

# Local Materials Management Plan

## Final Draft

### August 2016

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“Based on this review, the Department has determined the DANC SWMP has provided substantive consideration of the elements set forth in New York State Environmental Conservation Law, Section 27-0107 and the State’s Solid Waste Management Facilities regulations, 6 NYCRR Part 360-15.9 and it constitutes an approvable plan.”

Richard Clarkson, Director, Bureau of Permitting and Planning,  
Division of Materials Management, NYSDEC, dated June 27, 2016

## Development Authority of the North Country

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# Local Materials Management Plan

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## 1.0 PLANNING UNIT DESCRIPTION

The Development Authority of the North Country (Authority), in partnership with Jefferson County, Lewis County and St. Lawrence County, prepared this Local Materials Management Plan (LMMP), which will be effective for a 10-year planning period, starting in 2016 and ending in 2025. Each of the county's current Solid Waste Management Plans expired in 2010. The new LMMP addresses and considers current regulations and future needs of the three-county region (i.e., the Planning Unit), as well as pertinent items in the 2010 New York State Department of Environmental Conservation (NYSDEC) State Solid Waste Management Plan. The new Planning Unit is the Authority for the three-county North Country Region.

The Authority was created in 1985 to support the development of infrastructure and housing in the North Country, due to the population expansion resulting from the operations at Fort Drum. The Authority performs both infrastructure planning and economic development activities in the North Country. The Authority's board of directors is comprised of eight voting members appointed by the governing bodies of Jefferson, Lewis and St. Lawrence Counties and the City of Watertown, and five non-voting members appointed by the Governor, and the New York State Assembly and Senate. The board of directors provides oversight and guidance to the Authority's Executive Director.

The Planning Unit is located in northern New York, as shown in Figure 1. Jefferson County is located on the east shore of Lake Ontario and is bordered by the St. Lawrence River and Canada to the north, St. Lawrence County and Lewis County to the east, and Oswego County to the south.

Lewis County is bordered by St. Lawrence County to the north, Oswego and Jefferson Counties to the west, Oneida County to the south and Herkimer County to the east. St. Lawrence County is bordered by the St. Lawrence River and Canada to the north, Franklin County to the east, Jefferson County to the west, and Lewis, Herkimer and Hamilton Counties to the south.

Jefferson and St. Lawrence Counties border Canada to the north. Interstate Route I-81 crosses Wellesley Island in Jefferson County and continues into Canada where it meets Canadian Highway 401, midway between Montreal and Toronto. There are two bridge crossings between St. Lawrence County and Canada: Ogdensburg-Prescott International Bridge and Seaway International Bridge in Massena. St. Lawrence County is relatively close to the Canadian cities of Ottawa and Montreal.

## 1.1 PLANNING UNIT POPULATION, GENERATORS, AND FACILITIES

The area of each county within the Planning Unit and the total area are listed in Table 1.

**Table 1. Planning Unit Area**

County	Area (square miles)
Jefferson	1,293
Lewis	1,272
St. Lawrence	2,686
<b>Total</b>	<b>5,251</b>

St. Lawrence County is the largest county in New York State while Jefferson County is the ninth largest. The total Planning Unit land area is greater than the land area of the State of Connecticut.

The size of the Planning Unit area and the resultant impact on transportation costs are major considerations for the LMMP.

