

New York State Department of Environmental Conservation
Division of Environmental Permits, Region 4
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Joe Martens
Acting Commissioner

June 1, 2012

Mr. Thomas Van Vranken
Norlite Corporation
628 South Saratoga Street
P.O. Box 694
Cohoes, NY 12047

RE: **2nd NOTICE OF INCOMPLETE
APPLICATION**

6 NYCRR Part 373 Permit Renewal
Norlite Corporation
EPA ID # NYD080469935
DEC No. 4-0103-00016/00016
City of Cohoes / Town of Colonie,
Albany County

Dear Mr. Van Vranken:

This letter serves to provide Department staff's comments to date on the Part 373 renewal application. The first section of this letter provides general comments on the application and facility operations and the second section provides specific technical comments on Section B (Facility Information) of the application.

General Comments on Norlite's Part 373 Permit Application

Application Versions

On January 12, 2012, Norlite submitted a hard copy of the Part 373 renewal application. On February 27, 2012, Norlite provided the Department with both a Microsoft Word version of the permit application and an Adobe .pdf version of the permit application. Review of these documents show that the Adobe copy matched the January 12, 2012 submission, while the Microsoft Word version did not match and clearly had updated text within the submission. In an email from Thomas Van Vranken dated May 4, 2012 to Karen Gaidasz and Thomas Killeen, he indicated that the Microsoft Word versions of the electronic submission should be the version of the application to review. With consideration of the comments on the submission of the application included herein, Norlite should resubmit a complete hard copy and an electronic copy of the most recent version of the application to the people the original renewal application was sent.

Index and Glossary

The hard copy of the application did not contain any index for the application. A version of an index was found with the Microsoft Word versions provided. If the application is to be delivered in multiple volumes, the application and individual volumes should be labeled as Volume 1, Volume 2, etc. or in some manner to distinguish each volume. At the front of each application volume, a listing of the sections or documents or maps contained in that volume shall be included.

The application should include a Glossary of all abbreviations, acronyms, and terms of art and industry.

Maps

Maps within the application must be readily distinguishable from each other by means of separate map envelopes and folding per industry plan folding convention. All title blocks should be visible when plans are folded.

Plan NY0003-3731 does not have any labels or call-outs, except for three “ponds”, which are incorrect, as these are the quarry or quarry ponds. Please correct and provide labels as appropriate.

Owner and Operator

Throughout the Part 373 renewal application the stated owner and operator is either United Oil Recovery, Inc. or Norlite Corporation. Please submit appropriate documentation to indicate who the legally responsible party is as owner and operator and update the Part A and the facility information in Section B to reflect the correct owner. The owner and operator should be consistently identified throughout the application. If the owner and operator is the same entity, this can be noted at the beginning of the application and a singular reference may be made within the remainder of the application.

RCRA Form (Section A)

Norlite submitted an updated RCRA Subtitle C Site Identification Form dated January 12, 2012. The last 18 pages of their submission were made on EPA Form 8700-23, (Revised 5/2002). This form is outdated and information contained on this form needs to be on forms presently in effect. The updated form can be found at <http://www.epa.gov/osw/inforesources/data/form8700/8700-23.pdf>.

Certification Statement

All submissions associated with the Part 373 renewal application must contain a certification statement per 6 NYCRR Part 373-1.4(a)(5)(iv). Section K of the permit application does have the required certification statement, however, each time revised sections are submitted, this statement needs to be included as part of the submission.

Part 360 Application

On March 25, 2009, the Department received an Application for a Part 360 Solid Waste Management Facility Permit from Norlite to operate oil holding and blending tanks. According to the application, two existing 20,000 gallon aboveground storage tanks would be used to store and blend nonhazardous off-specification used oil. On April 23, 2009, the Department sent a Notice of Incomplete Application (NOIA) for the Part 360 permit application and on April 2, 2010, a meeting was held to discuss the submitted application. It was agreed at that meeting that Norlite would submit additional information to the Department to clarify items discussed during the April 2, 2010 meeting and to formally respond to the April 23, 2009 NOIA. To date, the Department has not received a response to the NOIA.

