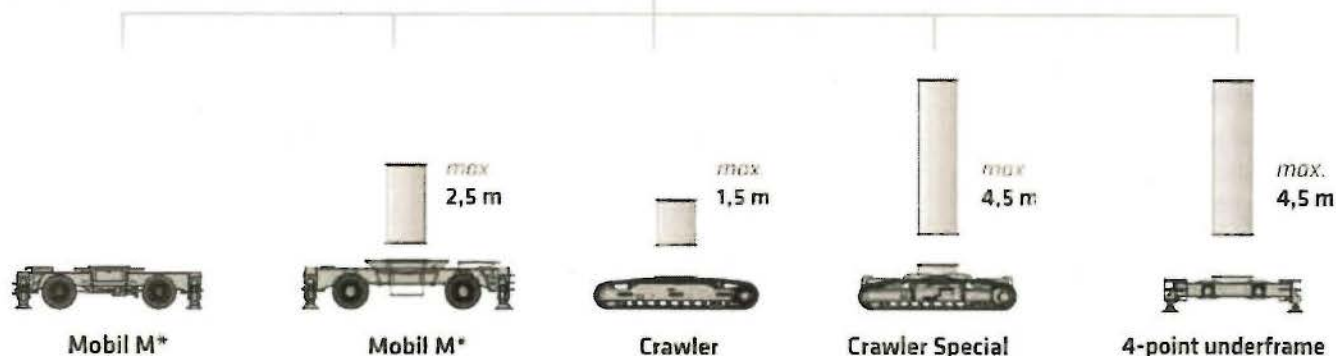


- IM Diesel-hydraulic drive
- Electro-hydraulic drive
- Magnetic generator

## Options

- Engine line drum
- Transformer

## Variants - undercarriage





**Reliable work**  
through robust and FEM-  
optimized equipment

**Robust slewing gear (2x)**  
for fast work cycles and high-  
performance material handling

**Sliding door**  
for convenient  
entry and exit

**Safe entry and exit**  
via the step grid with railing

**Better illumination**  
of the work area through  
powerful LED headlights\*

**High safe working loads**  
even at maximum extension,  
due to massive cylinders

**Ideal overview**  
and safe working height, thanks  
to stable cab elevation

**Safe entry and exit**  
thanks to railings\*, grip handles  
and non-slip steps

**Robust side cover**  
of recyclable sheet steel

**High stability**  
due to the broad  
outrigger area

\* Option

# 835E Technical data - equipment

## MACHINE TYPE

Model (type) **835**

## ENGINE

|                |   |
|----------------|---|
| Power          | <b>224 kW / 304 hp at 2000 RPM</b>  |
| Model          | <b>Cummins QSL 9-C300 TIER IVf</b><br>Direct injection, turbo charged, charge air cooler, reduced emissions, ECO mode, idle automation, stop automation, fuel pre-warming |
| Cooling        | water-cooled, direction of rotation changeover of the cooler fan  |
| Diesel filter  | with water separator and heater   |
| Air filter     | Dry filter with integrated pre-separator, automatic dust discharge, main element and safety element, contamination indicator  |
| Fuel tank      | <b>625 l</b>  |
| Electr. system | <b>24 V</b>   |
| Batteries      | <b>2 x 150 Ah</b> , battery disconnect switch   |
| Options        | <ul style="list-style-type: none"> <li>Engine block pre-warming at temperatures under -20°C</li> <li>Electric fuel pump</li> </ul>  |

## UPPERCARRIAGE

|                     |   |
|---------------------|---|
| Design              | Torsion-resistant box design, precision crafted, steel bushings for boom bearing arrangement<br>Extremely service-friendly concept, engine installed in the longitudinal direction  |
| Central lubrication | Autom. central lubrication for equipment and slewing gear raceway   |
| Electrical          | Central electrical distributor, battery disconnect switch   |
| Cooling system      | 3-circuit cooling system with high cooling output, thermostatically regulated fan drive for oil cooler and water cooler, fan reversal for cleaning  |
| Options             | <ul style="list-style-type: none"> <li>Slewing gear brake via foot pedal</li> <li>Perimeter uppercarriage railing for additional safety</li> <li>Light package with LED</li> <li>Fire extinguisher</li> <li>Maritime climate paint finish as corrosion protection</li> <li>Electrical hydraulic tank pre-warming at temperatures under -20°</li> <li>Low-temperature package for work deployments at temperatures under -20°C</li> <li>Hydraulically-driven magnetic generator 15 kW / 20 kW</li> </ul> |

## HYDRAULIC SYSTEM

Load sensing / LUDV hydraulic system, hydraulic, pilot-controlled work functions, load limit sensing control

|                    |   |
|--------------------|---|
| Pump type          | Variable-displacement piston pump in swashplate design, load pressure-independent flow distribution for simultaneous, independent control of work functions   |
| Pump control       | Zero-stroke control, on-demand flow-control - the pumps only pump as much oil as will actually be used, pressure purging, load limit sensing control  |
| Delivery rate      | <b>maximum 740 l/min</b>  |
| Operating pressure | <b>to 350 bar</b>   |
| Filtration         | High-performance filtration with long-term change interval  |
| Hydraulic tank     | <b>500 l</b>  |
| Control system     | Proportional, precision hydraulic activation of work movements, 2 hydraulic servo joysticks for work functions, supplemental functions via switches and foot pedals   |
| Safety             | Hydraulic circuits with safety valves, secured emergency lowering of the equipment at engine standstill, pipe fracture safety valves for lift cylinder and stick cylinder   |
| Options            | <ul style="list-style-type: none"> <li>Bio-oil filling - ecologically worthwhile</li> <li>Tool Control for programming up to 10 tools in pressure / rate</li> <li>Supplemental hydraulic circuit for shear attachment</li> <li>Load moment warning with capacity utilization indicator, e.g. for tasks in halls</li> <li>Overload safeguard with overload shut-down e.g. for tasks in halls</li> <li>3 µm hydraulic micro-filter - SENNEBOGEN HydroClean</li> </ul> |

## SLEWING DRIVE

|               |   |
|---------------|---|
| Gearbox       | Compact planetary gear with slant axis hydraulic motor, integrated brake valves |
| Parking brake | Spring-loaded disk brake  |
| Slewing ring  | Strong ball race slewing ring, sealed   |
| Slewing speed | 0-8 RPM, stepless   |

# 835E Technical data - equipment

## SENNEBOGEN maxCRB

|               |   |
|---------------|---|
| Cab type      | Hydraulically elevating cab E270  |
| Cab equipment | Sliding door, excellent ergonomics, climate automation, seat heater, air-suspension comfort seat, fresh air filter / circulating air filter, joystick steering, 12 V / 24 V connections, SENCON   |
| Options       | <ul style="list-style-type: none"> <li>■ Cab E300/260 can be elevated 300 cm, and moved forward 260 mm hydraulically</li> <li>■ Rigid cab elevation 1.00 m</li> <li>■ Auxiliary heating system with timer</li> <li>■ Cab active-charcoal filter inside air/outside air, ideal for waste recycling applications</li> <li>■ Steering wheel steering with adjustable steering column</li> <li>■ Sliding window in the operator door</li> <li>■ Armored glass windshield, additional safety</li> <li>■ Armored glass roof window, additional safety</li> <li>■ Safety side window</li> <li>■ Floor window for a better view</li> <li>■ Sunblind for roof window</li> <li>■ Protective roof grating</li> <li>■ FOPS protective roof grating</li> <li>■ Front protective grating</li> <li>■ Radio and CD player with speakers</li> <li>■ Enlarged industrial cab with undivided armored glass windshield</li> </ul> |

## ATTACHMENTS

|           |  |
|-----------|--|
| Design    | Decades of experience, state-of-the-art computer simulation, highest level stability, longest service life, large-dimensioned bearing points, sealed special bearing bushes, precision-crafted, quick-release couplings on the grapple connections - open/close/rotate   |
| Cylinders | Hydraulic cylinders with high-quality sealing and guide elements, end position damping, sealed bearing points  |
| Options   | <ul style="list-style-type: none"> <li>■ Ball valves on the hydraulic lines grapple open, close, and rotate grapple</li> <li>■ Kinematic position II for greater working depth</li> <li>■ Maritime coating</li> <li>■ Maritime coating of all cylinders, nickel-plated and chrome-plated</li> <li>■ Float position for equipment via hoist cylinder</li> <li>■ Lift limitation / stick limitation adjustable for the stop settings, for example in the hall</li> </ul> |

## UNDERCARRIAGE

|                |   |
|----------------|---|
| Design         | Wide-gauge crawler undercarriage in stable, torsionally rigid box construction  |
| Drive          | Hydraulic travel drive, integrated in the traveling gear frame for each traveling gear side through an axial piston motor via compact planetary gear.   |
| Parking brake  | Spring-loaded, hydraulically ventilated disk brakes. Hydraulic brake valves protect the drive engines when moving downhill.   |
| Traveling gear | Telescopic crawler undercarriage type T41/380 with mechanical track adjustment from 2.3 - 3.8 m and maintenance-free B6 crawler track (55 links, length 5350 mm) with 700 mm triple-grouser track shoes, canted   |
| Speed          | 0 - 1.6 km/h stage I<br>0 - 3 km/h stage II   |
| Options        | <ul style="list-style-type: none"> <li>■ Telescopic crawler undercarriage type T41/380 with hydraulic track adjustment of 2.3 - 3.8 m</li> <li>■ Maintenance-free B6 crawler track (55 links, length 5350 mm) with 700 mm flat track shoes, rounded</li> <li>■ Maintenance-free B6 crawler track (55 links, length 5350 mm) with 800 mm triple-grouser track shoes, canted</li> </ul> |

## ELECTRIC DRIVE eGREEN

|        |  |
|--------|--|
| Option | <ul style="list-style-type: none"> <li>■ Power: <b>160 kW / 400 volt / 50 Hz</b><br/>Total connected load 270 kVA, customer-provided fusing 355 A at 400 V - motor start-up via star-delta circuit</li> <li>■ Power: <b>200 kW / 400 volt / 50 Hz</b><br/>Total connected load 340 kVA, customer-provided fusing 425 A at 500 V - motor start-up via star-delta circuit</li> <li>■ Advantages: Lowest operating costs, low-noise and virtually vibration-free work, long service life of the hydraulic components</li> </ul> |
|--------|--|

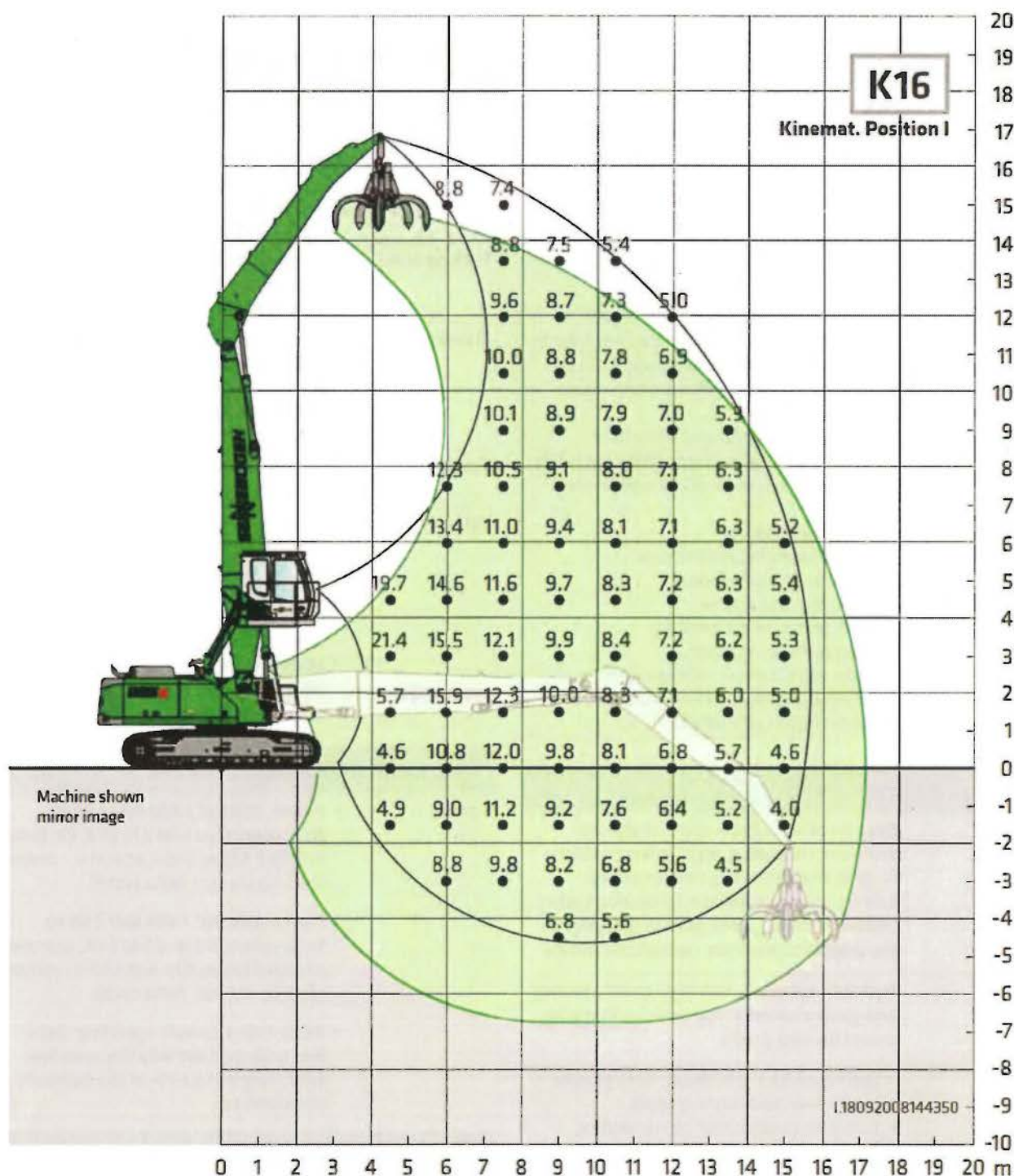
## OPERATING WEIGHT

|      |  |
|------|--|
| Mass | <b>approximately 54,500 kg</b><br>Basic machine 835 R with attachment K18 and 600 l multi-shell grab |
|------|--|

|      |  |
|------|--|
| Note | The operating weight varies depending on the design. |
|------|--|