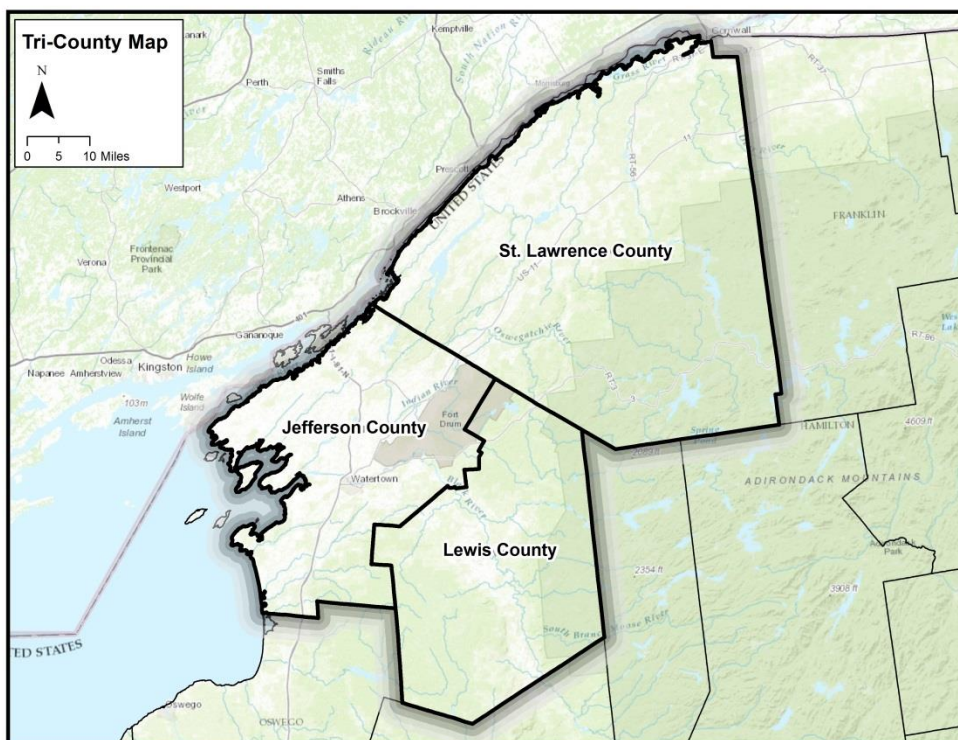
The 2000 and 2010 census populations for each county and the entire Planning Unit are listed in Table 2. The 2010 population data for each municipality, by County, is provided in Appendix A.

**Table 2. Planning Unit Population**

County	Population 2000 Census	Population 2010 Census	Population Density <sup>(1)</sup> (people/sq. mi)
Jefferson	111,738	116,229	90
Lewis	26,944	27,087	21
St. Lawrence	111,931	111,944	42
<b>Total</b>	<b>250,613</b>	<b>255,260</b>	<b>49</b>

(1) Using 2010 U. S. Census Bureau data.

**Figure 1. Planning Unit Map**



The population in Jefferson County increased by 4.0 percent between 2000 and 2010. The City of Watertown and Fort Drum (Town of LeRay) are the major population centers in Jefferson County.

The population in Lewis County increased by 0.53 percent and in St. Lawrence County by 0.01 percent between 2000 and 2010. Lowville and Croghan are the largest towns in Lewis County. The Villages of Potsdam, Massena, and Canton, and the City of Ogdensburg are the largest population centers in St. Lawrence County. Outside the above-mentioned cities and towns, the majority of the Planning Unit is considered rural, as illustrated in Table 3.

**Table 3. Population Distribution<sup>1</sup>**

County	Urban	Suburban	Rural
Jefferson	0 (0%)	66,469 (57%)	49,760 (43%)
Lewis	0 (0%)	7,562 (28%)	19,525 (72%)
St. Lawrence	0 (0%)	49,203 (44%)	62,741 (56%)

(1) Using 2010 U. S. Census Bureau data.

### 1.1.1 Major Population Centers

The major population centers in each county are provided in Table 4 below (see Appendix A for population data for all municipalities). Watertown, Lowville and Canton are the county seats for Jefferson, Lewis, and St. Lawrence Counties, respectively. The City of Watertown is centrally located within Jefferson County, with no part of the county more than 28 miles away from Watertown.