Please clarify whether a Part 360 permit is still being sought to operate oil holding and blending tanks at the facility. In addition, considering the current operations at Norlite, please indicate whether any ongoing activities would require the issuance of a Part 360 permit by the Department, such as the shipping of any off-specification used oil off-site; or the blending of off-specification oil with on-specification used oil, or fuel oil for the purposes of producing an on-specification used oil fuel, etc..

Comments on Section B of Norlite's Part 373 Permit Application

- 1) Section B-1 states that Norlite is located on the southern boundary of Cohoes. This implies that Norlite is located solely in Cohoes. However, Norlite is actually located in both Cohoes and Colonie. Please clarify.
- 2) Section B-1 states that the facility is owned and operated by Norlite. As mentioned earlier, this contradicts the information in Section A which states that United Oil Recovery, Inc., owns and operates the facility, but has Norlite as the site name. Please clarify.
- 3) Section B-1 states that the facility has been in existence since 1956; however the Site Identification Form in Section A lists August 28, 1978 as the date of existence. Please correct.
- 4) The first sentence in Section B-1(a) states, "Current authorized storage area, waste types and capacity for Liquid Low Grade Fuel is as follows:..." Since Norlite stores other types of waste, the use of the phrase "Liquid Low Grade Fuel", in this sentence is confusing. Please remove this phrase.
- 5) Section B-1(a) implies that the tanker truck and on site roll-off staging area is a permitted storage area. This is not true. Please remove from this section.
- 6) Footnote 1 in Section B-1(a) refers to drawing NY003-373-1. This drawing does not clearly delineate each storage area. Please provide or refer to a drawing that more clearly delineates these areas.

- 7) The Table in B-1(a) does not include the capacity shown within the Hazardous Waste Permit Information Form for the aggregate kilns. Please show the total numbers for each type of permitted capacity which matches those found on the Hazardous Waste Permit Information Form.
- 8) Section B-1(b) of the Microsoft Word version states that, “Norlite Corporation proposes no changes to the facility’s storage capacity”. If no change is proposed, this section should just refer to the existing capacity section. This section should not list “drop and hook” activities which are exempt from permitting and therefore will not be covered by this permit as an authorized activity.
- 9) Section B-2 refers to a “...Albany, New York Airport.” This phrase is confusing. Please replace with “the Albany International Airport located in the Town of Colonie, New York”.
- 10) Section B-2, third paragraph states, “Sanitary wastes are directed to a sanitary sewer located as shown on Figure B-1.” This is incorrect and needs to be updated.
- 11) Section B-3 states that Drawing NY003-373-1 shows the hazardous waste operations units at the facility, however, these units are not labeled on this drawing. Please label these units on the drawing, provide another drawing where these units are clearly labeled, or refer to another drawing with clearer information about these units. See also comment number 6 on this section of the application.
- 12) Section B-4 discusses traffic patterns. There is no explanation of about the gate north of the quarry. Please add a discussion about this gate.
- 13) Section B-4 third paragraph states that, “up to 17 trucks per day of transshipments related to transfer station activities are received and/or shipped.” Please explain this statement.
- 14) Section B -4 sixth paragraph states: “Approximately twenty-five (25) hopper bottom rail cars of lightweight aggregate are shipped from the site weekly.” This is incorrect and should be updated to reflect actual current conditions

Department staff are continuing to review the Part 373 renewal application. As staff complete their review of each section, I will provide staff’s technical comments.

Additionally, please forward an updated/current copy of the BMPs and SOPs for review with the revised/updated application.

Should you have any questions, please don't hesitate to contact me at 518-357-2459 or kmgaidas@gw.dec.state.ny.us.

Sincerely,

A handwritten signature in black ink that reads "Karen M. Gaidasz". The signature is fluid and cursive, with the first name "Karen" and last name "Gaidasz" clearly legible.

Karen M. Gaidasz
Environmental Analyst

cc via email:

J. Lansing, NYSDEC Central Office, Division of Environmental Remediation
T. Killeen, NYSDEC Central Office, Division of Environmental Remediation
M. Cruden, NYSDEC Central Office, Division of Environmental Remediation
J. Hadersbeck, NYSDEC R4, Division of Environmental Remediation
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W. Clarke, NYSDEC R4 Regional Permit Administrator
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