# 835E Technical data, equipment



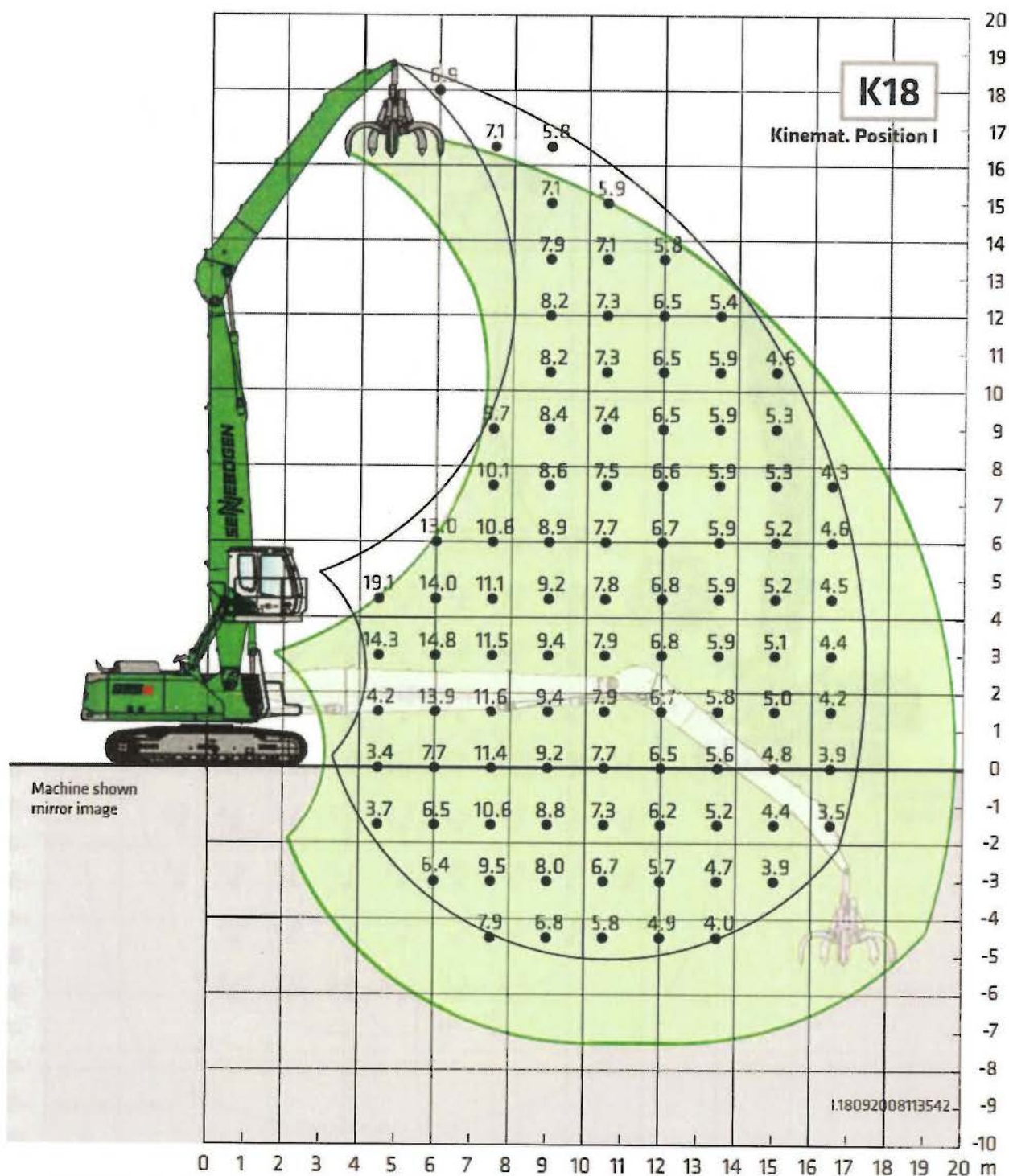
Undercarriage **T41/380 - R44D/380**

Compact boom **9,1 m**  
Loading stick **6,9 m**

Cab **maXcab E270, hydraulically elevating**

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

# 835E Technical data, equipment



Undercarriage **T41/380 - R44D/380**

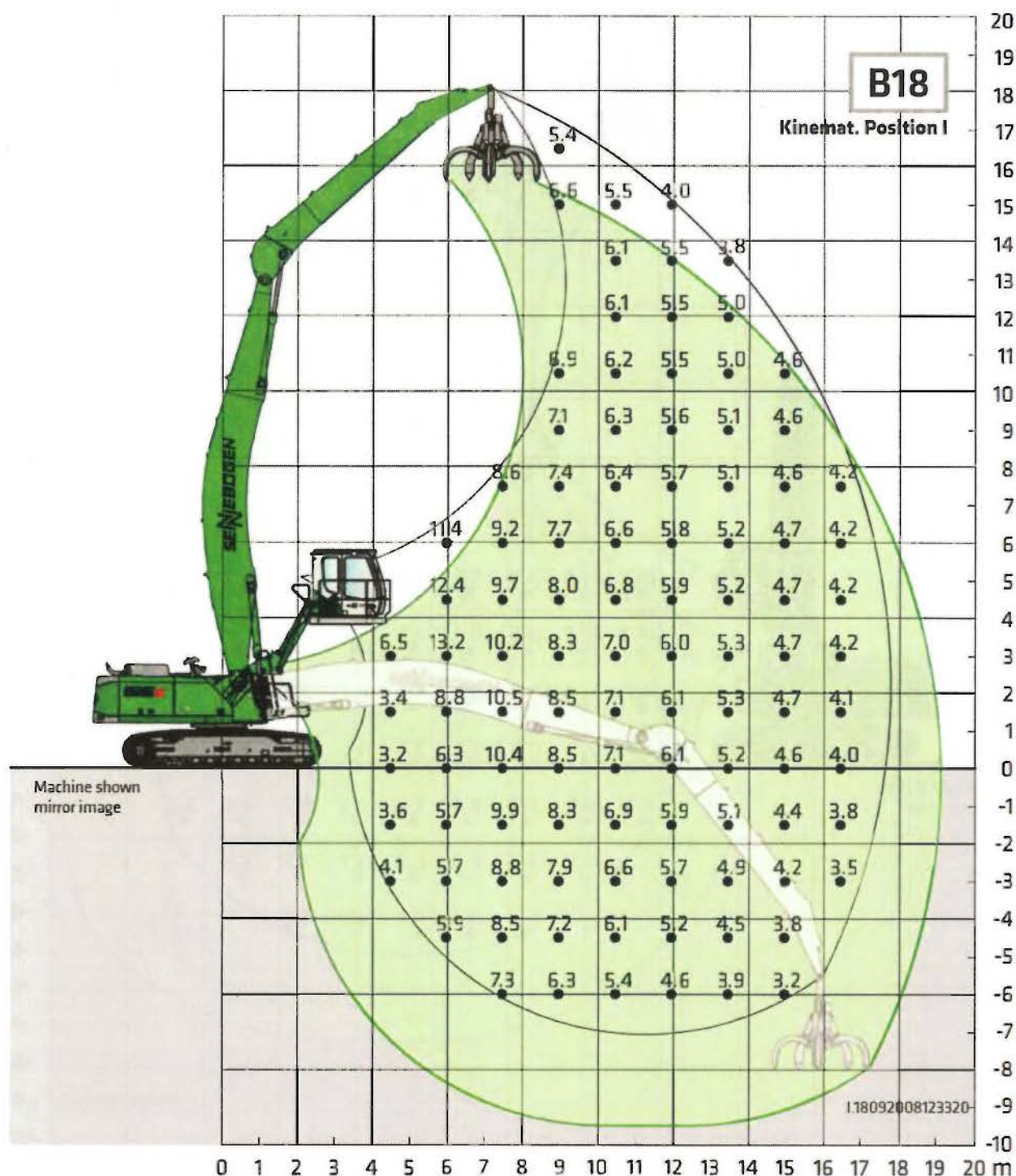
Compact boom **10,1 m**  
Loading stick **7,9 m**

Cab **maXcab E270, hydraulically elevating**

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

Technical data and dimension information subject to change.

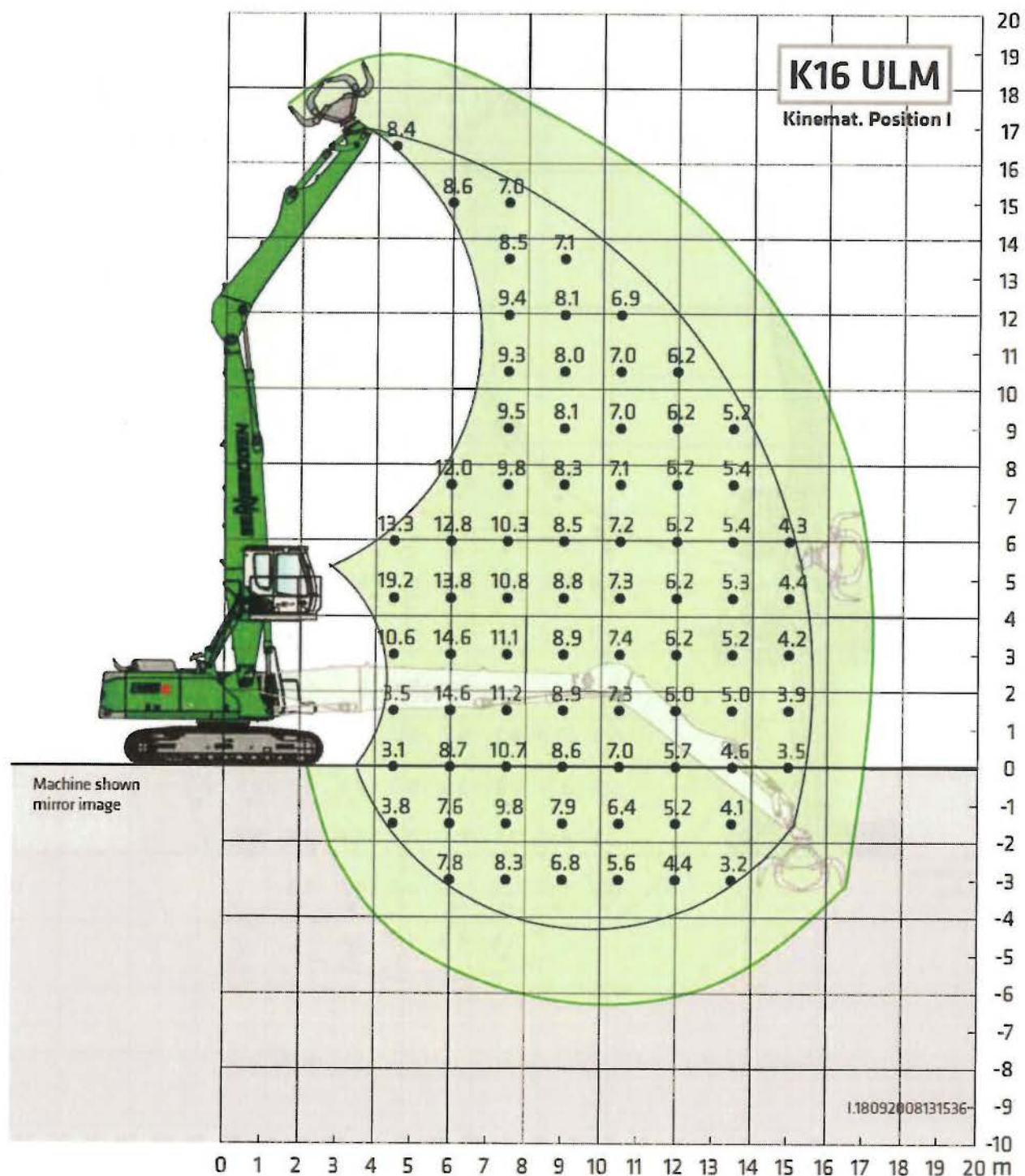
# B35E Technical data, equipment



Undercarriage T41/380 - R44D/380 Compact boom 10,8 m Banana Loading stick 7,9 m Cab maXcab E300/260, hydraulic elevating and forward moving (Option)

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

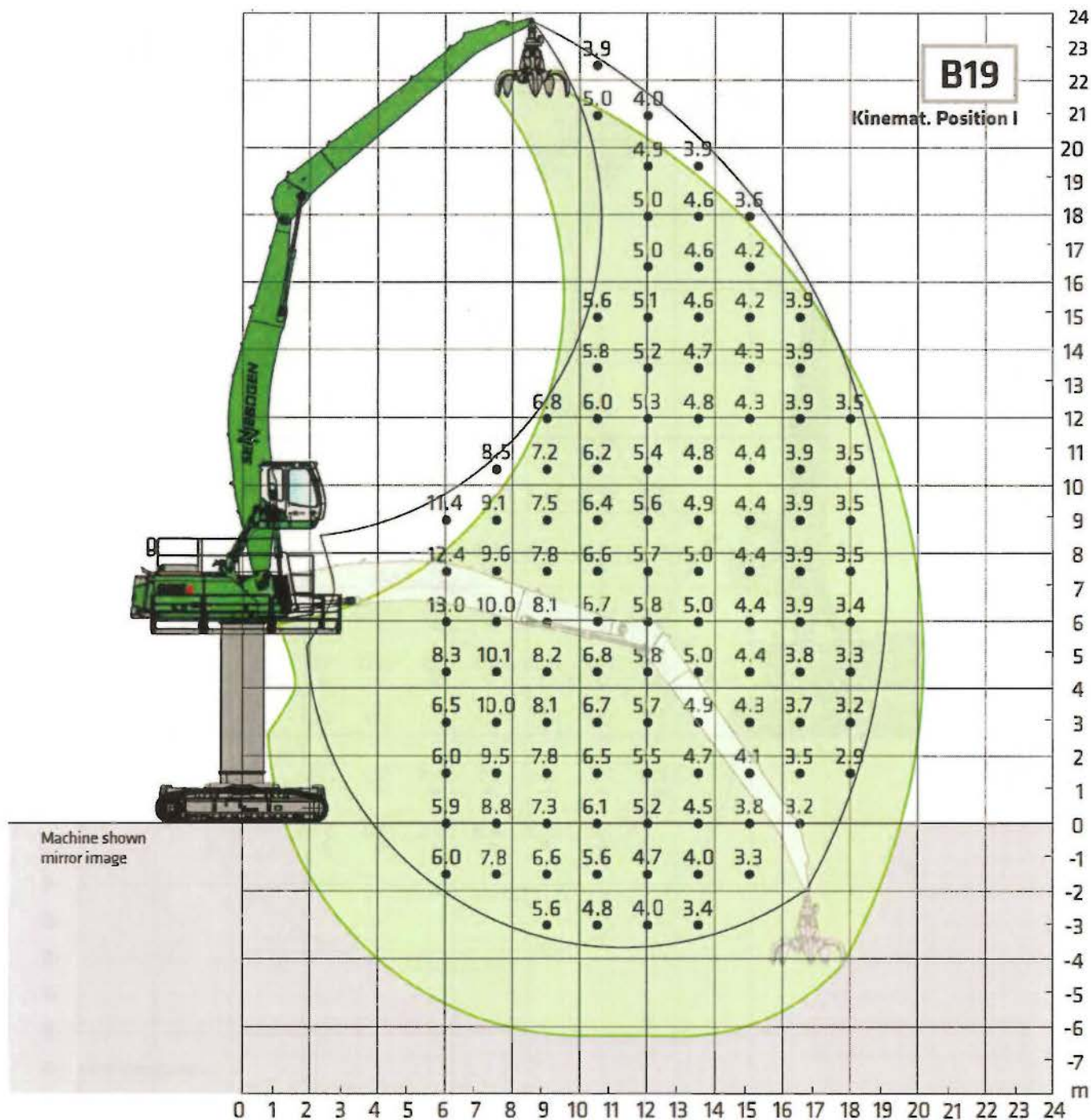
# 835E Technical data, equipment



Undercarriage **T41/380 - R44D/380** Compact boom **9,1 m** Cab **maXcab E270,**  
Loading stick **6,6 m ULM** hydraulically elevating

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

# 835E Technical data, equipment



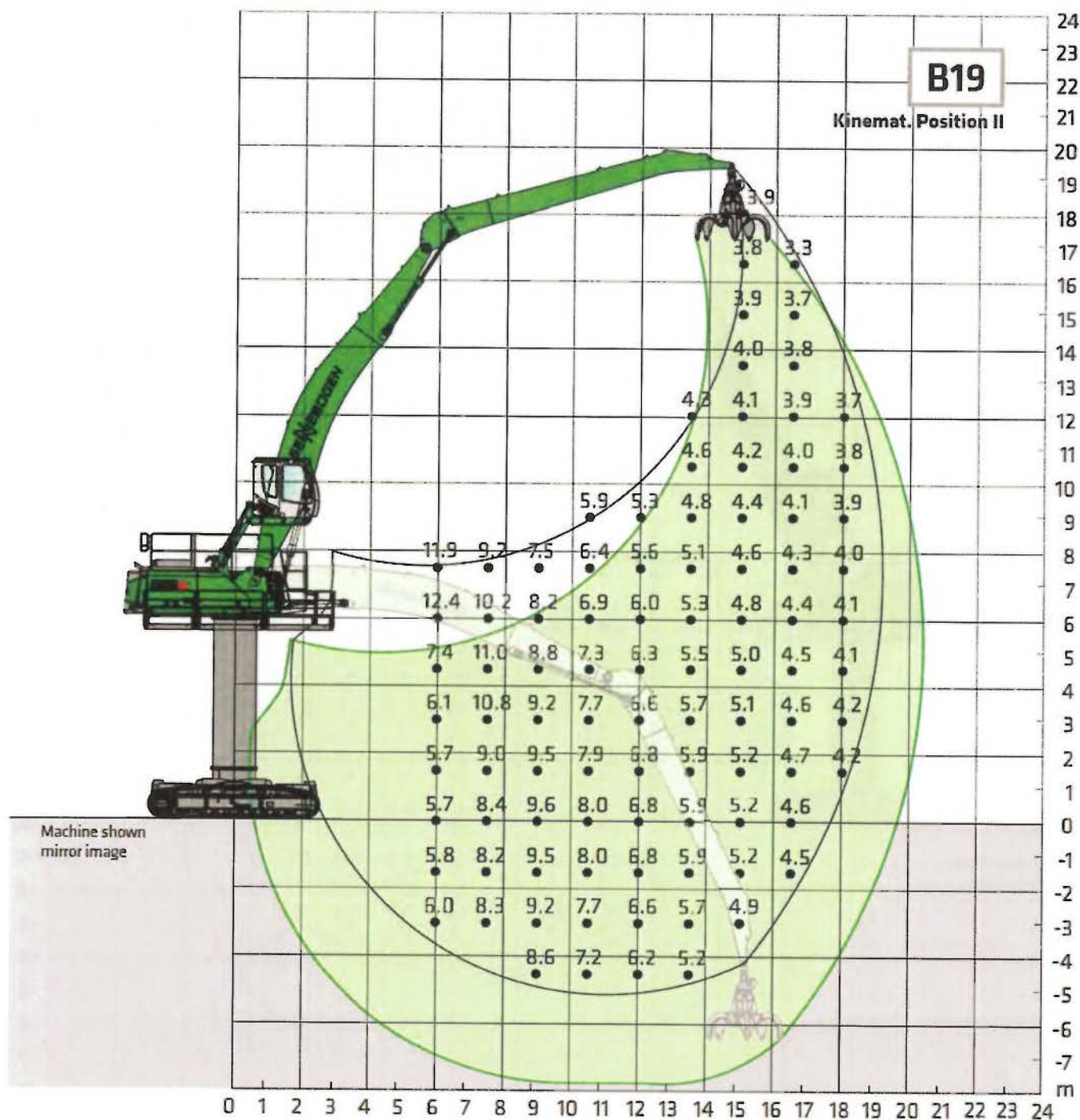
Undercarriage **R44D/380**  
Pylon **4,5 m**

Compact boom **10,8 m**  
Loading stick **9,4 m**

Cab **maXcab E270,**  
**hydraulically elevating**

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

# B35E Technical data, equipment



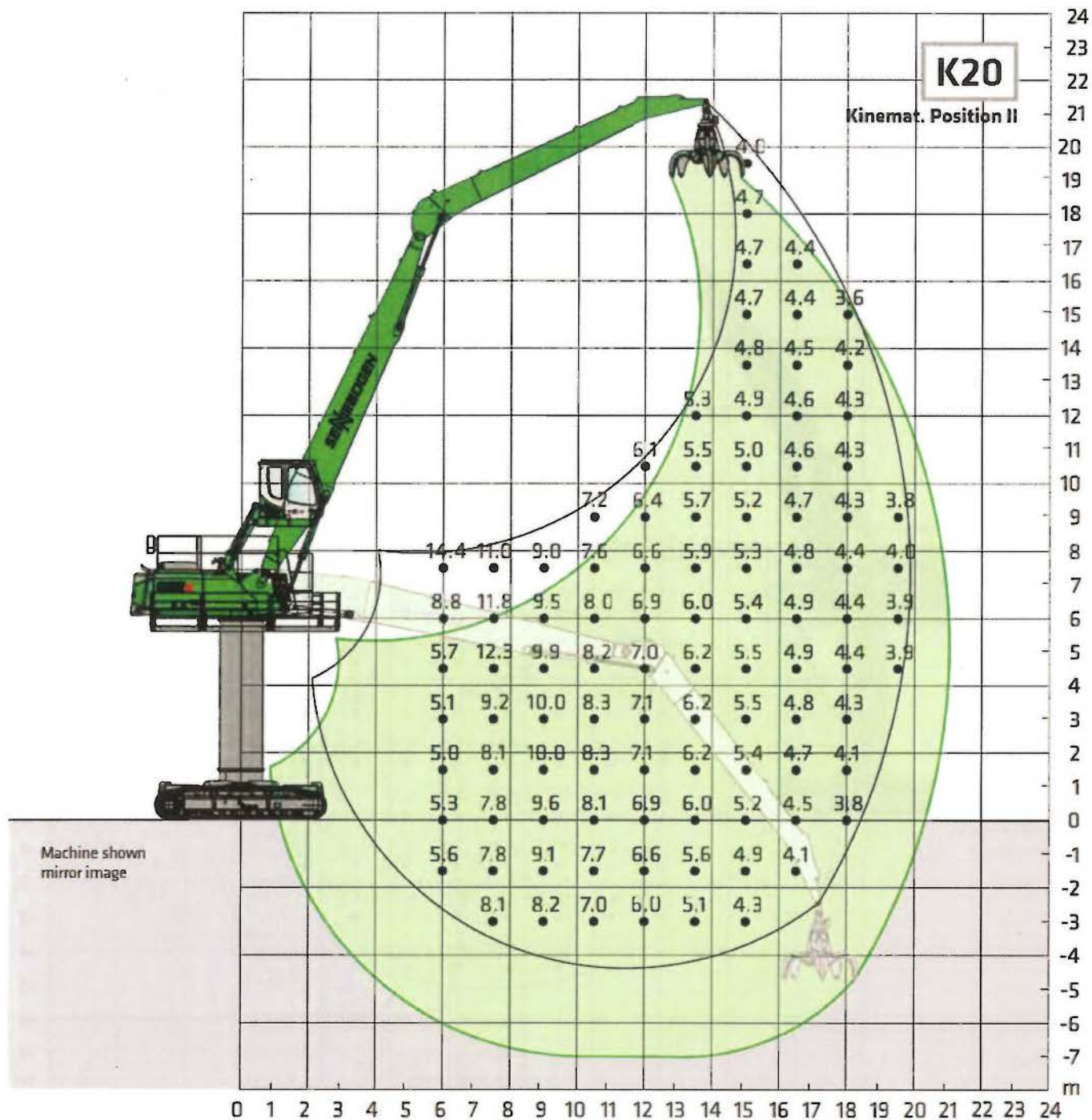
Undercarriage **R44D/380**  
Pylon **4,5 m**

Compact boom **10,8 m**  
Loading stick **9,4 m**

Cab **maXcab E270,**  
**hydraulically elevating**

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

# 835E Technical data, equipment



Undercarriage **R44D/380**  
Pylon **4,5 m**

Compact boom **10,8 m**  
Loading stick **9,4 m**

Cab **maXcab E270,**  
**hydraulically elevating**

All load ratings are specified in tons (t) and apply at the end of the stick, without attachment, on a solid, level substrate. Attachments, such as grapple, magnet, load hook, et cetera are part of the specified load ratings. The specified values are 75% of the static tipping load or 87% of the hydraulic lifting force, in accordance with ISO 10567. In accordance with the EU standard, EN 474-5, material handling machines in hoist operation must be equipped with pipe fracture safety devices on the hoist cylinders and an overload warning device. The specified load ratings apply for the machine supported with 4-point claw support and slewable 360°. The specified load ratings in square brackets [ ] apply with blocked pendulum axle, unsupported, free standing, slewable 360°.