**Table 4. Major Population Centers**

Jefferson County		Lewis County		St. Lawrence County	
Municipality	Population	Municipality	Population	Municipality	Population
C/Watertown	27,023	V/Lowville	3,470	C/Ogdensburg	11,128
V/Carthage	3,747	V/Copenhagen	801	V/Massena	10,936
V/West Carthage	2,012	V/Port Leyden	672	V/Potsdam	9,428
V/Clayton	1,978	V/Harrisville	628	V/Canton	6,314
V/Adams	1,775	V/Croghan	618	V/Gouverneur	3,949

(1) Using 2010 U. S. Census Bureau data

### 1.1.2 School Districts and Institutions

Jefferson County has 11 different school districts, encompassing 37 public schools. County-wide, there are about 19,000 students, from kindergarten to 12th grade [18]. There are also 5 non-public schools with over 1,100 students located in Jefferson County. Three hospitals serve Jefferson County and are located in Carthage, Alexandria Bay and Watertown.

Lewis County has 5 different school districts, encompassing 13 public schools. County-wide, there are about 4,500 students, from kindergarten to 12th grade [19]. There are also 3 non-public schools with over 220 students located in Lewis County. One hospital, located in Lowville, serves Lewis County.

St. Lawrence County has 17 different school districts, encompassing 41 public schools. County-wide, there are about 16,000 students, from kindergarten to 12th grade [20]. There are also 16 non-public schools with over 700 students located in St. Lawrence County. Five hospitals serve St. Lawrence County and are located in Gouverneur, Massena, Ogdensburg, Potsdam, and Star Lake [33].

### 1.1.3 Large Retail Centers

Large retail centers in Jefferson County include the Route 3 Corridor, Salmon Run Mall and Seaway Shopping Center. St. Lawrence County has The St. Lawrence Centre Mall and Harte Haven Shopping Center in Massena; Seaway Shopping Center in Ogdensburg; Market Square Mall in Potsdam; and University Mall in Canton.

### 1.1.4 State or Federal Parks

Jefferson County has 13 State parks and nine State forests primarily located along the St. Lawrence Seaway and Lake Ontario. There are seven State parks and trails in Lewis County. There are 11 State parks in St. Lawrence County.

### 1.1.5 Industries

There are many different industries in the Planning Unit including farming, forestry, mining, utilities, construction, manufacturing, wholesale trade, retail trade, transportation, tourism, and warehousing.

Jefferson County's primary industries are service, farming, and tourism. Large employers in Jefferson County include federal, state, and county government as well as hospitals and medical facilities. Other large employers include Convergys (a customer relations management outsourcing and support company); Lear Siegler (a management service corporation); New York Air Brake (a manufacturer of railroad locomotive air brake systems); Climax Paperboard (a paperboard mill that uses secondary fiber); and, Car Freshner (a manufacturer of domestic aerosols and air fresheners).

Lewis County has over 125 logging operations with at least 30 businesses that process raw wood into finished products. Kraft Food operates a cream cheese manufacturing facility in Lewis County. FiberMark is a manufacturer and converter of specialty fiber-based materials.

In addition to the farm agriculture in St. Lawrence County, a value-added agriculture industry is present. Beef and maple syrup are produced in the County along with yogurt and cheese, which are produced in three plants in the area. Timber is harvested and processed in sawmills in the county or transported to sawmills outside the county. There are four paper mills in the county that process secondary fiber and virgin pulp. ALCOA is a major aluminum processor located in Massena. Zinc, wollastonite and other mineral deposits are prevalent in the Gouverneur area. Light assembly and manufacturing plants, including branches of Canadian companies, are located in the Ogdensburg industrial park. Corning operates a glass and ceramics manufacturing facility in DeKalb.

### **1.1.6 Correctional Facilities**

Jefferson County has two State-operated correctional facilities operated by the New York State Department of Corrections (NYSDOC). Cape Vincent Correctional Facility, located in Cape Vincent, is a medium security prison with about 1,300 prisoners and about 300 employees. The facility recently downsized and moved some inmates to other facilities [16]. The Watertown Correctional Facility, located in Watertown, is a medium security facility with about 873 inmates and about 410 employees [17]. The County jail is located in Watertown.

There are no State-operated correctional facilities located in Lewis County. The County jail is located in Lowville.

St. Lawrence County has three State-operated correctional facilities: one located in Gouverneur, and two located near Ogdensburg. Ogdensburg Correctional Facility is a medium security state prison for about 490 prisoners and about 300 employees. Riverview Correctional Facility, located in Ogdensburg, is also a medium security prison with an inmate population of about 1,100 and 350 employees [14]. Gouverneur Correctional Facility is a medium security prison with an inmate population of about 1,100 and about 387 employees [15]. The County jail is located in Canton.

### **1.1.7 Colleges, Universities and Other Higher Education Institutions**

Jefferson County has one college, Jefferson Community College, which is located in Watertown. Jefferson Community College enrolls about 4,000 students and has a faculty of about 190 [22]. On-campus housing is capable of serving 294 students. , .

Five colleges and universities enroll over 10,000 students in St. Lawrence County. Three colleges are operated by the State University of New York system, including SUNY College of Technology in Canton, SUNY College of Potsdam, and SUNY College of Environmental, Science and Forestry Ranger School in Wanakena. The two private



universities are St. Lawrence University in Canton and Clarkson University in Potsdam [21]. All of these institutions have both on- and off-campus housing available.

There are no colleges located in Lewis County.

### 1.1.8 Wastewater Treatment Facilities

The wastewater treatment facilities in the Planning Unit are located in the municipalities shown in Tables 5, 6, and 7.

Sixteen villages in Jefferson County have public wastewater treatment plants (WWTP). There are also several hamlets and towns that have districts that provide wastewater services.

Lewis County has eight WWTPs.

St. Lawrence County has 23 WWTPs.

**Table 5. WWTPs in Jefferson County**

Towns and Villages		
Adams	Deferiet	Philadelphia
Alexandria Bay	Depauville	Redwood Sewer District
Antwerp	Dexter	Sackets Harbor
Brownville	Evans Mills	Theresa
Cape Vincent	Herrings	Thousand Island Park
Carthage/West Carthage	LaFargeville	Watertown (City)
Chaumont	Orleans/Alexandria	Watertown (Town)
Clayton		Sewer District

**Table 6. WWTPs in Lewis County**

Towns and Villages		
Beaver Falls	Village of Croghan	Village of Lowville
Village of Castorland	Town of Martinsburg	Village of Lyons Falls
Village of Copenhagen	(Glenfield Sewer District)	Village of Port Leyden

**Table 7. WWTPs in St. Lawrence County**

Towns and Villages		
Brasher	Hermon	Norwood
Canton	Heuvelton	Ogdensburg
Colton	Lawrence	Potsdam (Town)
DeKalb	Lisbon	Potsdam (Village)
Edwards	Madrid	Raymondville
Fine	Massena	Rensselaer Falls
Gouverneur	Morristown	Unionville
Hammond	Norfolk	



## 1.2 PLANNING UNIT AREA

The solid waste management Planning Unit is comprised of the Development Authority of the North Country, for the counties of Jefferson, Lewis and St. Lawrence.