# B35E Grab recommendation

Multi-shell grab SGM (4 shells)



| Design / size | Grab content | Weight <sup>1</sup>      |      | max.<br>load capacity |
|---------------|--------------|--------------------------|------|-----------------------|
|               |              | Shell shape <sup>2</sup> |      |                       |
|               |              | HO                       | G    |                       |
| SGM           | l            | kg                       | kg   | t                     |
| 400.40-4      | 400          | 1570                     | 1720 | 8,0                   |
| 600.40-4      | 600          | 1600                     | 1790 |                       |
| 800.40-4      | 800          | 1685                     | 1930 |                       |
| 1000.40-4     | 1000         | 1755                     | 2085 |                       |
| 1250.40-4     | 1250         | 1850                     | 2200 |                       |

Multi-shell grab SGM (5 shells)



| Design / size | Grab content | Weight <sup>1</sup>      |      | max.<br>load capacity |
|---------------|--------------|--------------------------|------|-----------------------|
|               |              | Shell shape <sup>2</sup> |      |                       |
|               |              | HO                       | G    |                       |
| SGM           | l            | kg                       | kg   | t                     |
| 400.40        | 400          | 1820                     | 1920 | 8,0                   |
| 600.40        | 600          | 1910                     | 2035 |                       |
| 800.40        | 800          | 1960                     | 2140 |                       |
| 1000.40       | 1000         | 2040                     | 2290 |                       |
| 1250.40       | 1250         | 2180                     | 2415 |                       |

Double shell grab SGZ



| Design / size | Grab content | Weight <sup>1</sup> | max. payload |
|---------------|--------------|---------------------|--------------|
| SGZ           | l            | kg                  | t            |
| 1500.50       | 1500         | 1989                | 8,0          |
| 2000.50       | 2000         | 2246                |              |
| 2500.50       | 2500         | 2345                |              |
| 3000.50       | 3000         | 2532                |              |
| 4000.50       | 4000         | 2880                |              |
| 3000.50 L     | 3000         | 2140                | 8,0          |
| 3500.50 L     | 3500         | 2260                |              |
| 4000.50 L     | 4000         | 2480                |              |
| 4500.50 L     | 4500         | 2600                |              |
| 1500.50 HD    | 1500         | 2240                | 8,0          |
| 2000.50 HD    | 2000         | 2535                |              |

Magnetic plates



| Type series / model                           | Power | Deadweight | Break-away force | Load-bearing in kg       |
|---|-------|------------|------------------|--------------------------|
| WOKO  | kW    | kg         | kN               | Bramme (safety factor 2) |
| S-RSL 15                                      | 12,2  | 1950       | 360              | 1800                     |
| S-RSL 17                                      | 17,0  | 2500       | 460              | 2300                     |
| S-RLB 13,5                                    | 10,0  | 1700       | 300              | 15000                    |
| S-RLB 15                                      | 11,7  | 2400       | 380              | 19000                    |
| S-RLB 17                                      | 17,8  | 3300       | 640              | 32000                    |
| Recommended magnetic generator: 15 kW / 20 kW |       |            |                  |                          |

\*) On request

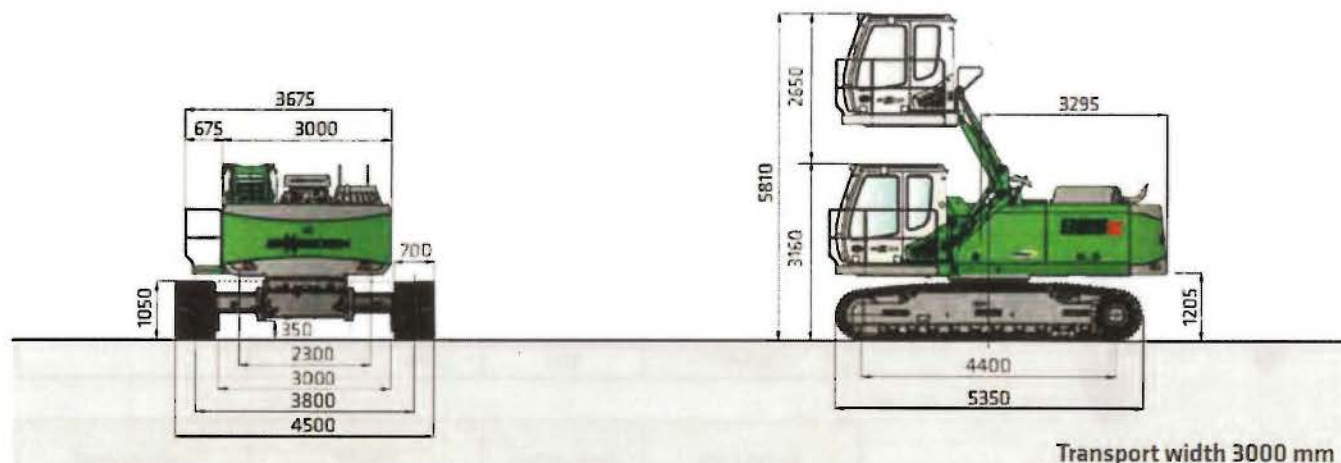
\*) Weight information without grab suspension, stick bolts, hose system

\*) Half-open shells: Shell sheet steel 400 mm wide, from content 1250 l shell sheet steel 500 mm wide

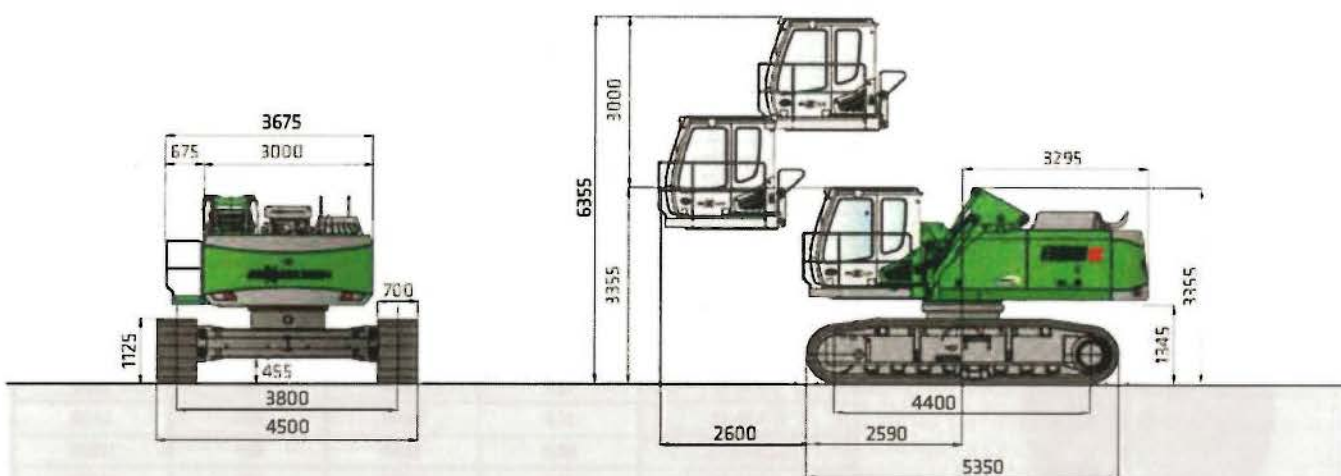
Detailed information concerning the grabs, as well as log grabs, quick-release systems, and other attachments is provided in the "Attachments" brochure

Dimension information in [mm] 19

# 835E Dimensions

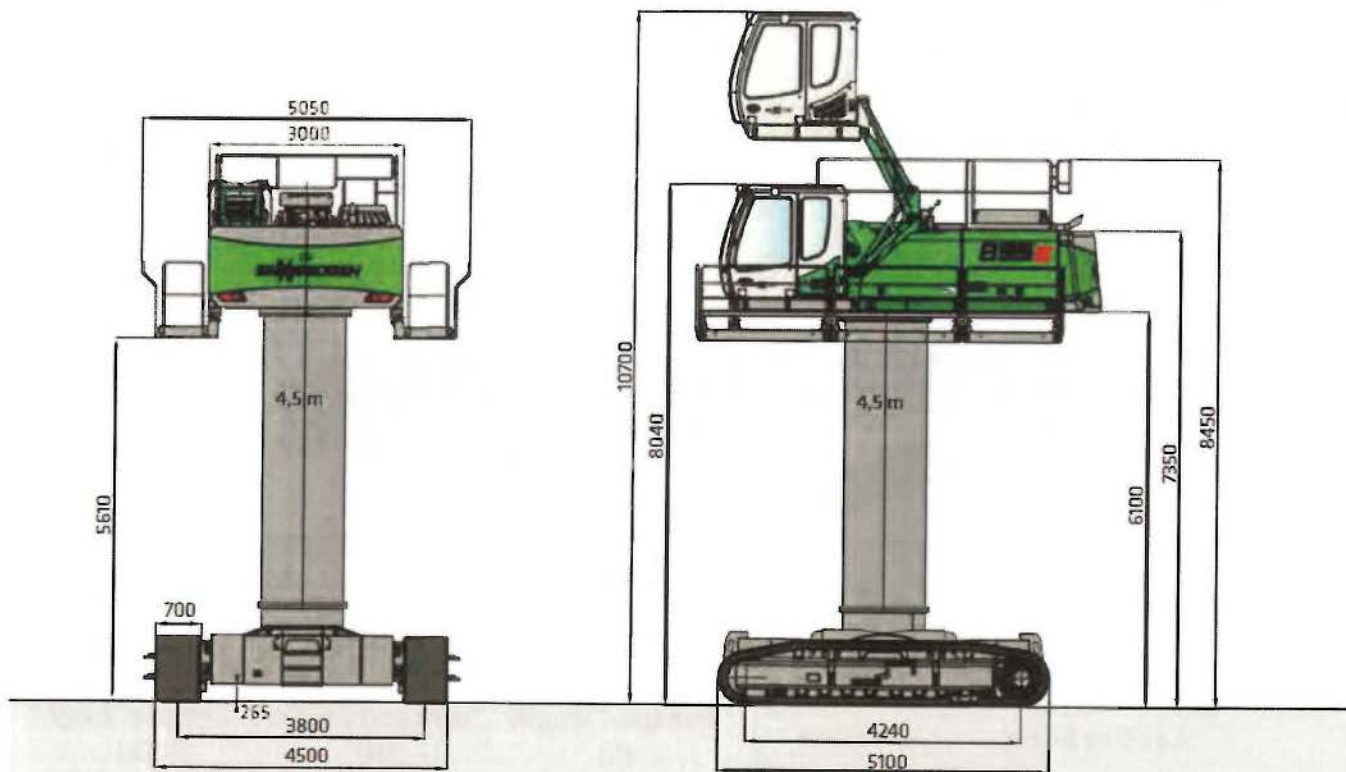


835 R with hydraulic telescopic undercarriage T41/380 and hydraulic elevating cab E270

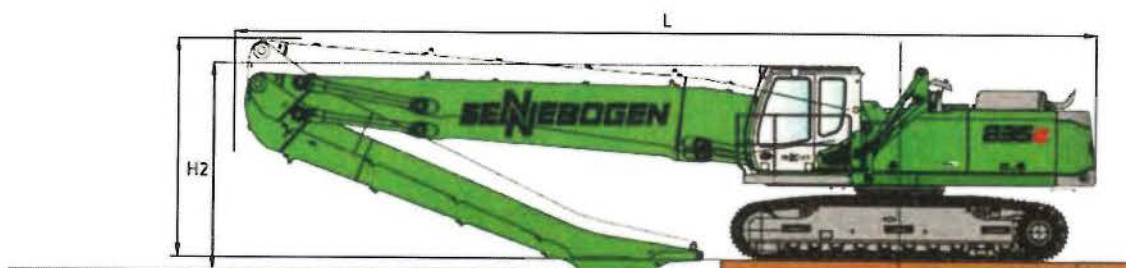


835 R with wide gauge undercarriage R44D/380 and hydraulic elevating and forward moving cab E300/260

# 835E Dimensions



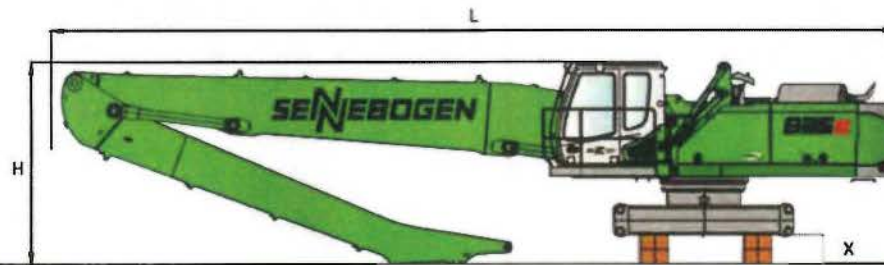
835 R with wide gauge undercarriage R44D/380, 4,5m Pylon and hydraulic elevating cab type E270



Transport dimensions 835 R with undercarriage type T41/380

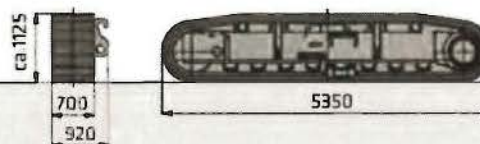
|         | Loading boom  | Grabstick | Transport length (L) | Transport height (H2) | Transport height (H1) | Transport height (X) |
|---------|---------------|-----------|----------------------|-----------------------|-----------------------|----------------------|
| K16     | 9,1 m         | 6,9 m     | 13,5 m               | 3,20 m                | -                     | -                    |
| K18     | 10,1 m        | 7,9 m     | 14,5 m               | 3,90 m                | 3,50                  | 0,20 m               |
| B18     | 10,8 m Banana | 7,9 m     | 15,1 m               | 3,45 m                | -                     | -                    |
| K16 ULM | 9,1 m         | 6,6 m     | 13,5 m               | 3,80 m                | 3,45                  | 0,20 m               |

# 835E Transport dimensions

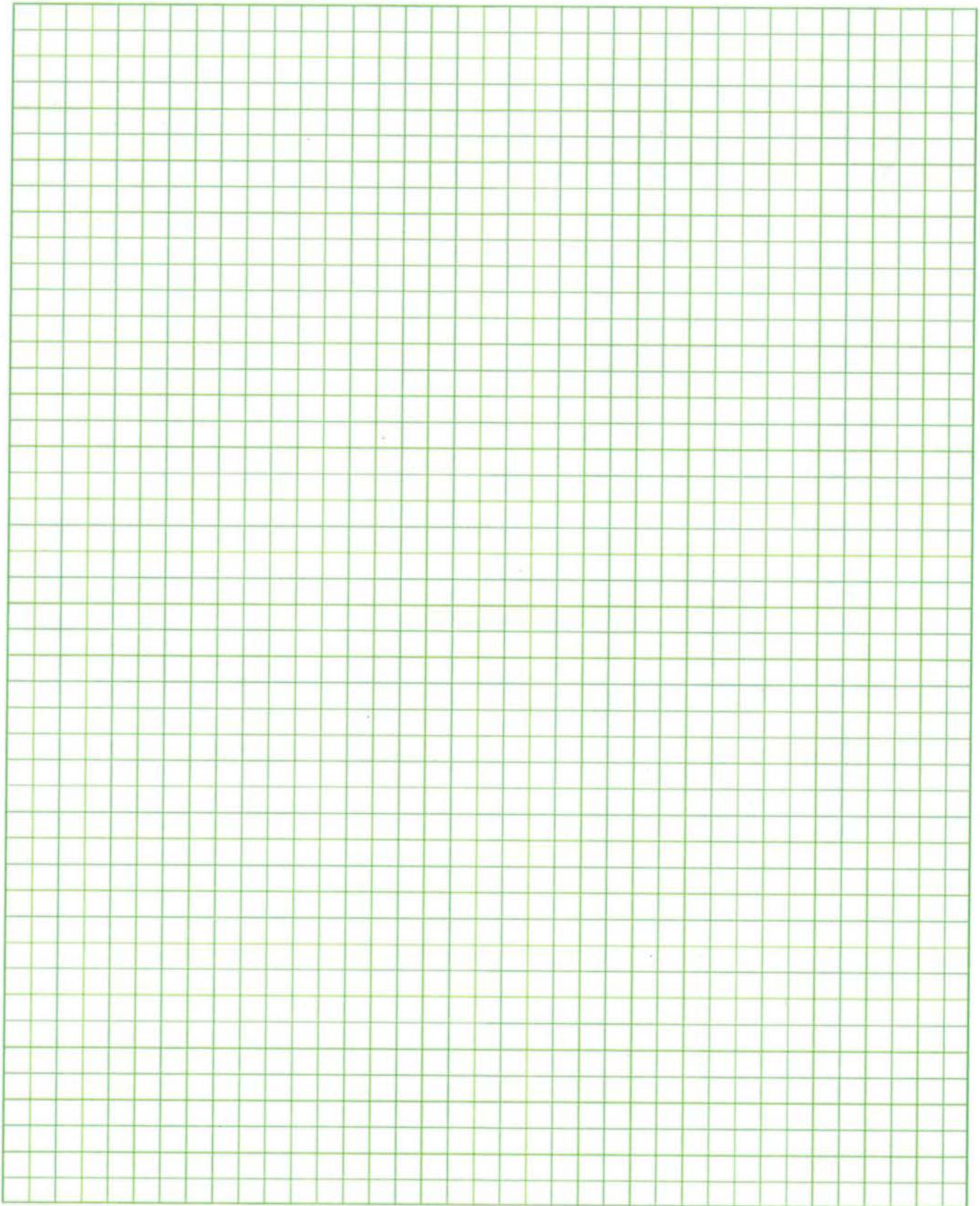


Transport dimensions 835 R with undercarriage type R44D/380

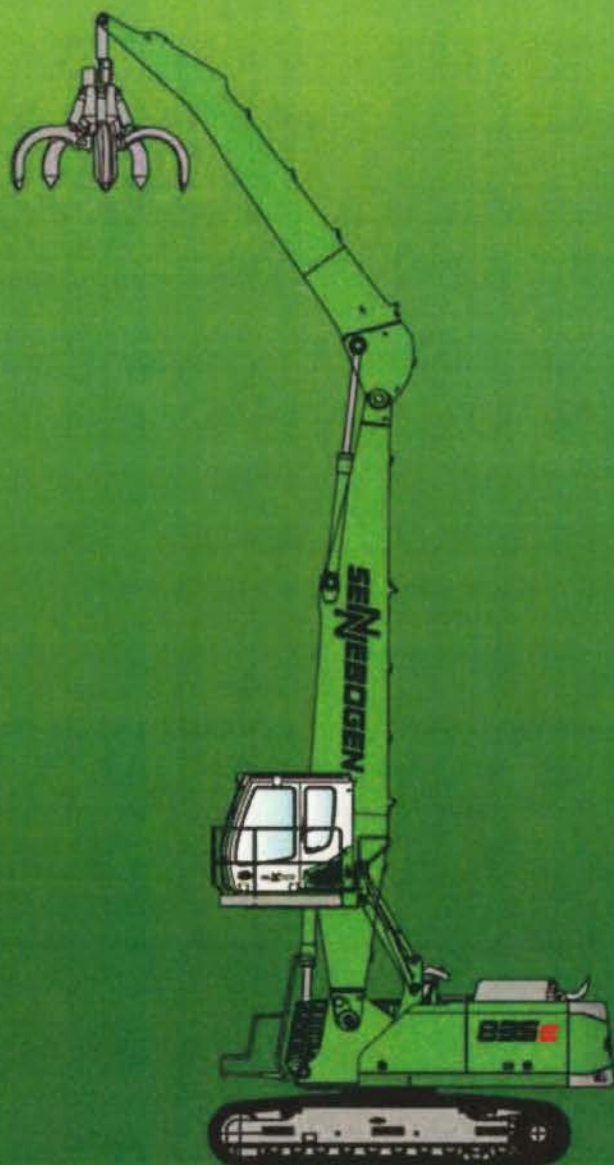
|         | Loading boom  | Grabstick | Transport length<br>(L) | Transport height<br>(H) | Transport height<br>(X) |
|---------|---------------|-----------|-------------------------|-------------------------|-------------------------|
| K16     | 9,1 m         | 6,9 m     | 13,4 m                  | 3,45 m                  | 0,25 m                  |
| K18     | 10,1 m        | 7,9 m     | 14,4 m                  | 3,45 m                  | 0,50 m                  |
| B18     | 10,8 m Banana | 7,9 m     | 15,1 m                  | 3,45 m                  | 0,25 m                  |
| K16 ULM | 9,1 m         | 6,6 m     | 13,4 m                  | 3,45 m                  | 0,50 m                  |



Crawler, B6 crawler R44D/380 with 700 mm track shoes,  
weight approx. 6.850 kg - 2 pieces



# 835E R



This catalog describes machine models, the scope of equipment of individual models, and configuration possibilities (standard equipment and optional equipment) of the machines delivered by SENNEBOGEN Maschinenfabrik. Machine illustrations can contain optional equipment and supplemental equipment. Depending on the country in which the machines are delivered, deviations from the equipment are possible, particularly with regard to standard equipment and optional equipment.

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Please contact your local SENNEBOGEN sales partner for information concerning the equipment variants offered. Desired performance characteristics are only binding if they are expressly agreed when the contract is concluded. Delivery possibilities and technical features are subject to change. All information is provided without guarantee. We reserve the right to make equipment changes and further developments.

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## SENNEBOGEN

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[marketing@sennebogen.de](mailto:marketing@sennebogen.de)



Select language

Current number of specifications

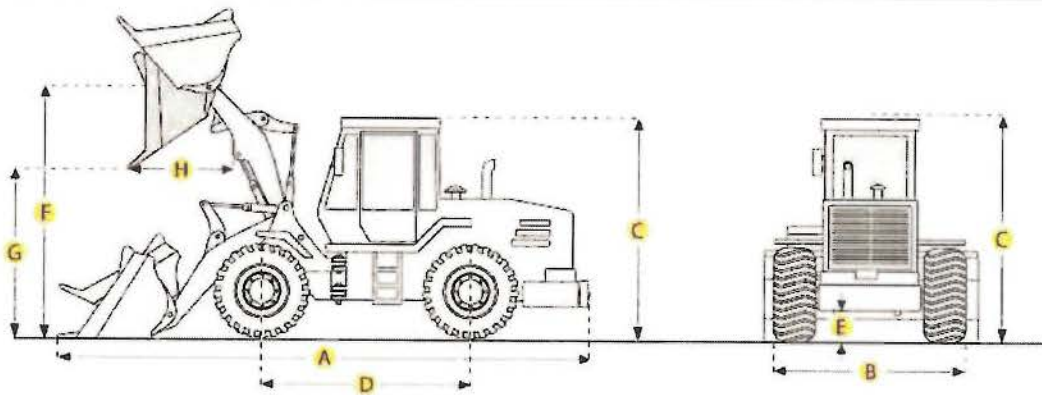
[Home](#) • [Spec Search](#) • [Construction Equipment](#) • [Wheel Loader](#) • [Caterpillar](#) • 966G

## CATERPILLAR 966G WHEEL LOADER

VIEW ARTICLES ON THIS ITEM

Print specification

Help improve this specification



## Selected Dimensions

## Bucket

|                                |            |         |
|--------------------------------|------------|---------|
| G. DUMP CLEARANCE AT MAX RAISE | 10.2 ft in | 3100 mm |
|--------------------------------|------------|---------|

## Dimensions

|                                 |            |         |
|---------------------------------|------------|---------|
| A. LENGTH WITH BUCKET ON GROUND | 29 ft in   | 8825 mm |
| B. WIDTH OVER TIRES             | 9.7 ft in  | 2960 mm |
| C. HEIGHT TO TOP OF CAB         | 11.8 ft in | 3590 mm |
| E. GROUND CLEARANCE             | 1.4 ft in  | 430 mm  |
| H. REACH AT MAX LIFT AND DUMP   | 4.3 ft in  | 1305 mm |

## Specification

## Engine

|                     |             |          |
|---------------------|-------------|----------|
| MAKE                | Caterpillar |          |
| MODEL               | 3306DITA    |          |
| NET POWER           | 253 hp      | 188.7 kw |
| GROSS POWER         | 235 hp      | 175.2 kw |
| POWER MEASURED @    | 2200 rpm    |          |
| DISPLACEMENT        | 640.7 cu in | 10.5 L   |
| NUMBER OF CYLINDERS | 6           |          |

## Operational

|                                 |            |          |
|---------------------------------|------------|----------|
| OPERATING WEIGHT                | 50155.2 lb | 22750 kg |
| FUEL CAPACITY                   | 108.3 gal  | 410 L    |
| HYDRAULIC SYSTEM FLUID CAPACITY | 54.7 gal   | 207 L    |
| STATIC TIPPING WEIGHT           | 34731.6 lb | 15754 kg |

## Transmission

|                         |          |           |
|-------------------------|----------|-----------|
| NUMBER OF FORWARD GEARS | 4        |           |
| NUMBER OF REVERSE GEARS | 4        |           |
| MAX SPEED - FORWARD     | 23.2 mph | 37.3 km/h |
| MAX SPEED - REVERSE     | 26.3 mph | 42.3 km/h |

## Hydraulic System

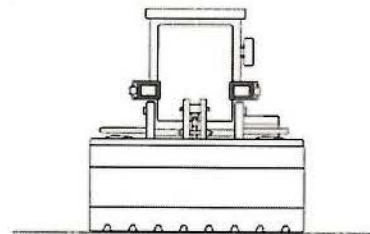
|            |         |  |
|------------|---------|--|
| RAISE TIME | 6.6 sec |  |
| DUMP TIME  | 1.3 sec |  |
| LOWER TIME | 1.8 sec |  |

## Bucket

|                             |                     |                    |
|-----------------------------|---------------------|--------------------|
| BREAKOUT FORCE              | 44120 lb            | kN                 |
| DUMP CLEARANCE AT MAX RAISE | 10.2 ft in          | 3100 mm            |
| BUCKET WIDTH                | 10 ft in            | 3060 mm            |
| BUCKET CAPACITY - HEAPED    | 4.3 yd <sup>3</sup> | 3.3 m <sup>3</sup> |

## Dimensions

|                              |           |         |
|------------------------------|-----------|---------|
| LENGTH WITH BUCKET ON GROUND | 29 ft in  | 8825 mm |
| WIDTH OVER TIRES             | 9.7 ft in | 2960 mm |



Viewing Photo 1 of 5

|                            |            |         |
|----------------------------|------------|---------|
| HEIGHT TO TOP OF CAB       | 11.8 ft in | 3590 mm |
| GROUND CLEARANCE           | 1.4 ft in  | 430 mm  |
| REACH AT MAX LIFT AND DUMP | 4.3 ft in  | 1305 mm |

Photo 1



Photo 2



Photo 3



Photo 4

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# Model 4525 Series Gateway Monitors



Ludlum Measurements, Inc.

## Introduction

The Ludlum 4525-Series of Radiation Portal Monitors (RPMs) represents state-of-the-art technology for detecting low levels of radiation in vehicles. The ruggedized detectors offer the best sensitivity at the most affordable price. All detector data are connected to a central computer running Ludlum's Echo software, which performs all alerting, data logging, and reporting functions. This system can be networked with up to 10 PC stations.

Key features this system offers include very low false positives, 100 millisecond samples, vehicle counter, real-time data logging, bi-directional entry, user-friendly operation, remote HV adjust, battery backup and superior service and support.

Model 4525-2400



Model 4525-5000



Model 4525-7000



Model 4525-7500



Model 4525-10000



Model 4525-10500



Model 4525-12500



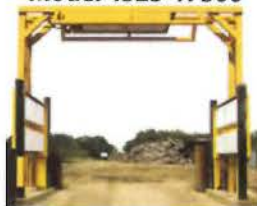
Model 4525-14000



Model 4525-15000



Model 4525-17500



Model 4525-21000



| Model Number | Number of Detectors | Detector Size                | Combined Detector Volume        |
|--------------|---------------------|------------------------------|---------------------------------|
| 4525-2400    | 4                   | 9.8 L (600 in <sup>3</sup> ) | 39 L (2400 in <sup>3</sup> )    |
| 4525-5000    | 2                   | 41 L (2500 in <sup>3</sup> ) | 82 L (5000 in <sup>3</sup> )    |
| 4525-7000    | 2                   | 57 L (3500 in <sup>3</sup> ) | 115 L (7000 in <sup>3</sup> )   |
| 4525-7500    | 3                   | 41 L (2500 in <sup>3</sup> ) | 123 L (7500 in <sup>3</sup> )   |
| 4525-10000   | 4                   | 41 L (2500 in <sup>3</sup> ) | 164 L (10,000 in <sup>3</sup> ) |
| 4525-10500   | 3                   | 57 L (3500 in <sup>3</sup> ) | 172 L (10,500 in <sup>3</sup> ) |
| 4525-12500   | 5                   | 41 L (2500 in <sup>3</sup> ) | 205 L (12,500 in <sup>3</sup> ) |
| 4525-14000   | 4                   | 57 L (3500 in <sup>3</sup> ) | 229 L (14,000 in <sup>3</sup> ) |
| 4525-15000   | 6                   | 41 L (2500 in <sup>3</sup> ) | 246 L (15,000 in <sup>3</sup> ) |
| 4525-17500   | 5                   | 57 L (3500 in <sup>3</sup> ) | 287 L (17,500 in <sup>3</sup> ) |
| 4525-21000   | 6                   | 57 L (3500 in <sup>3</sup> ) | 344 L (21,000 in <sup>3</sup> ) |

Ludlum Measurements, Inc. P.O. Box 810, Sweetwater, Texas 79556

Web: <http://www.ludlums.com> Tel: 800-622-0828 / 325-235-5494 / Fax: 325-235-4672 / Email: [sales@ludlums.com](mailto:sales@ludlums.com)

Note: specifications subject to change without notification. We are not responsible for errors or omissions.

Feb 2020

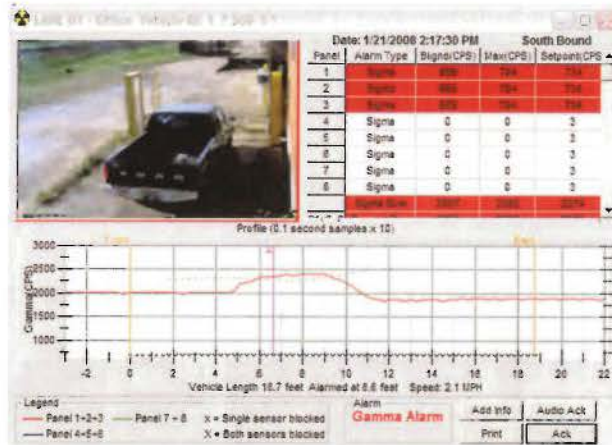
# Model 4525 Series Gateway Monitors



Ludlum Measurements, Inc.

## SYSTEM COMPUTER SPECIFICATIONS

- x86 Processor
- Windows 10 operating system
- 2 GB RAM
- Integrated SSD storage
- LCD, 43.2 cm (17 in.) monitor
- Supports up to 4 lanes
- Ethernet network capability
- Uninterruptible power supply
- Inkjet printer
- 8 relay outputs for options
- Radiation profile
- Mini USB keyboard with built in touchpad
- Data logging with automatic daily back-up
- Weight: 18.1 kg (40 lb)
- Dimensions: 97.3 x 55.9 x 47.5 cm (39.8 x 22 x 18.7 in.)  
(H x W x D)



## Specifications

### FEATURES

- Large Size, High Sensitivity Industrial Duty Detectors
- Reliable Operation with Very Low False Positives
- Flexible Configurations Accommodate Up to Four Lanes, Each Arranged with 2 to 6 detector systems
- Real-time Central Data Logging, Reporting, and Alarm Notification
- Bi-Directional Entry
- Optional Camera Captures & Logs Vehicle Images
- User-Friendly Operation
- Superior Service and Support
- Optional Point-to-Point Wireless Network
- Rail Car Mode
- 8-hour Battery Backup
- Multi-language Support
- Modular and Upgradable Systems

### DETECTORS

- EJ-200 plastic scintillator
- Dual photomultiplier tube (PMT) design, delivers over 30% more efficiency than single PMT designs
- Hi gain, low noise PMTs
- Shock mounted detectors to resist vibration-induced noise
- Thermally protected to avoid temperature shock, includes embedded temperature sensors to present operators the actual temperatures inside the detector enclosure
- 0.635 cm (0.25 in.) lead background reduction shielding on 5 sides
- NEMA 4X rated stainless steel enclosure, with white powder-coat paint, for environmental protection
- Low density aluminum front door, with white powder-coat paint, for enhanced low energy measurement

### ALARM TYPES

1. Radiation
2. Overspeed
3. Sensor failure
4. Instrument failure
5. Low battery

### AVAILABLE ACCESSORIES

- Remote Annunciator Panel (PN 4511-207) with Remote Light Indicators and Reset Button and 30.5 m (100 ft) Cable
- Additional Dual Presence/Speed Sensors
- Strobe/Horn Assembly
- External Video Camera in Weatherproof Enclosure (each system can support one camera per lane)
- Detector Stand Set
- Point-to-point wireless network

Ludlum Measurements, Inc. P.O. Box 810, Sweetwater, Texas 79556

Web: <http://www.ludlums.com> Tel: 800-622-0828 / 325-235-5494 / Fax: 325-235-4672 / Email: [sales@ludlums.com](mailto:sales@ludlums.com)

Note: specifications subject to change without notification. We are not responsible for errors or omissions.

**Emery  
Winslow®**

## Genesis II

LOW PROFILE TRUCK SCALE  
MONOLITHIC CONCRETE DECK

### Hydrostatic Load Cells: Lifetime Guarantee



#### GENESIS II

A new generation of concrete deck truck scale, designed for the most demanding applications. **GENESIS II** is designed as a single, monolithic deck of reinforced concrete, with no electronics under the platform. The result is a scale of tremendous strength, durability and reliability with a **TEN-YEAR WARRANTY**.

The heart of the **GENESIS II** is the **Hydrostatic load cell**. NTEP certified for performance and accuracy, this load cell is immune to environmental factors that destroy electronic cells. Hydrostatic load cells have a **LIFETIME GUARANTEE** against damage from water, power surges, and even lightning.



- **LOW PROFILE**
- **CONCRETE DECK**
- **LEGAL FOR TRADE**
- **MAXIMUM RELIABILITY**

**LIFETIME GUARANTEE AGAINST WATER AND LIGHTNING DAMAGE  
ON ALL HYDROSTATIC LOAD CELLS.**

# Genesis II *features and specifications*

## MASSIVE CONCRETE DECK

The Genesis II deck is a monolithic pour of reinforced concrete, 10 inches thick. It is assembled at the job site, and poured on a foundation that has been prepared with bond-breaker. After curing, the deck is raised with small jacks, and the load cells are installed. The Genesis deck is designed for high usage and millions of weighments. **ALL vulnerable electronic components are remote from the scale platform, safely located in the scale house.**

The deck has a free-floating (360°) bridge design, for high accuracy and has a low 16-inch profile with a full six-inches of clearance under the deck for easy clean-out. Higher clearances are available. The load cells are accessed from the top, and the platform is totally safe for explosive areas. Standard decks are 10 feet and 11 feet wide, and up to 180 feet or more in total length. (Multiple platforms may be needed for scales over certain lengths.)



Deck assembly begins with side channels, steel nests and rebar.



A double layer of rebar is completed.



The deck concrete is poured, vibrated, and screeded.



The load cells are installed, and the deck is raised 6 inches.

## HYDROSTATIC LOAD CELL ADVANTAGES

- Totally non-electronic for maximum reliability.
- NTEP certified for accuracy and performance.
- Guaranteed against damage from power surges and lightning.
- Guaranteed against damage from water, flooding, humidity, condensation, washdown.
- Hydrostatic cells are impervious to RFI and EMI.
- High capacity: 75,000 pounds each.
- Free-floating column with self restoration, designed to absorb energy from truck motion on the scale.
- Grade 304 stainless steel, welded construction.
- High corrosion resistance.
- Impervious to rodent damage (no cables!).
- Will fit into ocean container for export shipping.
- Totally safe for all explosive areas, including Class 1 Division 1, without barriers.



High-performance Model 136 Load Cell, with a capacity of 75,000 lbs. Grade 304 stainless steel construction.

## STANDARD PACKAGE INCLUDES:

- Model 136-75 Load Cells.
- Summing Totalizer with Lightning isolation.
- Load cell base plates.
- All required deck steel, including deck rebar.
- End-wall coping (Bulkheads).
- Anchor bolts.
- Copper tubing, brass fittings.
- Tools, fluid, instructions.

A wide variety of digital indicators and printers can be added to this package, as well as computer interfaces, traffic controls, and software. Emery Winslow has a network of authorized distributors to provide nationwide sales and service.

## OPTIONS

- Other deck widths and lengths.
- Digital indicators and printers.
- Multi-platform configurations for axle weighing.
- Traffic lights and controls.
- Software for data management.
- Stainless steel tubing.
- Enclosures for Totalizer.
- Special paint or galvanizing.
- Pit-mounting packages.
- Installation/start-up assistance.
- Export packing.
- Higher clearance, beneath scale deck.