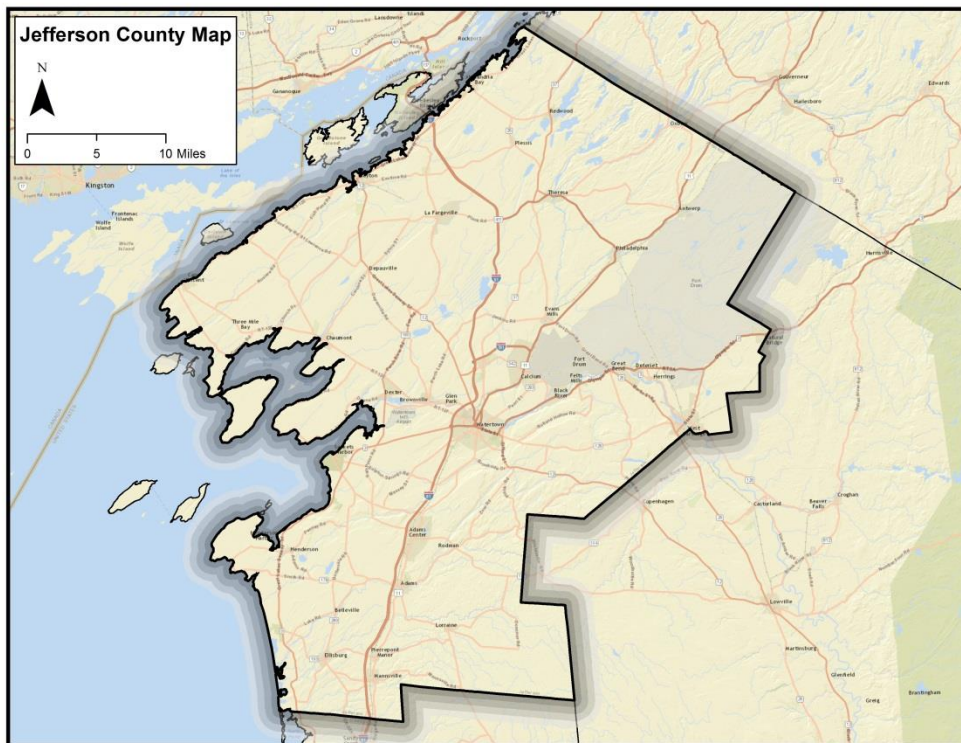
The Planning Unit area includes the three counties listed in the previous paragraph and all municipalities located in those counties, as follows:

- Jefferson County: 22 towns, 1 city (Watertown), 20 villages and the Fort Drum U.S. Army Installation.
- Lewis County: 17 towns and 9 villages.
- St. Lawrence County: 32 towns, 1 city (Ogdensburg) and 13 villages (will be 12 villages with the dissolution of the Village of Edwards).

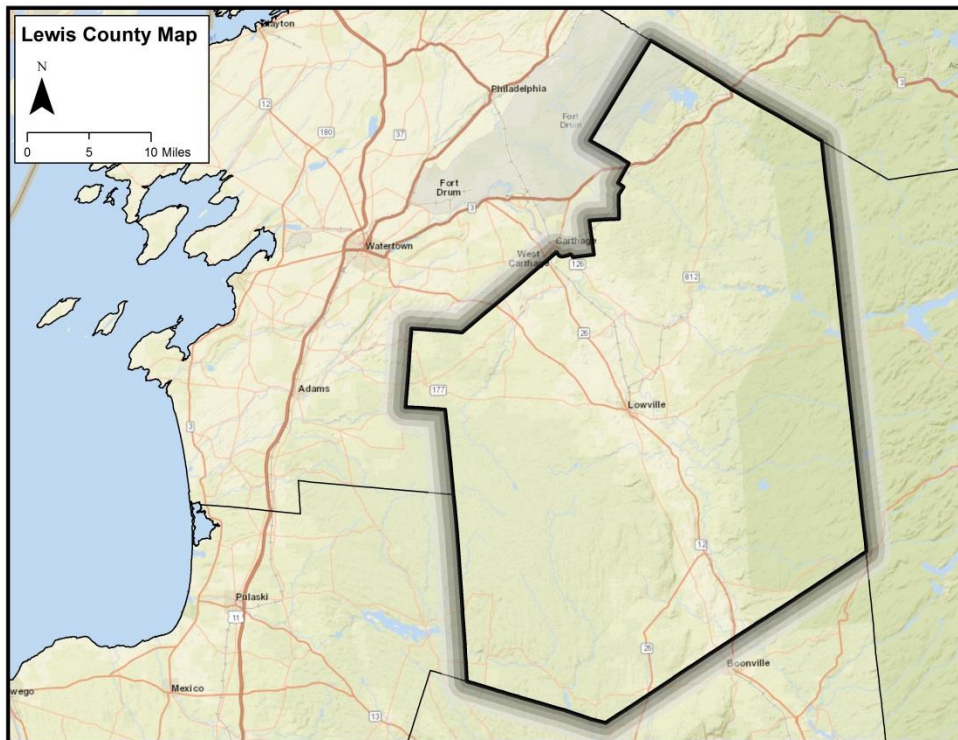
A list of the municipalities is provided in Appendix A. Maps of each county are provided in Figures 2, 3 and 4.

The Authority and the three counties are committed to the concepts reflected in this plan and are proceeding to implement various operational objectives of the plan.

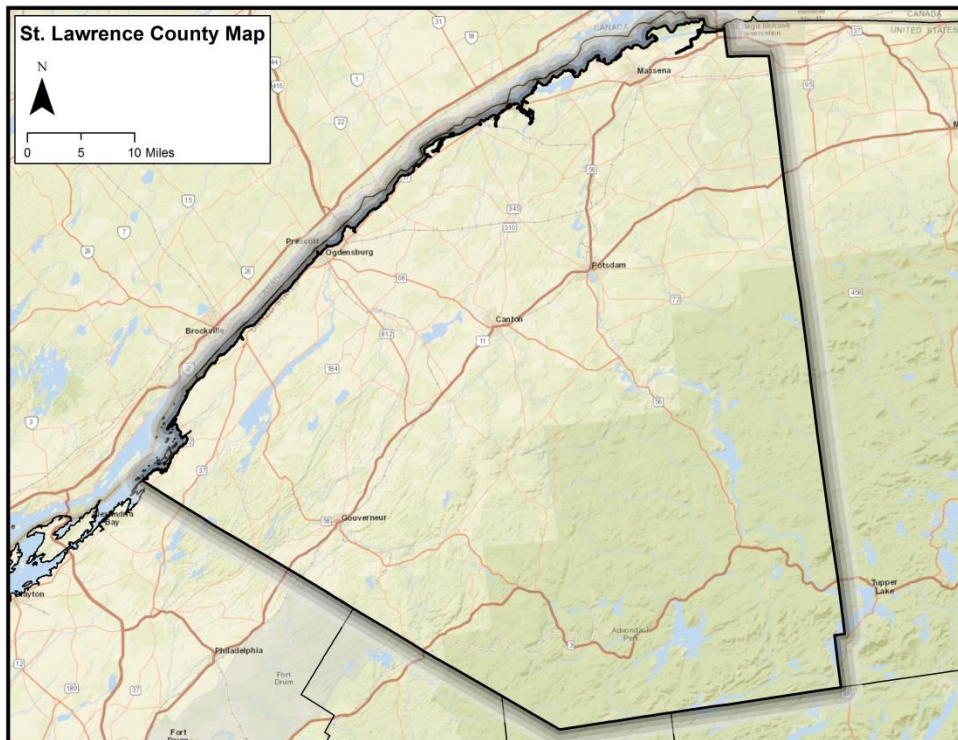
**Figure 2. Jefferson County**



**Figure 3. Lewis County**



**Figure 4. St. Lawrence County**



## 1.3 NEIGHBORING PLANNING UNITS AND OTHER JURISDICTIONS

The neighboring Planning Units, as identified by the NYSDEC, include:

- Oswego County.
- Oneida-Herkimer Solid Waste Management Authority (OHSWA).
- Hamilton County.
- The County of Franklin Solid Waste Management Authority (Franklin County).

The Authority provides disposal services to Hamilton County under a NYSDEC sanctioned contract. While Hamilton County periodically participates in coordinating work group meetings, it is not included in the Planning Unit's area due to its geographic location and distance from the Planning Unit. The contract with Hamilton County is not anticipated to be renewed because there are now closer disposal options. Hamilton County is not contiguous to the tri-county region and is a separate and distinct Planning Unit.

The Authority has ongoing discussions with OHSWA for waste diversion alternatives and, to a lesser extent, Oswego County.