# Emery Winslow Scale Co.

73 Cogwheel Lane  
Seymour, CT 06483

(203) 881-9333 Fax (203) 881-9477

4530 North 25th St.  
Terre Haute, IN 47805

(812) 466-5265 Fax (812) 466-1046

[www.emerywinslow.com](http://www.emerywinslow.com)

YOUR REPRESENTATIVE IS:



# HAND HELD FOGGERS

## COMMON SPECIFICATIONS - HAND HELD UNITS

|                   |   |
|-------------------|---|
| Motor             | 1 Hp, 120VAC, 7 amp; 240VAC, 3.5 amp available  |
| Blower            | Balanced fan, 20,000 rpm (no load)  |
| Nozzle Technology | Counter-rotating vortex design. High turbulence in nozzle shears feed liquid into fog-sized droplets (7-30 microns VMD). Nozzle has no small orifices and is resistant to plugging. |
| Chemicals         | Nozzle can atomize both oil-based and water-based liquids. Particle size distribution varies with liquid viscosity, surface tension, density and output rate.                       |
| Liquid Capacity   | 1 gallon [4 L]  |
| Output Rate       | Up to 10 oz [300 ml] per minute   |
| Materials         | Power head, wand, tank - aluminum<br>Tank gasket - Buna N<br>Hose - vinyl<br>Tubing - fuel and oil resistant vinyl<br>Fittings - brass<br>Nozzle - Celcon®                          |
| Warranty          | Five year limited warranty  |



# Micro-Jet ULV 7401



## ULTRA LOW VOLUME (ULV) FOGGER.

The Micro-Jet® 7401 fogger provides excellent control of droplet size, even for near-invisible 7-10 micron droplets needed by concentrated ULV chemicals. At a typical 1 oz/Mcft ULV rate, the Micro-Jet can treat 2-4,000 cubic feet per minute, reducing application time and labor costs.

And when you need high output and large droplets, the Micro-Jet is just as effective. It can deliver up to 10 oz/min in a mist of large (30 micron) droplets used in humidification, dust abatement and sanitizing work.

The advanced Micro-Jet can apply either oil- or water-based chemicals. And it's easy to calibrate when changing liquids.

This one unit does it all! It's ideal for schools, restaurants, zoos, barns, hotels and other locations requiring precision application.

Lightweight, portable and protected by a five-year limited warranty. The top choice for any fogging job.

### SPECIFICATIONS \*

|                    |  |
|--------------------|--|
| Particle Size, VMD | 7-30 $\mu$ , adjustable. Liquid viscosity and density can affect particle size.    |
| Control Valve      | Nine turn vernier w/ memory lock. Glass filled epoxy, stainless stem, Viton® seals |
| Discharge Rate     | 0-10 oz [300 ml] /min, adjustable  |
| Range              | Visible fog, 20-30 ft [7.5 m]  |
| Dimensions         | LxHxDia: 12.5 x 15.4 x 8.6 in<br>[32 x 39 x 22 cm]                                 |
| Shipping Weight    | 12 lb [5.4 kg]   |

\* See also Common Specifications - Hand Held Units

***Always read and follow instructions  
on the label of chemical you are using.***



architects + engineers

## **PECONIC ENVIRONMENTAL SERVICES**

H2M Project No.: GSRC1901

### **APPENDIX D - FORMS**

- NYSDEC PART 360\_SERIES WASTE TRACKING DOCUMENT –  
CONSTRUCTION & DEMOLITION DEBRIS, REV: MAY 2018, VER 1
- FACILITY DAILY LOG
- UNAUTHORIZED WASTE FORM



**Department of  
Environmental  
Conservation**

**Part 360 Series Waste Tracking Document - Construction & Demolition Debris**

This form may be used to satisfy the tracking document requirements of both section 361-5.6 and section 364-5.1 for the transport of C&D Debris

|  |  |
|--|--|
| <b>TYPE OF C&amp;D DEBRIS:</b>   | <input type="checkbox"/> Limited-Use Fill <input checked="" type="checkbox"/> Restricted-Use Fill <input type="checkbox"/> Contaminated Fill <input type="checkbox"/> Inert Material - Unknown<br><input type="checkbox"/> General Fill <input type="checkbox"/> Residue <input type="checkbox"/> Construction Waste <input checked="" type="checkbox"/> Demolition Waste<br><input type="checkbox"/> Other (specify): _____ |
| <b>WASTE QUANTITY:</b>   | _____ Tons    _____ Cubic Yards    Check box to indicate quantity is estimated: <input type="checkbox"/>   |
| <b>LOCATION WHERE WASTE WAS PICKED UP:</b>   | Source Name: _____<br>Address: _____<br>City: _____ State: _____ Zip Code: _____   |
| <b>GENERATOR:</b> Name: _____ DEC Permit/Reg. No. (if applicable): _____<br>Address: _____ City: _____ State: _____ Zip: _____<br>Authorized Representative of Generator: _____ Phone: _____<br>Transporter Name: _____<br>Receiving Facility Name: _____ <input type="checkbox"/> Chosen by Transporter<br>Address: _____ City: _____ State: _____ Zip: _____<br><small>I have completed this tracking document describing the waste and identifying the transporter and receiving facility. I certify, under penalty of law, that the information provided in this waste tracking document has been prepared under my direction and supervision and further certify that the information contained herein is true and accurate. I am aware that any false statement made on this document is punishable pursuant to Section 210.45 of the Penal Law.</small><br>Signature: _____ Date: _____   |  |
| <b>TRANSPORTER:</b> <i>To be completed by Transporter</i> DEC Permit/Registration No.: _____<br>Transporter Company Name: _____<br>Describe all Discrepancies in type or quantity of waste: _____<br>_____<br>Driver Name (print): _____ Phone: _____ Plate No.: _____<br>Signature: _____ Date: _____   |  |
| <b>RECEIVING FACILITY:</b> <i>To be completed by Receiving site</i> DEC Permit/Reg. No. (if applicable): _____<br>Name: _____ Address: _____<br>City: _____ State: _____ Zip: _____ Put [X] for: <input type="checkbox"/> interim processor, or <input type="checkbox"/> final site<br>Describe all Discrepancies in type or quantity of waste: _____<br>_____<br><small>I certify, under penalty of law, that the information contained herein is true and accurate.<br/>I am aware that any false statement made on this document is punishable pursuant to Section 210.45 of the Penal Law.</small><br>Print Name: _____ Phone: _____<br>Signature: _____ Date: _____<br><p><b>completed tracking document for all waste types must be returned to the Generator within two weeks of receipt of the waste.</b><br/>Statewide for restricted-use fill, limited-use fill and contaminated fill, and for all waste types, except residue, generated in the City of New York, a copy of the completed tracking document must also be provided to NYS DEC within 15 days of waste delivery to the receiving facility.<br/>[ref: 6 NYCRR 364-5.1(b)(5)]</p> |  |

PECONIC ENVIRONMENTAL SERVICES  
100 PECONIC AVENUE, MEDORD, NY  
DATE:

## FACILITY DAILY LOG

[illegible]

**PECONIC ENVIRONMENTAL SERVICES  
UNAUTHORIZED WASTE REPORT FORM**

**FACILITY (DIVISION) ORIGINATING REPORT:**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_

**COMPANY TIPPING UNAUTHORIZED WASTE**

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

CITY: \_\_\_\_\_ STATE: \_\_\_\_\_ ZIP: \_\_\_\_\_

PHONE: \_\_\_\_\_ VEHICLE TYPE/PLATE #: \_\_\_\_\_

DRIVER'S FULL NAME \_\_\_\_\_

GENERATOR'S NAME AND ADDRESS \_\_\_\_\_  
Print Sign

**INCIDENT DESCRIPTION**

LOCATION UNAUTHORIZED WASTE WAS FOUND: \_\_\_\_\_

WHAT OCCURRED/MATERIAL AND AMOUNT FOUND (use a second page if needed):  
\_\_\_\_\_  
\_\_\_\_\_

BICRON reading (If radioactive material was found): \_\_\_\_\_ (Units of Kcpm)

**CORRECTIVE ACTIONS TAKEN** (Include time called and time each person arrived):

DOS ( name and phone #): \_\_\_\_\_

DOS ( name and phone #): \_\_\_\_\_

DOH (Radiation Only): \_\_\_\_\_

DOH (Radiation Only): \_\_\_\_\_

DEC (name and Phone #): \_\_\_\_\_

Hauling Person contacted (name, time and phone #: \_\_\_\_\_

Hospital/Nursing home Officials (time, name, title, phone #): \_\_\_\_\_

RMW Disposal Company Contacted (C & D transfer stations must remove RMW within 24 hours from receipt) \_\_\_\_\_

WAS ENTIRE LOAD RELOADED AND/OR PLACED IN A CONTAINER? IF YES, WHO IS PAYING RELOAD CHARGE?  
\_\_\_\_\_

**REVIEW AND APPROVAL**

Generator of Report:

(person also took pictures) \_\_\_\_\_  
Print Sign Date

Reviewed by Supervisor or Safety Manager (name and date): \_\_\_\_\_



architects • engineers

## **PECONIC ENVIRONMENTAL SERVICES**

H2M Project No.: GSRC1901

### **APPENDIX E - PERMITS**

- Application for a Solid Waste Management Facility
- Record of Compliance – Permit Application Supplement
- Record of Compliance – Supplemental Information Form
  - Addendum to question 4 – listing of companies
  - Copy of Permit No. 1-2820-03393/00001
  - Copy of Consent Order No. R1-20110629-63
  - Copy of Consent Order No. R2-20160210-58
  - Notice of Violation, dated 1/6/2016, Inspection No. 47493



Department of  
Environmental  
Conservation

### Division of Materials Management

## APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY PERMIT

Please read all instructions before completing this application

DEPARTMENT USE ONLY

DEC APPLICATION NO. \_\_\_\_\_

ACTIVITY NUMBER(S) \_\_\_\_\_

Reset Form

Please TYPE or PRINT clearly

|   |  |  |  |   |  |
|---|--|--|--|---|--|
| <b>1. APPLICATION TYPE (CHECK ALL APPLICABLE BOXES):</b><br><input checked="" type="checkbox"/> Initial (New) <input type="checkbox"/> Renewal<br><input type="checkbox"/> Subsequent Landfill Stage (New) <input type="checkbox"/> Modification  |  | <b>2. APPLICANT IS:</b><br><input checked="" type="checkbox"/> Facility Owner<br><input type="checkbox"/> Facility Operator  |  | <b>3. IS APPLICATION FILED BY OR ON BEHALF OF A MUNICIPALITY?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>If Yes, Name _____   |  |
| <b>4. FACILITY OWNER'S INFORMATION</b><br>Name: Peconic Environmental Services Corp.<br>Address: 71 Peconic Ave.<br>City: Medford<br>State/Zip: NY 11763    Phone: 631-289-6188<br>Email: kevin@gershow.com   |  | <b>5. FACILITY OPERATOR'S INFORMATION</b><br>Name: Peconic Environmental Services Corp.<br>Address: 71 Peconic Ave.<br>City: Medford<br>State/Zip: NY 11763    Phone: 631-289-6189<br>Email: kevin@gershow.com   |  | <b>6. ENGINEER'S INFORMATION</b><br>Name: Joseph F. Cline<br>NY License #: 073513    Phone: 631-758-8000 x1447<br>Firm Name: H2M Architects & Engineers<br>Address: 538 Broadhollow Road, Melville, NY 11747<br>Email: JCLINE@H2M.COM |  |
| <b>7. FACILITY NAME AND LOCATION (Attach USGS Topo Map showing exact location)</b><br>Name: C&D Transfer Station<br>Street: 100 Peconic Ave.<br>City/State/Zip: Medford, NY 11763<br>Town: Brookhaven    County: Suffolk<br>Coordinates: NYTM--E 1266569.855    NYTM--N 238883.115  |  |  |  | <b>8. SITE OWNER'S INFORMATION</b><br>Name: Gershow Recycling Corp.<br>Address: 71 Peconic Avenue<br>City/Town: Medford<br>State/Zip: NY 11763<br>Email: KEVIN@GERSHOW.COM  |  |
| <b>9. TYPE OF FACILITY (Check all applicable boxes)</b><br><div style="display: flex; flex-wrap: wrap;"> <div style="width: 50%;"> <input type="checkbox"/> Combustion &amp; Thermal Treatment (362-1)<br/> <input type="checkbox"/> C &amp; D Debris Handling &amp; Recovery (361-5)<br/> <input type="checkbox"/> Composting &amp; Other Organics Processing (361-3)<br/> <input type="checkbox"/> Household Hazardous Waste Collection (362-4)<br/> <input type="checkbox"/> Land Application &amp; Associated Storage (361-2)<br/> <input type="checkbox"/> Landfill (363)<br/> <input type="checkbox"/> Regulated Medical Waste (365)<br/> <input type="checkbox"/> Mulch Processing (361-4)<br/> <input type="checkbox"/> Municipal Solid Waste Processing (362-2)         </div> <div style="width: 50%;"> <input type="checkbox"/> Navigational Dredge Mat. Hiding &amp; Recovery (361-9)<br/> <input type="checkbox"/> Nonspecific Facilities (360.17)<br/> <input type="checkbox"/> Recyclables Handling &amp; Recovery (361-1)<br/> <input type="checkbox"/> Research, Development, and Demonstration (360.18)<br/> <input checked="" type="checkbox"/> Transfer (362-3)<br/> <input type="checkbox"/> Waste Oil (374-2)<br/> <input type="checkbox"/> Waste Tire Handling &amp; Recovery (361-6)<br/> <input type="checkbox"/> Used Cooking Oil &amp; Yellow Grease (361-8)         </div> </div> |  |  |  | <b>10. NAME(S) OF ALL MUNICIPALITIES SERVED:</b><br>Suffolk County<br>Nassau County<br>New York City  |  |
| <b>11. SOLID WASTES ACCEPTED:</b><br>Identify facility capacity and throughput of each waste type, as applicable<br>Construction & Demolition Debris - 1,938 tons/day, @3.75 CY/ton = 7,268 CY/day  |  | <b>12. FACILITY SIZE</b><br>a. Facility size proposed (acres) .91 acre, 38,755 sq. ft. building<br>b. Total site area (acres) 6.05<br>c. Landfill only: Facility size ultimately planned (acres) _____<br>d. Existing landfill area on this site and adjacent properties (acres) _____<br>e. Landfill only: Ultimate facility height above ground level (feet) _____ |  |   |  |
| <b>13. IS A VARIANCE REQUESTED FROM ANY PROVISION OF 6 NYCRR PART 360?</b><br><input type="checkbox"/> Yes <input type="checkbox"/> No    If yes, cite specific provision(s) _____  |  |  |  |   |  |
| <b>14. CERTIFICATION:</b> <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Municipality<br>I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have authority or am authorized as<br>(title) President    of (entity) Peconic Environmental Services Corp.<br>to sign this application pursuant to 6 NYCRR Part 360. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.<br>Date 10/02/2020    Signature <i>Kevin Gershowitz</i> Print Name Kevin Gershowitz   |  |  |  |   |  |

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

DEC APPLICATION NUMBER:

## RECORD OF COMPLIANCE-Permit Application Supplement

Please read all instructions on reverse side before completing this application

|  |                 |   |
|--|-----------------|---|
| 1. FULL NAME OF APPLICANT<br>Peconic Environmental Services Corp.  |                 |   |
| 2. MAILING ADDRESS (Principal Place of Business)<br>Street<br>71 Peconic Avenue<br>City/State/Zip Code<br>Medford, NY 11763  |                 | 3. NEW YORK STATE MAILING ADDRESS (if different)<br>Street<br>Gershow Recycling Corp. 71 Peconic Avenue, PO Box 526<br>City/State/Zip Code<br>Medford, NY 11763 |
| 4. TYPE OF ORGANIZATION<br><input type="checkbox"/> Individual <input type="checkbox"/> Partnership<br><input type="checkbox"/> Company <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Other   |                 | If other than individual, provide Federal Taxpayer ID Number<br>27-207-5438   |
| 5. Does the applicant currently hold any permit issued under the Environmental Conservation Law?<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  |                 |   |
| 6. a. Has the applicant been denied a permit or has the applicant had a permit revoked or suspended under the Environmental Conservation Law? or<br>b. Is the applicant currently the subject of an enforcement action under the Environmental Conservation Law?<br>a. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No    b. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |                 |   |
| 7. If any answer to questions 5, 6(a), or 6(b) is YES, provide details on a separate page and attach it to this form.  |                 |   |
| 8. Has the applicant, and if the applicant is a corporation, has any officer, director, or large stockholder (owner of 25 percent or more of not publicly-traded stock) of the corporation, within the last ten (10) years, been:<br>a. found in an administrative, civil or criminal proceeding to have violated any provision of the Environmental Conservation Law (ECL), any related order or determination of the Commissioner, any regulation promulgated pursuant to the ECL, the condition of any permit issued thereunder, or any similar statute, regulation, order or permit condition of any other state or federal government agency?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |                 |   |
| b. an officer, director or large stockholder (owner of 25% or more of not publicly-traded stock) of a corporation which during the time such person was an officer, director or large stockholder was determined in an administrative, civil or criminal proceeding to have violated any provision of the Environmental Conservation Law (ECL), any related order or determination of the Commissioner, any regulation promulgated pursuant to the ECL, the condition of any permit issued thereunder, or any similar statute, regulation, order or permit condition of any other state or federal government agency?<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No    *While a violation was issued more than 10 years ago, the resolution was within the past 10 years so it is being disclosed for full transparency. Please see the attached Consent Order. |                 |   |
| c. convicted of a criminal offense under the laws of any state or federal government agency, which involves environmental statutes or regulations, or fraud, bribery, perjury, theft or an offense against public administration as that term is used in Article 195 of the Penal Law, or an offense involving false written statements as those terms are defined in Article 175 of the Penal Law? Out-of-state history may be limited to misdemeanors, felonies and civil penalties assessed at \$25,000 or more.<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No   |                 |   |
| d. an officer, director or large stockholder (owner of 25% or more of not publicly-traded stock) of a corporation which during the time such person was an officer, director or large stockholder was convicted of a criminal offense under the laws of any state or federal government agency, which involves environmental statutes or regulations or fraud, bribery, perjury, theft, or an offense against public administration as that term is used in Article 195 of the Penal Law, or an offense involving false written statements as those terms are defined in Article 175 of the Penal Law? Out-of-state history may be limited to misdemeanors, felonies and civil penalties assessed at \$25,000 or more.<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  |                 |   |
| 9. If any answer to questions 8a through 8d is YES, provide details on a separate page and attach it to this form.   |                 |   |
| 10. Does the applicant currently owe any regulatory fees pursuant to Article 72 of the Environmental Conservation Law to the Department of Environmental Conservation?<br><input type="checkbox"/> Yes, amount \$ <input checked="" type="checkbox"/> No Under dispute for year(s)    Amount \$  |                 |   |
| 11. CERTIFICATION (By Applicant who is an individual)<br>I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.<br>Date:    Signature:    Print Name:  |                 |   |
| ITEMS 12 THROUGH 15 TO BE COMPLETED BY AN APPLICANT OTHER THAN AN INDIVIDUAL   |                 |   |
| 12. SPECIFY UNDER WHAT LAW APPLICANT WAS ORGANIZED<br>Corporation Laws of the State of New York  | 13. STATE<br>NY | 14. DATE OF ORGANIZATION<br>10/02/2008  |
| 15. CERTIFICATION (By an Applicant Other Than an individual)<br>I hereby affirm under penalty of perjury that I am: <b>President</b> (title) of <b>Peconic Environmental Services Corp. (entity)</b><br>that I am authorized by that entity to make this application; that this application was prepared by me or under my supervision and direction; and that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.<br>Date: 10/02/2020    Signature: <i>Kevin Gershowitz</i> Print Name: Kevin Gershowitz   |                 |   |



New York State Department of Environmental Conservation

Record of Compliance, Supplemental Information Form

1. Applicant name: Peconic Environmental Services Corp.

2. Facility Address: 71 Peconic Avenue, Medford, NY 11763

3. Please list all of the owners/partners of the facility that is applying for the permit: ( \*\* )

Kevin Gershowitz  
Elliot Gershowitz  
Pamela Abrams  
Joseph Bertuccio

4. Please list the names of all other companies that are owned or partly owned by the people listed above\*. Also list the companies that own or control or are related to the applicant company, all subsidiaries , parent companies, sister companies. Also include addresses and website addresses for these companies. Also include what each listed company does (ex: "solid waste transfer" or "cement plant" or "real estate holding co").