## 1.4 SEASONAL VARIATIONS AND UNIQUE CHARACTERISTICS

The Planning Unit experiences some seasonal variations and unique characteristics in population. In Jefferson County, seasonal variations result from summer tourism in Alexandria Bay and fishing in Cape Vincent. Seasonal variations in Lewis and St. Lawrence Counties are due to tourism and seasonal housing in the Adirondacks. Hunting and fishing seasons, and also winter activities, such as skiing and snowmobiling, result in seasonal population variations. Based on data derived from the 1000 Islands International Tourism Council, Chambers of Commerce, etc., it is estimated that the population increases by approximately 20-25% during the height of the summer tourism season. Seasonal variations during the winter, spring, and fall are substantially lower and for less sustained periods of time.

### 1.4.1 Agricultural Use

Jefferson County has many dairy farms, which produce the fourth largest quantity of milk in New York State. Jefferson County's farm operations produce the largest quantity of hay in the state. The average size of a farm in Jefferson County is 322 acres [10].

Agriculture is considered the largest industry in Lewis County. The largest percentage of agricultural sales is attributed to animal products, such as milk and meat, with the remaining revenue derived from commercial horticulture as well as sales of hay and other crops [11]. Lewis County dairy farms produce the fifth largest quantity of milk in New York State. The average size of a farm in Lewis County is 273 acres. Forestry is the other large industry in Lewis County.

St. Lawrence County ranks third in the state for number of farms and second for land in farms. The leading products sold in St. Lawrence County are milk, dairy, cattle, hay, grains and vegetables [21]. The average size farm in St. Lawrence County is 261 acres.

### 1.4.2 Geographic Location

The Planning Unit is somewhat isolated from the rest of the state as Jefferson County is the only county within the Planning Unit served by an interstate highway (I-81). Lewis County is primarily served by State Route 12 running north to south from Jefferson County



to Oneida County. St. Lawrence County is served by State Route 812 and State Route 56 in the north-south corridor. State Route 37 travels along the St. Lawrence River and connects Ogdensburg and Massena. State Route 11 travels northeast from Watertown, connecting to Gouverneur, Canton, and Potsdam.

Jefferson County has over 100 miles of shoreline along Lake Ontario and the St. Lawrence River. Similarly, St. Lawrence County has a long shoreline along the St. Lawrence River.

### **1.4.3 Adirondack Park**

The Adirondack Park is a publicly-protected area located in northeast New York. The park covers 6.1 million acres, and portions of Lewis and St. Lawrence Counties are located in the park [9]. The southeastern third of St. Lawrence County, approximately 953 square miles, is within Adirondack Park. The western limit of the Adirondack Park is located in the eastern part of Lewis County [6]. Hamilton County, which utilizes the Authority's solid waste management facility or Regional SWMF, is located entirely within the Adirondack Park.

### **1.4.4 Fort Drum**

Fort Drum is a U.S. Army installation located primarily in Jefferson County. The installation occupies a large area in the eastern part of Jefferson County, including parts of the Towns of Antwerp, LeRay, Philadelphia, and Wilna. Several villages are on the border of Fort Drum, including Antwerp, Black River, Deferiet, Evans Mills, and Philadelphia [7]. The Town of LeRay is home to the largest population of on-base and off-base military soldiers and dependents outside of Fort Drum. Fort Drum also extends approximately 27 square miles into the northern portion of Lewis County.

Fort Drum consists of 107,265 acres and hosts almost 80,000 mobilization and training troops annually [7]. The installation is home to the 10th Mountain Division. Fort Drum expanded from 2004 through 2008, due to the addition of a 3rd Brigade. The population of the installation was listed as 12,955 in the 2010 census. At any particular time, the population of Fort Drum is affected by deployments. The population reached 14,057 in 2014.

## **1.5 PLANNING UNIT MEMBERSHIP CHANGES**

The principal change reflected in this plan is the merger of the three individual county-based SWMP's (Jefferson, Lewis and St. Lawrence) into a new LMMP under the management and coordination of the regional agency, the Development Authority of the North Country.

The Development Authority proposed to the counties that the entities combine their planning efforts into a single regional Planning Unit for consistency and efficiencies. Each county, by adoption of legislative resolutions, authorized participation in the development of the regional solid waste plan. (Resolutions in Appendix B.)