See Attached Sheet

5. Certification by applicant: I certify that the above information is true to the best of my knowledge. I am aware that any false and/or misleading statements may be subject to prosecution under NYS Penal law.

Signature Kevin Gershowitz PDE Date 10/02/2020

Print Name Kevin Gershowitz

\* if the applicant company is owned by another company, corporation, partnership, association or organization, then the companies that need to be listed are all of the companies owned or controlled by the largest parent organization involved.  
\*\* This form is applicable not only to the immediate entity but to any other corporation, partnership, association or organization in which the applicant holds or has held a substantial interest or in which it has acted as a high managerial agent or director or any other individual, corporation, partnership or organization which holds a substantial interest or the position of high managerial agent or director in the applicant.

ADDENDUM to QUESTION # 4  
 RECORD OF COMPLIANCE SUPPLEMENTAL INFORMATION FORM  
 PECONIC ENVIROMENTAL SERVICES

Page 1 of 2

|    | Company Name   | Mailing Address  | Site Address   | Web Site   | Business              |
|----|--|--|--|--|-----------------------|
| 1  | Gershow Recycling Corporation  | 71 Peconic Avenue<br>P.O. Box 526<br>Medford, N.Y. 11763                                     | 71 Peconic Avenue<br>P.O. Box 526<br>Medford, N.Y. 11763 | <a href="http://www.gershow.com">www.gershow.com</a> | Recycling             |
| 2  | (Additional Site)  | same as above  | 24 Denton Avenue<br>New Hyde Park, N.Y. 11040            | same as above  | Recycling             |
| 3  | (Additional Site)  | same as above  | 635 Muncy Avenue<br>Lindenhurst, N.Y. 11757              | same as above  | Recycling             |
| 4  | Gershow Recycling of Brooklyn Inc.                                   | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford N.Y. 11763  | 1885 Pitken Avenue<br>Brooklyn, N.Y. 11212               | same as above  | Recycling             |
| 5  | Huntington Scrap Corporation<br>dba: Gershow Recycling of Huntington | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford N.Y. 11763  | 149 West 11th Street<br>Huntington Station, N.Y. 11746   | same as above  | Recycling             |
| 6  | 149 West 11th Street Realty, LLC                                     | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 149 West 11th Street<br>Huntington Station, N.Y. 11746   | NA   | Real Estate<br>for #6 |
| 7  | Gershow Recycling of Freeport Inc.                                   | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford N.Y. 11763  | 143 Hanse Avenue<br>Freeport, N.Y. 11520                 | same as above  | Transfer<br>Station   |
| 8  | 143 Hanse Avenue Realty, LLC   | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 143 Hanse Avenue<br>Freeport, N.Y. 11520                 | NA   | Real Estate<br>for #7 |
| 9  | Gershow Recycling of Valley Stream                                   | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 97 East Hawthorne Avenue<br>Valley Stream, N.Y. 11580    | NA   | Transfer<br>Station   |
| 10 | 97 East Hawthorne Realty, LLC  | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 97 East Hawthorne Avenue<br>Valley Stream, N.Y. 11580    | NA   | Real Estate<br>for #9 |

**ADDENDUM to QUESTION # 4  
RECORD OF COMPLIANCE SUPPLEMENTAL INFORMATION FORM  
PECONIC ENVIROMENTAL SERVICES**

Page 2 of 2

|    |                                     |  |  |  |                                       |
|----|-------------------------------------|--|--|--|---------------------------------------|
| 11 | 30 Wisconsin Realty, LLC            | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 30 Wisconsin Court (paper street)<br>(property on Peconic Avenue)<br>Medford, N.Y. 11763 | NA   | Real Estate<br>investment             |
| 12 | Gershow Recycling of Riverhead Inc. | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 27 Hubbard Avenue<br>Riverhead, N.Y. 11901   | NA   | Recycling<br>Junk Yard<br>Dismantling |
| 13 | 27 Hubbard Avenue Associates LLC    | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 27 Hubbard Avenue<br>Riverhead, N.Y. 11901   | NA   | Real Estate<br>for #12                |
| 14 | Two Brothers Scrap Metal            | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 12 Sarah Drive,<br>Farmingdale, N.Y. 11735   | <a href="http://www.twobrothersscrapmetal.com">www.twobrothersscrapmetal.com</a> | Recycling<br>Scrap<br>Metal           |
| 15 | 12 Sarah Drive Realty LLC           | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 12 Sarah Drive,<br>Farmingdale, N.Y. 11735   | NA   | Real Estate<br>for #14                |
| 16 | 139 Peconic Avenue Assoc            | c/o Gershow Recycling Corporation<br>71 Peconic Avenue / P.O. Box 526<br>Medford, N.Y. 11763 | 139 Peconic Avenue<br>Medford, N.Y. 11763  | NA   | Real Estate<br>investment             |

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 1  
SUNY @ Stony Brook, 50 Circle Road, Stony Brook, NY 11790  
P: (631) 444-0365 | F: (631) 444-0360  
www.dec.ny.gov

NOV 20 2017

November 14, 2017

Mr. Kevin Gershowitz  
Gershow Recycling of Valley Stream, Inc.  
71 Peconic Ave/PO Box 526  
Medford, NY 11763

Re: Permit #1-2820-03393/00001  
Facility ID# 30W10

Dear Permittee:

In conformance with the requirements of the State Uniform Procedures Act (Article 70, ECL) and its implementing regulations (6NYCRR, Part 621) we are enclosing your permit. Please carefully read all permit conditions and special permit conditions contained in the permit to ensure compliance during the term of the permit. If you are unable to comply with any conditions please contact us at the above address.

This permit must be kept available on the premises of the facility at all times and presented upon request. You should anticipate inspections conducted pursuant to issuance of this permit.

Sincerely,



Claire Werner  
Environmental Analyst II

cc: Robert Lo Pinto, Walden Environmental Engineering  
DMM  
C. Spies, Enforcement  
File



Department of  
Environmental  
Conservation



**PERMIT**  
**Under the Environmental Conservation Law (ECL)**

**Permittee and Facility Information**

**Permit Issued To:**

GERSHOW RECYCLING OF VALLEY  
STREAM INC  
71 PECONIC AVE  
PO BOX 526  
MEDFORD, NY 11763-0526  
(631) 289-6188

**Facility:**

GERSHOW RECYCLING OF VALLEY  
STREAM INC  
97 E HAWTHORNE AVE  
VALLEY STREAM, NY 11580

**Facility Application Contact:**

ROBERT A LO PINTO  
WALDEN ENVIRONMENTAL ENGINEERING  
16 SPRING ST  
OYSTER BAY, NY 11771  
(516) 624-7200

**Facility Location:** in HEMPSTEAD in NASSAU COUNTY

**Facility Principal Reference Point:** NYTM-E: 610.3      NYTM-N: 4501.8  
Latitude: 40°39'34.9" Longitude: 73°41'42.7"

**Project Location:** 97 E Hawthorne Ave, Valley Stream

**Authorized Activity:** Operate a solid waste management facility processing up to 620 tons per day of construction and demolition (C&D) debris, ferrous and non-ferrous metals, and end of life vehicles (ELVs).

**Solid Waste Management Facility No.:** 30W10

**Permit Authorizations**

**Solid Waste Management - Under Article 27, Title 7**

Permit ID 1-2820-03393/00001

(DEC ID 1-2820-03393)

Renewal

Effective Date: 11/14/2017

Expiration Date: 11/13/2022



**NYSDEC Approval**

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: ROGER EVANS, Regional Permit Administrator  
Address: NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook 50 Circle Rd  
Stony Brook, NY 11790 -3409

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

*Roger Evans*

Date 11/15/17

**Distribution List**

ROBERT A LO PINTO  
SYED H RAHMAN  
MATHEW EAPEN  
PAPPACHAN DANIEL  
CHRISTOPHER G SPIES  
CLAIRE K WERNER

**Permit Components**

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**SOLID WASTE MANAGEMENT PERMIT CONDITIONS**

1. **Conformance With Plans** All activities authorized by this permit must be in strict conformance with the permit application, plans and materials prepared by the permittee or permittee's consultant on the date(s) specified in Permit Condition No. 2.



**2. Terms of Operation, Approval for changes** The facility shall be operated in conformance with:

- a. Terms and conditions of this permit;
- b. Current 6 NYCRR Part 360 Solid Waste Management Facilities regulations, or any revisions hereafter promulgated; and
- c. The following approved documents:
  - i. approved revised Engineering Report prepared by Sharpiro Engineering, P.C. Consulting Engineers dated September 12, 2003 and modified by supplemental information provided by Kempey Engineering dated May 11, 2011.
  - ii. Operation and Maintenance Manual, dated July 14, 2017, prepared by Walden Environmental Engineering.

Any revision to the above document identified in item (c) of this condition or to the operations at this site requires prior written approval from the Department. The permittee shall not add a facility component that would otherwise qualify as a registered or exempt facility, unless the permittee first receives a modified permit to incorporate the additional component of the operation.

If any of the above documents conflict with any conditions of this permit, the permit condition shall prevail.

**3. Authorized Activity** The permittee is authorized to receive and process up to 620 tons per day of construction and demolition (C&D) debris, and ferrous and non-ferrous metal, including end of life vehicles (ELVs).

**4. Unacceptable Waste** The permittee is prohibited from accepting the following type(s) of waste: hazardous waste, including but not limited to medical waste/infectious wastes and asbestos, or other regulated waste, recyclable waste, universal waste, yard waste, all non-processible waste or any other waste not expressly allowed under this permit are accepted by the facility.

**5. Waste Handling** The permittee shall comply with the following requirements:

- a. All activities including but not limited to loading, unloading, storage and processing shall be performed inside the building. C&D debris may be unloaded outside adjacent to the building doors but must be immediately pushed into the building.
- b. Recognizable, uncontaminated concrete, asphalt pavement, brick, rock and soil that is not commingled with any other solid waste; uncontaminated, unadulterated wood; and metals including ELVs may be unloaded, processed and stored outdoors.
- c. At the end of each work day the facility and tipping areas shall be cleaned of all solid waste.
- d. Except for waste identified in paragraph (b) of this condition, all processed and unprocessed solid waste stored outside overnight must be placed in covered containers.
- e. Processed and unprocessed C&D debris shall not remain at the facility for more than 30 days. Recovered recyclables shall not remain at the facility for more than 60 days.
- f. All overnight storage of solid waste shall be in its respective storage area.



6. **Maximum Quantity Onsite** The permittee shall not exceed the following quantities onsite:
- 450 cubic yards inside the building.
  - 1,350 cubic yards outside the building.
  - 25 ELVs.

7. **Hours of Operation** Hours and days of operation shall not conflict with local restrictions and ordinances. The permittee shall limit the hours of operation to Monday through Friday 7:00 am to 6:00 pm and 9:00 am to 3:00 pm on Saturdays. No operations of any kind are permitted on Sundays.

8. **Signs** The permittee shall post signs showing hours of operation, and indicating that hazardous waste, industrial waste, medical waste, liquid waste, and asbestos waste are prohibited from being accepted at the facility. The signs shall be located so that they are visible to any vehicles and/or person approaching the facility.

9. **Waste Control** An attendant shall be on duty during all hours of operation. The attendant shall inspect all vehicles entering the facility, rejecting any loads containing unauthorized material and any potentially pyrophoric and smoldering loads.

10. **Control of Nuisance Condition** Odors, dust, insects, vectors, noise, blowing litter and other potential nuisances shall be adequately controlled at all times. The permittee shall immediately implement any controls required by the Department, including cessation of facility operations.

All areas outside the facility and approach roadways shall be swept free from debris and fine C&D debris on a regular basis to prevent dust. Perimeter access roads and streets adjacent to the facility shall be policed routinely and litter shall be removed.

11. **Fire Protection and Detection** The permittee shall maintain fire protection and detection equipment in accordance with local laws and ordinances.

12. **Cessation Of Operation** The permittee shall verbally notify the Department within 18 hours of any occurrence of any event which causes the facility to cease operation for a period of 48 hours or more. Such an event would include a fire, spill, equipment breakdown, or similar event. A written report shall be submitted to the Department within 7 days of the event.

13. **Ultimate Disposal of Waste** All solid waste passing through the facility must be ultimately disposed of at a facility authorized by the Department if located in New York State, or by the appropriate governmental agency or agencies if in other states, territories, or nations.

14. **Unauthorized Waste** In the event that any hazardous waste, medical waste, or other regulated waste not allowed under this permit is accepted at the facility, the unauthorized waste shall be contained and properly secured immediately. The Permittee shall notify the Department and the Nassau County Department of Health Services within 24 hours of the event. The waste material shall be removed by a waste transporter authorized under 6 NYCRR Part 364 to transport such waste. A written report shall be submitted to the Department within 7 days of the event.



**15. Small Spill Containment** The facility shall keep available at the site equipment and materials necessary to contain small quantities of chemicals or spills. These materials shall be stored in well identified accessible storage areas. As a minimum, the following must be available at all times:

- 4 - 55-gallon drums ( empty)
- 400 pounds absorbent material (e.g., Speedi-Dri or Teal-Sorb)
- 50 lbs. Boric Acid
- 50 lbs. Sodium Bicarbonate
- Assorted shovels or brooms, gloves, masks, and other protective gear

**16. Maintenance and Repair of Facility** The permittee shall adequately maintain and make repairs to the facility as necessary. This includes any part of the facility, such as doors to buildings; odor and dust controls and equipment; punctures, holes, or other damage to buildings; minimizing the ponding of stormwater; and concrete and/ or asphalt pavement that becomes damaged or worn.

The permittee shall undertake all repairs immediately and have all work completed within one week. Repairs related to dust or odor controls must be completed within 24 hours. If the permittee is unable to complete repairs within the specified time outlined by this condition, the permittee shall provide an acceptable schedule to the Department which shall include a description of the work to be completed and any controls that will be implemented to ensure the facility remains in compliance with this permit, including the cessation of all or part of the facility operations.

**17. Comprehensive Recycling Analysis** The permittee must not accept waste generated within a municipality that is not included in a Department-approved comprehensive recycling analysis (CRA) or a Department-approved local solid waste management plan (LSWMP).

**18. Record Keeping Requirements** The permittee shall maintain the following records at the facility for a minimum of 7 years from the date of creation and be available immediately to the Department upon request:

- a. Daily log of solid waste received and transported from the facility which includes:
  - i. Type, quantity, and origin of the solid waste received.
  - ii. Quantity and destination of all recyclables.
  - iii. Quantity and destination of all non-recyclables and residuals transported for disposal.
- b. All weight tickets, hauling receipts, disposal receipts, invoices, tracking documents, etc. to support entries made into the daily log.

**19. Reporting Requirements** The Permittee shall submit the original copy of the annual report to the Region 1 Office located at the New York State Department of Environmental Conservation, Division of Materials Management, 50 Circle Road, SUNY@ Stony Brook, NY 11790, and a copy to the Central Office at New York State Department of Environmental Conservation, Division of Materials Management, Bureau of Permitting and Planning, 625 Broadway, 9th Floor, Albany, NY 12233-7253. The report must be submitted no later than March 1 following each year of operation on forms prescribed or acceptable to the Department.



**20. Financial Assurance** The permittee shall maintain the financial assurance in the amount of \$200,000. The Department reserves the right to adjust the amount of the financial assurance in the future to account for increases in closure costs, and for non-compliance with any conditions of this permit and any requirement of 6 NYCRR Part 360.

In the event that the permittee fails to maintain financial assurance as required by this permit, the permittee must immediately cease accepting solid waste until financial assurance acceptable to the Department is in place. Within 10 days from the cessation of the required financial assurance, the permittee shall have all solid waste, including recovered recyclables, removed from the facility and the facility shall be in "broom clean" condition.

|  |
|--|
| <b>GENERAL CONDITIONS - Apply to ALL Authorized Permits:</b> |
|--|

**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, Modifications or Transfers** The permittee must submit a separate written application to the Department for permit 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. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator  
NYSDEC Region 1 Headquarters  
SUNY @ Stony Brook|50 Circle Rd  
Stony Brook, NY11790 -3409



**4. Submission of Renewal Application** The permittee must submit a renewal application at least 180 days before permit expiration for the following permit authorizations: Solid Waste Management.

**5. Permit Modifications, Suspensions and Revocations by the Department** The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. 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.

**6. Permit Transfer** Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

### NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

**Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification**

The permittee, excepting state or federal agencies, 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.

### Record of Compliance Supplement – Item 8b:

- On 01/03/13, one (1) summons # 36584 was served to Gershow Recycling of Valley Stream Inc. (Gershow Recycling) by the Inc. Village of Valley Stream, Nassau County, for [excessive dust from loading refuse onto trucks], Village Code of Valley Stream 99-3001-K. The summons was satisfied on 01/30/13. A sprinkler system for dust control was installed, tested and signed off/approved by Nassau County Fire Commission Office of Fire Marshal on 10/17/13 (Permit # 35261).

Gershow Recycling of Brooklyn, Inc. (Gershow) paid the required minimum fines for the following noncriminal violations:

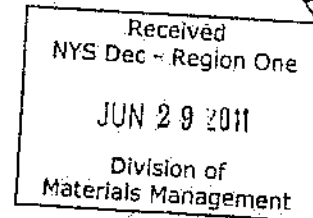
- On 10/21/09, the NYSDEC issued against Gershow three (3) summonses charging, respectively, (a) ECL § 27-2307(7) [improper storage of lead batteries – no protective covering]; (b) ECL § 17-0303(3) [no secondary containment on oil tank]; and (c) ECL § 71-3501 [operating a noisome business]. These charges were disposed of on 2/4/10. On that day, under ECL § 71-4001, the respective charges set out in those summonses were adjudicated as three (3) ECL violations, none a crime, for each of which Gershow was fined \$250; and the total fine of \$750 (plus a \$75 surcharge) was paid in full by the company on that same date.
- On 11/29/06, pursuant to an Order on Consent, DEC File No. R2-20060823-338, Gershow agreed to pay, and did pay in full the same day, a \$15 thousand civil assessment for an untimely facility permit; i.e., Gershow acknowledged that, in violation of 6 NYCRR § 201-1.1(b), it had failed to timely obtain an Air Title V Facility Permit (or an Air State Facility Permit) for the two (2) Waukesha diesel engines at its facility. The Title V application is currently undergoing review with the NYSDEC and Gershow expects a satisfactory resolution of this application with an issuance of a permit.
- On 2/24/16, pursuant to an Order on Consent, DEC File No. R2-20160210-58, Gershow submitted the signed Consent Order to the DEC, and did pay in full the same day, a \$2,500.00 civil assessment. Gershow acknowledged that, in violation of 6 NYCRR § 613-2.1(c)(4) and 613-2.3(b)(1)(i), it had failed to have overfill protection equipment and failed to properly monitor for leaks. Gershow corrected the violations and notified the DEC of such on 4/4/16. The DEC responded that no further action was required the same day.

Gershow Recycling Corporation, Medford, NY, (Gershow) paid the required minimum fines for the following noncriminal violations:

- On 6/30/11, pursuant to an Order on Consent, DEC File No. R1-20110629-63, Gershow submitted the signed Consent Order to the DEC, and did pay in full the same day, a \$5,000.00 civil assessment. Gershow acknowledged that, in violation of 6 NYCRR § 227, it had canceled an emission test scheduled for 3/18/09. Gershow performed the required test on 7/14/09 and submitted the Stack Test Report to the DEC. Gershow has also complied with the Schedule of Compliance, as modified by the DEC on 8/15/11.

STATE OF NEW YORK:  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Violations  
of Article 19 of the Environmental Conservation  
Law (AECL®)



-By-

CONSENT ORDER

DEC File No. *R1-20110629-63*

Gershow Recycling Corporation  
71 Peconic Ave  
Medford, NY 11763

Respondent

**WHEREAS:**

1. The New York State Department of Environmental Conservation ("Department" or ADEC®) is responsible for the enforcement of Article 19 of the ECL, which governs the control and prevention of air pollution and provides for the adoption and implementing codes, rules and regulations.
2. Respondent(s) owns, operates and/or maintains a recycling facility which is located at 71 Peconic Ave., Medford, Suffolk County, New York.
3. The Department, on or about March 18, 2009, documented a violation of 6 NYCRR Part 227, in that a scheduled emission test for an air contamination source was canceled by Respondent.
4. Respondent(s) has waived its rights to notice and hearing and/or judicial review in this matter as provided by law and has consented to the issuing and entering of this Order.

**NOW**, having considered this matter and being duly advised, it is **ORDERED**:

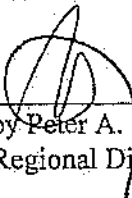
- I. Civil Penalty. Respondent(s) is assessed a civil penalty in the amount of **\$10,000** (ten thousand dollars), of which \$5,000 will be suspended provided the Respondent(s) strictly adheres to the terms and conditions of this Order. The payable portion of the penalty, **\$5,000** (five thousand dollars), is to be paid by **certified check or money order** made payable to the Commissioner of the Department of Environmental Conservation and sent simultaneously with this executed Order to the Regional Air Pollution Control Engineer, at the Region One Headquarters, Stony Brook University, 50 Circle Road, Stony Brook, N.Y. 11790-3409.

- II. Schedule of Compliance. Respondent(s) shall fully comply with the provisions of the Schedule of Compliance attached to and made a part of this Order as Appendix A.
- III. Reservation of Rights. The Department hereby reserves all its legal, administrative and equitable rights arising at common law or as granted to it pursuant to statute or regulation, including, but not limited to, any summary abatement powers the Commissioner may have pursuant to Section 71-0303 of the ECL.
- IV. Modification. No change or modification to this Order shall become effective except as specifically set forth in writing and approved by the Commissioner or a duly authorized representative.
- V. Indemnification. Respondent(s) shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims resulting from the acts and/or omissions of Respondent(s) or resulting from the compliance or attempted compliance with the provisions of this Order.
- VI. Binding Effect. The provisions, terms, and conditions of this Order shall be deemed to bind Respondent(s), its agents, servants, employees, successors and assigns.
- VII. Access. For the purpose of monitoring or determining compliance with this Order, employees and agents of the Department shall be provided access to any facility, site, or records owned, operated, controlled or maintained by Respondent(s) to inspect and/or perform such tests as the Department may deem appropriate, to copy such records, or to perform any other lawful duty or responsibility.

Stony Brook, New York

June 30, 2011

Joseph J. Martens  
Commissioner  
New York State Department of  
Environmental Conservation

  
by Peter A. Scully  
Regional Director

**CONSENT BY RESPONDENT (Individual)**

Respondent acknowledges the authority and jurisdiction of the Commissioner of Environmental Conservation of the State of New York to issue the foregoing Order, waives public hearing or other proceedings in this matter, accepts the terms and conditions set forth in the Order and consents to the issuance thereof.

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

Print Name: \_\_\_\_\_

Full Home Address: \_\_\_\_\_  
\_\_\_\_\_

**NOTE TO NOTARY:** The correct acknowledgment from below **MUST** be utilized for signing in New York State versus outside New York State. All blanks **MUST** be completed.

**ACKNOWLEDGMENT (Signing within New York State)**

STATE OF NEW YORK    )  
                                  ) ss.:  
COUNTY OF \_\_\_\_\_)

On the \_\_\_\_ day of \_\_\_\_\_, in the year 201\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in their capacity, and that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

\_\_\_\_\_  
Notary Public, State of New York

**ACKNOWLEDGMENT (Signing outside New York State)**

\* \_\_\_\_\_ )  
                                  ) ss.:  
\_\_\_\_\_ )

On the \_\_\_\_ day of \_\_\_\_\_, in the year 201\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that (s)he executed the same in their capacity, that by their signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument, and that such individual made such appearance before the undersigned in the \* \*

\*\*\*

\_\_\_\_\_  
Notary Public

\* (Insert the State [& County], District of Columbia, Territory, Possession or Foreign Country the acknowledgment was taken.)

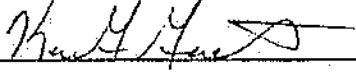
\*\* (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)

\*\*\* (Signature and office of individual taking acknowledgment)

**CONSENT BY RESPONDENT (Business Entity)**

Respondent acknowledges the authority and jurisdiction of the Commissioner of Environmental Conservation of the State of New York to issue the foregoing Order, waives public hearing or other proceeding in this matter, accepts the terms and conditions set forth in the Order and consents to the issuance thereof.

Respondent Business Entity: Gershow Recycling Corporation

By (signature): 

Name (print): Kevin G. Gershowitz

Title: V.P.

an individual dually authorized by respondent to sign on behalf of the business entity named herein and whom may bind respondent to the terms and conditions contained herein.

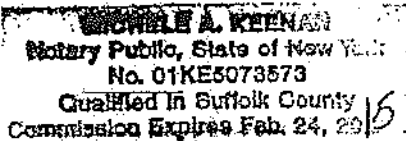
Date: June 28, 2011

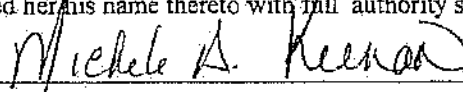
**NOTE TO NOTARY:** The correct acknowledgment from below **MUST** be utilized for signing in New York State versus outside New York State. All blanks **MUST** be completed.

**ACKNOWLEDGMENT (Signing within New York State)**

STATE OF NEW YORK )  
COUNTY OF Suffolk ) ss.:

On the 28<sup>th</sup> day of June, 2011, before me, the undersigned, personally appeared Kevin G. Gershowitz, personally known to me who, being duly sworn, did depose and say that (s)he resides at 71 Peconic Avenue, Medford, N.Y. 11763 (Full Address), that (s)he is the V.P. (Title of Authorized Signatory) of Gershow Recycling Corp. the Corporation (fill-in type of business entity) described herein and which executed the above instrument; and that (s)he signed her/his name thereto with full authority so to do.

  
Michele A. Keenan  
Notary Public, State of New York  
No. 01KE5073573  
Qualified in Suffolk County  
Commission Expires Feb. 24, 2015

  
Notary Public, State of New York

**ACKNOWLEDGMENT (Signing outside New York State)**

\* \_\_\_\_\_ )  
\_\_\_\_\_ ) ss:  
\_\_\_\_\_ )

On the \_\_\_\_\_ day of \_\_\_\_\_, 201\_\_\_\_, before me, the undersigned, personally appeared \_\_\_\_\_, personally known to me who, being duly sworn, did depose and say that (s)he resides at \_\_\_\_\_ (Full Address), that (s)he is the \_\_\_\_\_ (Title of Authorized Signatory) of \_\_\_\_\_ the \_\_\_\_\_ (fill-in type of business entity) described herein and which executed the above instrument; and that (s)he signed her/his name thereto with full authority so to do and that such individual made such appearance before the undersigned in the \*\* \_\_\_\_\_.

\*\*\*

\_\_\_\_\_  
Notary Public

- \* (Insert the State [& County], District of Columbia, Territory, Possession or Foreign Country the acknowledgment was taken.)
- \*\* (Insert the city or other political subdivision and the state or country or other place the acknowledgment was taken.)
- \*\*\* (Signature and office of individual taking acknowledgment)

## APPENDIX A

### SCHEDULE OF COMPLIANCE

Gershow Recycling Corp.

71 Peconic Avenue, Medford, NY 11763

1. All submittals required under this Schedule are subject to the review and approval of the Department.
2. At all times, Respondent(s) shall maintain and operate the facility, including associated air pollution control equipment, in a manner consistent with good air pollution control practice for minimizing emissions, and in compliance with all applicable Air Pollution Control Regulations.
3. The Department acknowledges receipt of an application to modify the current Air Title V Permit. The Department shall provide Respondent(s) with review comments within ten (10) calendar days of the effective date of this Order.
4. Within forty five (45) calendar days of the effective date of this Order, Respondent(s) shall submit a revised application to modify the RACT numbers in the current ATV Permit, based on the review comments mentioned in paragraph 3 above. Any application for an economic or technical variance shall be developed in accordance with the guidelines set forth in Air Guide 20 (which is accessible at: <http://www.dec.ny.gov/regulations/25210.html>).
5. Any communication or submittals required by this Order shall be sent to the Department at the following address:

New York State Department of Environmental Conservation  
Region One Headquarters  
Stony Brook University  
50 Circle Road  
Stony Brook, N.Y. 11790-3409  
Attention: Regional Air Pollution Control Engineer.



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NUMBER

570872

## RECEIPT

Region Number 1 Date 6-30-11  
Location Stony Brook Division General Counsel  
Received of Gershon Recycling Corporation  
In the amount of Fine thousand dollars \$ 5000.-  
For Civil penalty - R1-20110629-63

☐ Cash Department Representative Carole Haymer  
☒ Check Number 393417 Title Secretary  
☐ Money Order

ORIGINAL

| HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK      |  | OFFICIAL CHECK  |  | HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK       |  |
|---|--|---|--|--|--|
| <b>ASTORIA</b><br>FEDERAL SAVINGS<br>Putting people first |  | LAKE SUCCESS<br>NEW YORK 11042                          |  | 393417   |  |
| Ref.  |  | PAY TO THE ORDER OF                                     |  | DATE 06/27/2011  |  |
|   |  | COMMISSIONER OF THE DEPT. OF ENVIRONMENTAL CONSERVATION |  | *****5,000.00  |  |
| **FIVE THOUSAND DOLLARS AND ZERO CENTS**                  |  |   |  | 1-7281<br>2214   |  |
| BR:59<br>CDR:BS49<br>343058<br>R1-20110629-63             |  |   |  | AUTHORIZED SIGNATURE(S)<br>DRAWER: ASTORIA FEDERAL SAVINGS |  |

# MEYER SUOZZI

Richard F.X. Guay

BERNARD S. MEYER (1975-1979; 1987-2005)  
JOSEPH A. SUOZZI  
JOHN P. ENGLISH (1980-1987)  
BASIL A. PATERSON (1987-2014)  
JOHN V. N. KLEIN (1980-2014) RET.  
HAROLD ICKES  
RICHARD G. FROMEWICK  
LOIS CARTER SCHISSEL  
BARRY J. PEEK  
JACK RUBINSTEIN  
RICHARD D. WINSTEN  
ANDREW J. TURRO  
A. THOMAS LEVIN<sup>1,4</sup>  
EDWARD J. GUTLEBER  
DONNALYNN DARLING  
PATRICIA GALTER  
RICHARD N. GILBERG<sup>1</sup>  
IRWIN BLUESTEIN  
RICHARD F.X. GUAY  
RICHARD S. CORENTHAL  
PATRICIA MCCONNELL  
KEVIN SCHLOSSER  
HANAN B. KOLKO  
ERICA B. GARAY  
HOWARD B. KLEINBERG<sup>3</sup>  
NATHANIEL L. CORWIN  
RICHARD A. BROOK  
THOMAS R. SLOME  
ALAN E. MARDER  
EDWARD J. LOBELLO  
ROBERT MARINOVIC  
CHARLES SKOP  
ROBERT N. ZAUSMER  
JAMES D. GARBUS  
JL MAZER-MARINO  
MICHAEL J. ANTONIOVANNI<sup>5</sup>  
MICHAEL D. NAPOLITANO<sup>3</sup>  
PAUL F. MILLUS<sup>6</sup>

KIERAN X. BASTIBLE  
DEANNE M. BRAVEMAN  
MARIE A. LANDSMAN<sup>4</sup>  
MAX H. SICHerman  
DANIEL B. RINALDI  
MICHAEL A. SERPICO  
MICHAEL P. REYNOLDS<sup>5</sup>  
DANIEL P. VAILLANT  
MEGANN K. MCMAHUS<sup>4</sup>

COUNSEL  
LYNN M. BROWN  
JAYSON J.R. CHOI<sup>1</sup>  
SUSAN G. CURTIS  
ANNE J. DEL CASINO<sup>3</sup>  
RICHARD EISENBERG  
ABRAHAM B. KRIEGER  
CARMELA T. MONTESANO<sup>1,2</sup>  
LINDA E. BODD  
STEPHEN P. SCARING  
BARRY R. SHAPIRO  
BRIAN S. STOLAR  
IRA B. WARSHAWSKY

OF COUNSEL  
GERMANO & CAHILL, P.C.

THE ICKES & ENRIGHT GROUP<sup>7</sup>

1 ALSO ADMITTED WASHINGTON D.C.  
2 ALSO ADMITTED WASHINGTON D.C. TOBERRY  
3 ALSO ADMITTED FLORIDA  
4 ALSO ADMITTED US VIRGIN ISLANDS  
5 ALSO ADMITTED CONNECTICUT  
6 ALSO ADMITTED NEW JERSEY  
7 ALSO ADMITTED VIRGINIA  
8 ALSO ADMITTED CALIFORNIA

Meyer, Suozzi, English & Klein, P.C.  
1350 Broadway, Suite 501  
P.O. Box 822  
New York, New York 10018-0026  
www.msek.com

Member of the Firm  
Litigation, Criminal & Civil  
212.239.4999 (Office)  
212.239.1311 (Fax)  
rguay@msek.com

February 24, 2016

Patrick Foster, Senior Attorney  
New York State Department of Environmental Conservation  
47-40 21<sup>st</sup> Street  
Long Island City, NY 11101-5407

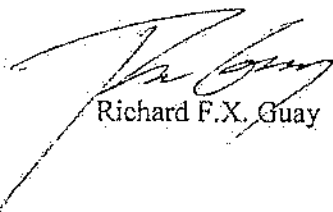
Re: Gershow Recycling of Brooklyn, Inc.  
Consent Order  
DEC# R2-20160210-58

Counselor Foster:

On behalf of my client, Gershow Recycling of Brooklyn, Inc. ("Gershow"), I enclose (a) the original Order on Consent signed by Eric Kugler, Facility Manager, and duly notarized; and (b) an Astoria Bank cashier's check in the amount of \$2,500, made payable to the "Environmental Protection and Spill Compensation Fund," in full payment of the civil penalty assessed against Gershow under the Order on Consent.

If you have any questions in these respects, please call me directly at 212.763.7020

Very truly yours,

  
Richard F.X. Guay

RFXG:dmh

Enclosure a/s

ALBANY  
One Commerce Plaza  
Suite 1705  
Albany New York 12240  
(518) 486-5555 FAX (518) 486-5553

GARDEN CITY  
990 Stewart Avenue, Suite 300  
P.O. Box 9194  
Garden City, New York 11530-9194  
TEL (516) 347-8000 FAX (516) 347-8000

WASHINGTON, D.C.  
1300 Connecticut Avenue, N.W.  
Suite 600  
Washington, DC 20036  
145410

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

**ASTORIA**  
BANK

LAKE SUCCESS  
NEW YORK 11042

OFFICIAL CHECK

HOLD DOCUMENT UP TO THE LIGHT TO VIEW TRUE WATERMARK

0947890

1-7281  
2214

DATE 02/23/2016

\$\*\*\*\*\*2,500.00

Ref.

PAY  
TO THE  
ORDER OF

ENVIRON. PROTECT. & SPILL COMP. FUND\*

\*\*TWO THOUSAND FIVE HUNDRED DOLLARS AND ZERO CENTS\*\*

BR:55  
CDR:0519  
343059

*[Signature]*

ONLY ONE SIGNATURE REQUIRED

AUTHORIZED SIGNATURE(S)  
DRAWER: ASTORIA FEDERAL SAVINGS

Re:

R2-20160210-58/GERSHON/REPAIRING OF SKI/LN, INC.



STATE OF NEW YORK  
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

In the Matter of the Violations of Article 17 of the New York  
State Environmental Law, and Title 6 of the  
Official Compilation of Codes, Rules and Regulations of the  
State of New York,

X

ORDER ON CONSENT

NYSDEC File No.  
R2-20160210-58

- by -

GERSHOW RECYCLING OF BROOKLYN INC.,

Respondent.

X

WHEREAS:

1. The New York State Department of Environmental Conservation ("NYSDEC" or "Department") has administrative jurisdiction over the abatement and prevention of pollution of the waters and air of the state, and is responsible for the enforcement of the Environmental Conservation Laws of the State of New York ("ECL"), and Title 6 of the Official Compilation of Codes, Rules and Regulation of the State of New York ("NYCRR"); and

2. The New York State Department of Environmental Conservation (Department) is responsible for the enforcement of Article 17, Title 10 of the ECL, which governs the control and prevention of water and air contamination by spills and leaks of petroleum from active and abandoned petroleum bulk storage facilities and provides for the adoption of implementing codes, rules and regulations; and

3. The Respondent, GERSHOW RECYCLING OF BROOKLYN INC., owns and operates a petroleum bulk storage ("PBS") facility located at 1885 Pitkin Avenue, Brooklyn, New York 11212, identified in Department records as PBS #2-218650 (the "Facility").

VIOLATIONS

4. Department staff inspected the Facility on January 5<sup>th</sup>, 2016 and found the following violations:

- a. Respondent violated 6 NYCRR 613-2.1(c)(4) by failing to have overfill prevention equipment -- \$1,250 penalty;
- b. Respondent violated 6 NYCRR 613-2.3(b)(1)(i) by failing to properly monitor leaks -- \$1,250 penalty;

5. ECL § 71-1929 provides for penalties of up to THIRTY SEVEN THOUSAND FIVE HUNDRED dollars (\$37,500.00) per day for each violation set forth above.

6. In settlement of the Respondent's civil liability for the aforesaid violations, the Respondent admits the violations set forth above, affirmatively waives its right to a hearing on this matter as provided by law, and consents to the issuing and entering of this Order on Consent pursuant to the provisions of Articles 17 and 71 of the ECL, and agrees to be bound by the provisions, terms, and conditions herein.

NOW, being duly advised and having considered this matter, the Commissioner of the Department of Environmental Conservation hereby **ORDERS**:

#### **ARTICLE I. CIVIL PENALTY**

A. With respect to the above violations, the Respondent is assessed a civil penalty in the amount of TWO THOUSAND FIVE HUNDRED DOLLARS (\$2,500.00). Respondent shall pay by certified check, cashier's check, or money order made payable to the "Environmental Protection and Spill Compensation Fund" with "R2-20160210-58/Gershow Recycling of Brooklyn" written in the memo line and deliver payment accompanied by the signed, original Order to:

Patrick Foster, Senior Attorney,  
New York State Department of Environmental Conservation,  
47-40 21<sup>st</sup> Street, Long Island City, New York, 11101-5407.

B. Payment of the civil penalty does not in any way alter Respondent's obligation to correct all violations immediately and comply with all ECL provisions and New York State rules and regulations governing petroleum bulk storage.

#### **ARTICLE II. COMPLIANCE SCHEDULE**

A. Within thirty (30) days of the effective date of this Order, the Respondent correct all the above-referenced violations.

B. Within forty-five (45) days of the effective date of this Order, Respondent shall submit documentation demonstrating that Respondent has corrected all of the above-referenced violations. All required documentation shall be submitted by mail, e-mail, or fax to Mr. Brian Falvey, Petroleum Bulk Storage Unit, New York State Department of Environmental Conservation, 47-40 21<sup>st</sup> Street, Long Island City, New York, 11101-5407; brian.falvey@dec.ny.gov (e-mail); (718) 482-4098 (fax).

#### **ARTICLE III. RELEASE**

A. Compliance with this Order shall be in full settlement of all claims for civil and administrative penalties that have been or could be asserted by the Department against Respondent, their trustees, officers, employees, successors and assigns for the above-referenced violations.

B. This Order shall not be construed as being in settlement of events regarding which the Department lacks knowledge or which occur after the effective date of this Order.

#### **ARTICLE IV. RESERVATION OF RIGHTS**

Except as provided for in Article III, above, nothing contained in this Order shall be construed as barring, diminishing, adjudicating or in any way affecting any of the Department's legal or equitable rights (including but not limited to or exemplified by, the right to recover natural resource damages and to exercise any summary abatement powers), or claims, actions, authorities, actions, proceedings, suits, causes of action or demands whatsoever that the Department or the Commissioner may have against anyone, including Respondent, their trustees, officers, agents, servants, employees, successors and assigns.

#### **ARTICLE V. FORCE MAJEURE**

If Respondent cannot comply with a deadline or requirement of this Consent Order, because of a natural disaster, war, terrorist attack, strike, riot, insurrection, judicial injunction, contractor default or other, similar unforeseeable event that was not caused by the negligence or willful misconduct of Respondent and that could not have been avoided by the Respondent through the exercise of due care, Respondent shall apply in writing to the Department within a reasonable time after obtaining knowledge of such fact and request an extension or modification of the deadline or requirement. Respondent shall include in such notice the measures taken by Respondent to prevent or minimize any delays. Failure to give such notice constitutes a waiver of any claim that a delay is not subject to penalties. Respondent shall have the burden of proving that an event is a defense to a claim of non-compliance with this Order pursuant to this subparagraph.

#### **ARTICLE VI. MODIFICATION**

No change in this Order shall be made or become effective except as specifically set forth by written order of the Commissioner, being made either upon written application of the Respondent, or upon the Commissioner's own findings after notice and opportunity to be heard have been given to the Respondent. The Respondent shall have the burden of proving entitlement to any modification requested.

#### **ARTICLE VII. FAILURE, DEFAULT AND VIOLATION OF ORDER**

A. The failure of Respondent to comply with any provision of this Order shall constitute a default and a failure to perform an obligation under this Order and shall be deemed to be a violation of both this Order and the ECL.

B. Respondent's failure to comply fully and in timely fashion with any provision, term, or condition of this Order shall constitute a default and a failure to perform an obligation under this Order and under the ECL and shall constitute sufficient grounds for revocation of any permit, license, certification, or approval issued to the Respondent by the Department.

C. The penalty assessed in this Order constitutes a debt owed to the State of New York. Failure to pay the assessed penalty, or any part thereof, in accordance with the schedule contained in this Order, may result in referral to the New York State Attorney General for collection of the entire amount owed (including the assessment of interest, and a charge to cover the cost of collecting the debt), or referral to the New York State Department of Taxation and Finance, which may offset any tax refund or other monies that may be owed to you by the State of New York by the penalty amount. Any suspended and/or stipulated penalty provided for in this Order will constitute a debt owed to the State of New York when and if such penalty becomes due.

#### ARTICLE VIII. INDEMNIFICATION

Respondent shall indemnify and hold the Department, the State of New York, and their representatives and employees harmless for all claims, suits, actions, damages and costs of every name and description arising out of or resulting from the fulfillment or attempted fulfillment of this Order by the Respondent, their trustees, officers, employees, servants, agents, successors or assigns.

#### ARTICLE IX. ENTIRE ORDER

The provisions of this Order constitute the complete and entire Order issued to the Respondent, concerning resolution of the violations identified in this Order. No term, condition, understanding or agreement purporting to modify or vary any term hereof shall be binding unless made in writing and subscribed by the party to be bound, pursuant to Paragraph VII of this Order. No informal oral or written advice, guidance, suggestion or comment by the Department regarding any report, proposal, plan, specification, schedule, comment or statement made or submitted by the Respondent shall be construed as relieving the Respondent of his/her obligations to obtain such formal approvals as may be required by this Order.

#### ARTICLE X. EFFECTIVE DATE

This Order shall take effect when it is signed by the Commissioners of the Department of Environmental Conservation or his designee.

Dated: Long Island City, New York

\_\_\_\_\_, 2016

BASIL SEGGOS  
Acting Commissioner  
New York State Department of  
Environmental Conservation

By:

\_\_\_\_\_  
VENETIA A. LANNON  
Regional Director  
NYSDEC – Region 2

### CONSENT BY RESPONDENT

GERSHOW RECYCLING OF BROOKLYN INC., acknowledges the authority and jurisdiction of the Commissioner of the New York State Department of Environmental Conservation to issue this Order, affirmatively waives its right to notice and hearing, and judicial review in the manner provided by law, consents to the issuance of this Order and agrees to be bound by the terms, provisions and conditions contained herein,

GERSHOW RECYCLING OF BROOKLYN INC.

By: [Signature]  
 Print Name: ERIC KUGLER  
 Title: FACILITY MANAGER

### ACKNOWLEDGMENT

STATE OF NEW YORK )  
 ) ss.:  
 COUNTY OF KINGS )

On the 19<sup>th</sup> day of FEBRUARY, 2018, before me personally came

ERIC KUGLER to me known, who, being by me duly sworn, did depose and say that s/he resides in 1888 PITKIN AVE, BROOKLYN, NY 11212

\_\_\_\_\_ ; that s/he is the

FACILITY MANAGER of the GERSHOW RECYCLING OF BROOKLYN INC., described herein and which executed the above instrument; and that s/he signed his/her name thereto on behalf of and with the authority of GERSHOW RECYCLING OF BROOKLYN INC.

[Signature]  
 Notary Public  
 RICHARD GUAY  
 Notary Public, State Of New York  
 No. 02GU061717  
 Qualified in Kings County  
 Commission Expires Feb. 5, 2018

## NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Remediation, Region 2  
47-40 21st Street, Long Island City, NY 11101  
P: (718) 482-4995  
www.dec.ny.gov

### NOTICE OF VIOLATION

01/06/2016

#### CERTIFIED MAIL RETURN RECEIPT REQUESTED

ERIC KUGLER  
FACILITIES MGR  
GERSHOW RECYCLING OF BROOKLYN  
1885 PITKIN AVENUE  
BROOKLYN, NY 11212

Re: Petroleum Bulk Storage (PBS) Program Site  
Inspection -6NYCRR Part 613  
PBS# 2-218650, Inspection# 47493  
GERSHOW RECYCLING OF BROOKLYN  
1885 PITKIN AVENUE  
BROOKLYN, NY 11212

Dear ERIC KUGLER:

On January 05, 2016 Department staff inspected the GERSHOW RECYCLING OF BROOKLYN facility to determine compliance with New York State's PBS regulations. The following violations were identified during that inspection and need your immediate attention to bring your facility into compliance. Citations to the applicable regulations are noted in brackets and pertain to the tank that is listed.

The law requires that you comply fully with the PBS regulations. You must correct all of the violations noted below.

#### UST TANK # 001

Overfill prevention equipment - [613-2.1(c)(4)]. This tank does not have overfill prevention equipment. To prevent spilling and overfilling associated with petroleum transfer to the tank system, the facility must use spill prevention equipment that will prevent the release of petroleum when the transfer hose is detached from the fill pipe (for example, a spill catch basin).

#### UST TANK # 001

Leak detection - [613-2.3(b)(1)(i)]. This tank is not monitored for leaks as required. The tank system must be monitored for leaks at weekly intervals using one of the methods listed in sections 613-2.3(c)(2) and (c)(4) through (c)(9).

#### **Corrective Action and Penalties**

As a result of these violations, you are subject to penalties. Pursuant to Environmental Conservation Law Section 71-1929, you may be liable for a civil penalty of up to \$37,500 per day for each of the above noted violations. The violations identified in this letter require your immediate attention. Delays in correcting the violations noted above will affect the amount of penalties for which you will be liable. In addition, under Environmental Conservation Law Section 71-1933, a person may be held criminally liable if any of the foregoing violations was the result of intentional, knowing or criminally negligent conduct.



Department of  
Environmental  
Conservation

Note that the inspection may not have disclosed all violations that exist at your site. You are responsible for ensuring that the entire facility is in compliance with applicable requirements.

An administrative settlement conference has been set for February 18, 2016 at 10:00 AM in the Region 2 Office located at 47-40 21<sup>st</sup> Street, Long Island City, New York. If you do not attend the settlement conference, Department General Counsel staff may institute a formal civil or administrative enforcement proceeding. You will be meeting with an attorney from the Department to discuss settlement and you may bring your own attorney to the settlement conference.

In order to demonstrate that the facility is in compliance, you should bring to the settlement conference proof that the violations cited above have been corrected or are being corrected. Such proof may consist of photographs, reports, invoices, letters, etc.

If you have any questions, please contact me at (718)482-7129 or [brian.falvey@dec.ny.gov](mailto:brian.falvey@dec.ny.gov).

Sincerely,



BRIAN FALVEY

NYSDEC, Region 2



BEALVEY POST OFFICE  
New York State Department of Environmental Conservation

47-40 21 ST

LONG ISLAND CITY NY 11101



7012 3460 0001 8019 6152

ERICK KUGLER

FACILITIES MANAGER

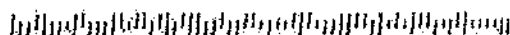
GERSHOW RECYCLING OF BROOKLYN

1885 PITKIN AVE

BROOKLYN NY 11212

US POSTAGE  
FIRST CLASS  
0625000722511  
111

11212-7803



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mail piece, or on the front if space permits.

1. Article Addressed to:

ERIC KUGLER  
FACILITIES MANAGER  
GERSHOW RECYCLING OF BROOKLYN  
1885 PITKIN AVE  
BROOKLYN NY 11212

2. Article Number  
(Transfer from service label)

7012 3460 0001 8019 6152

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service type

☒ Certified Mail

☐ Express Mail

☐ Registered

☐ Return Receipt for Merchandise

☐ Insured Mail

☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes



Peconic Environmental Services Corp.  
Medford, New York  
Construction and Demolition Debris Transfer Station

**ENGINEERING REPORT**

August 31, 2020, Revised April 2021, September 2021

Project: C&D Transfer Station  
Address: 100 Peconic Avenue, Medford, NY 11763  
Applicant: Peconic Environmental Services Corp  
SCTM No. 200-736-2-8.3



**1. SITE LOCATION AND PROJECT DESCRIPTION**

The proposed Transfer Facility is located on the north side of Peconic Avenue between Medford Avenue (Route 112) and Horse Block Road (County Road 16) approximately 2430 feet from Buffalo Avenue. The lot consists of 263,787 square feet (6.05 Acres) of property. All access to the subject site is via Peconic Avenue where the site enjoys 400.1 feet of street frontage. The north property line shares its boundary with the LIRR Mainline.

The proposed project contemplates construction of a Construction & Demolition Debris Transfer Facility on a 6.05 Acre parcel located on the north side of Peconic Avenue, 2,430 feet east of Buffalo Avenue. The site is bounded on the north by the Long Island Railroad. The site will have three buildings when complete. One small existing 514 square foot building will be retained and used for security and monitoring the flow of vehicles into and out of the site. A large new building with 38,755 square feet of space will be where the construction debris will be transferred from delivery trucks onto rail cars. The building will be constructed to allow trucks that bring debris to the facility to off load the material within the building. The building will have a rail spur passing through it to allow rail cars to enter the building and be loaded with the material for removal off the property and out of the region. Material transfer will be done entirely within the building. A third building will be constructed immediately adjacent to and be attached to the large transfer building. This building will function as an administration building and Scalehouse.

Sixteen (16) employee parking spaces have been provided south of the scalehouse. Eight (8) parking stalls and four (4) ADA stalls have been provided just north of the security building. The railroad provides access to the national rail system which can transport large quantities of material great distances at low cost. The property owner has a permitted railroad siding already in operation to serve this site.

**A. Description of Waste to be Accepted at the Facility:**

- Construction and demolition debris (C&D), auto recycling residue and carpeting.

**B. Origin of Waste:**

- Residential and commercial construction projects in Suffolk County, Nassau County and New York City

**C. Composition of Waste shall include, but not be limited to:**

- |  |                          |
|--|--------------------------|
| • Asphalt products; roofing, pavements | • Gypsum, wall coverings |
| • Auto Recycling Residue               | • Insulations            |
| • Brick & masonry materials            | • Metals                 |
| • Carpeting                            | • Plumbing fixtures      |
| • Concrete                             | • Stone                  |
| • Glass                                | • Wood                   |

**D. Quantity of Waste:**

- design capacity is 1,938 tons per day.

Our analysis assumes 3.75 cubic yards of C&D material equates to one ton. Therefore, the site will be limited to handling 7267.5 cubic yards of material. Trucks bring the material to the site will typically have 20 and 40 cubic yard carrying capacities. It is anticipated that two-thirds of the material will arrive using the 40 yard trucks and one third of the material will arrive using the 20 cubic yard trucks. Based on these assumptions the site will generate 122 forty-cubic yard deliveries and 120 twenty-cubic yard deliveries for a total of 242 trips to the site over an eleven-hour period, assuming the Facility operates at maximum capacity.

E. Description of Overall Operation:

- Roll-off container transportation vehicles will enter facility via the site access gate located on the south side of the site on Peconic Avenue. Transportation vehicles will be weighed in via an in-bound truck scale. Vehicles will then proceed into a tip floor area and dump. The primary method of transporting the waste off site will be by rail. The site abuts the LIRR. The building will have a rail spur passing through it to allow rail cars to enter the building and be loaded with the material for removal off the site and out of the region. Excavators and/or payloaders will transfer the C&D waste material from the tip floor into rail cars. When filled, the rail car can exit the site via the internal rail track at the north side of the site. The concrete tip floor pad will be entirely enclosed with a steel frame building of approximately 38,775 square feet. After the transportation vehicles are emptied, they will be weighed once more at the out-bound truck scale and then proceed to leave the site via the site access gate on the south side of the site. In the event there is a disruption to rail service, the secondary method of transporting waste off site will be by on road transfer trailers. The facility will have the capacity to load transfer trailers within the building limits.

F. Design Criteria:

- The weight of C&D debris accepted will be determined by the weigh scale at the site prior to unloading.
- Unloading, loading, and storage areas will be constructed of concrete material. The site and facility are adequate in size to facilitate efficient unloading from collection vehicles and provide for unobstructed movement of vehicles within the site.
- All traffic areas will be paved with either asphalt concrete or Portland concrete. The configuration of the site allows for a passable area by loaded collection and transfer vehicles.

G. Schedule of Operation:

- Monday to Saturday: 6:00 am to 7:00 pm
- Prior to the opening of the facility the operator will ensure that the concrete pad is sufficiently clear of debris to allow acceptance of the daily volume of debris expected. At the end of the day the operator will ensure that the access gates to the facility are closed and locked.

H. Anticipated Daily Traffic Routes:

- Northwest and West: Long Island Expressway (I-495) eastbound to Exit 65, Horse Block Road (CR 16) southeast bound to Americus Avenue southbound to Peconic Road eastbound.
- Northeast and East: Long Island Expressway (I-495) westbound to Exit 65, Horse Block Road (CR 16) southeast bound to Americus Avenue southbound to Peconic Road eastbound.
- North: Medford Avenue (Route 112) to Horse Block Road (CR16) southeast bound to Americus Avenue southbound to Peconic Road eastbound.
- Southwest: Sunrise Highway (Route 27) eastbound to Sill's Road (CR 101) northeast bound to north bound Station Avenue to Horse Block Road (CR16) northwest bound to Americus Avenue southbound to Peconic Road eastbound.
- Southwest: Sunrise Highway (Route 27) westbound to Horse Block Road (CR16) northwest bound to Americus Avenue southbound to Peconic Road eastbound.

I. Flow to and from Facility:

In order to determine the amount of traffic the completed site will generate the operation of the site was evaluated. There will be a total of 5 full time employees on site continuously through the workday. The site will be limited to transferring 1938 tons (7267.5 cubic yards) of material. As stated in Section D, we estimate 242 trips to the site over an eleven-hour period, assuming the Facility operates at maximum capacity.

It is likely that there will be some lull in deliveries at the beginning and ending of the day and some fluctuations hour to hour. To arrive at a potential peak, it will be assumed that the 242 deliveries occur over a nine-hour period generating 27 entering and exiting trips per hour.

In addition to the trucks there will be employee arrivals and departures and some other deliveries such as mail. For the purposes of this analysis it will be assumed that 5 entering and exiting trips will occur each hour.

Table 1 – Trip Generation, provides the number of vehicular trips the site is anticipated to generate once the project is complete. As can be seen from a review of Table 1, the proposed new project will generate only 32 entering and exiting trips during peak activity at the site.

| Land Use                               | A.M Peak Hours |      | Midday Peak Hours |      | P.M Peak Hours |      |
|--|----------------|------|-------------------|------|----------------|------|
|  | Enter          | Exit | Enter             | Exit | Enter          | Exit |
| Transfer Facility (1938-ton daily max) | 32             | 32   | 32                | 32   | 32             | 32   |

Table 1 – Trip Generation

J. Procedure for Unloading Vehicles:

- Contents of delivery vehicles will be dumped on the tipping floor within the building. The waste will then be loaded into waiting railcars also located within the building with an excavator or payloader.

K. Description and Sizing of Storage Facilities:

- The steel building where rail cars are loaded with C&D debris is approximately 165' x 235', and approximately 38,775 square feet.

L. Disposal of Construction and Demolition Debris Residue:

- All waste received at this facility will ultimately be transferred to one of two Subtitle D landfills located in Ohio: Sunny Farms Landfill in Fostoria, OH or Tunnel Hill Reclamation in New Lexington, OH.

M. Description of Facility Drainage and Water Supply System:

- A combination of precast concrete drywells and recharge basins will be used to store stormwater. On-site water supply will be provided by a water main connection on Peconic Avenue.

N. Fire Protection and Control:

- Four (4) fire extinguishers will be located inside the transfer station building along with one (1) hose station. There is a fire hydrant located on Peconic Avenue adjacent to the site entrance.