The three counties are statutory members of the Development Authority. Consequently, the counties' appointees govern the Authority. This has necessitated a cooperative, voluntary approach to implementation of coordinated activities. A solid waste committee, comprised of solid waste management personnel from the three counties, along with Authority staffing, reviews regional recommendations and through consensus and compromise achieve agreement on program initiatives, directions, and policy.

This collaborative approach was utilized to determine the willingness to pursue preparation of a regional plan. The Authority agreed to incur any expenses related to the planning activity on behalf of the regional partners.

## **1.6 HISTORICAL MANAGEMENT PRACTICES**

The Authority planned and constructed a regional landfill which became permitted and commenced operation on November 23, 1992. Under a pre-existing agreement between the parties, the Authority owns and operates a regional landfill on behalf of the three counties. The Authority's original role was disposal management only, with the counties retaining responsibilities for SWMP and implementation. Any efforts to recycle were the responsibility of the individual counties which were separate Planning Units with separate solid waste plans, including all responsibilities for recycling. As a result, there developed three different and distinct approaches to planning and operations.

The counties developed individual management plans and implemented individual systems for recycling collection. The Authority continued to provide cost effective disposal, actually reducing, then maintaining, stable tipping fees for over twenty years. The collective result was a decline in recycling due to lack of emphasis on waste diversion and the availability of an inexpensive disposal option.

## **1.7 RECENT MANAGEMENT PRACTICES**

The Authority, in 2009, initiated a policy change which encouraged waste diversion and began assuming a leadership role to coordinate and enhance the county activities.

The executive management of the Authority changed the utilization of the landfill disposal from being the preferred option to the least preferred option in waste management hierarchy. The change in philosophy and policy was intended to anticipate the state's effort to update its statewide solid waste plan and enhanced regulatory requirements. The Authority Board adopted policy resolutions and executive management initiated numerous operational changes to develop a regionally consistent approach to managing solid waste in the three counties.

With the assumption of the coordinating role among its three county partners, the Authority established a series of meetings with county administrators and county solid waste management personnel. These efforts resulted in a commitment from each county to move forward collectively on a regional basis, and the establishment of an Authority solid waste committee as a coordinating work group. The Authority then established and appointed the region's first Regional Recycling Coordinator to lead the new initiatives.

The Authority solid waste committee is led by the Regional Recycling Coordinator, with regular participation by the solid waste management personnel of each county and the Authority. These individuals offer advice and recommendations for program and program changes. One of the earliest initiatives was an enhanced enforcement effort at the Authority's landfill to exclude recyclables, working with the county haulers to identify excessive and unacceptable loads. This entailed increased frequency and volume of load inspections and encouraging the member counties to do likewise at county transfer facilities. The Authority initiated a public information and education campaign encouraging waste diversion. The Authority began coordinating the county activities to develop shared services and uniform regional practices, including uniformity of acceptable recyclables.

The Authority initiated, and has maintained, a public awareness and education campaign focused around its website, [www.NorthCountryRecycles.org](http://www.NorthCountryRecycles.org), and includes multi-media advertising and information campaign.

The Authority established a recycling rebate program whereby the Authority and counties established mutually acceptable objectives which, upon completion, the Authority provided a financial rebate to the counties. The counties utilized the funds to offset additional operating costs. The program has now ended, after four years and provided a positive incentive for collaboration and cooperation among the partners. Each year, criteria were established, and achieved, resulting in continued progress toward region-wide recycling goals and objectives. Examples of past criteria include the establishment of a consistent list of recyclable materials accepted by all counties, participation in annual household hazardous waste (HHW) collection events funded by the Authority, participation in electronics and rechargeable battery waste collection efforts, etc. In addition, all three counties actively participate in the bi-monthly partner meetings, hosted by the Authority. This provides a regularly-scheduled opportunity for information sharing and consistent programming in support of the regional waste diversion goals.

The changes in management practices have produced increased levels of waste diversion and recycling volume by county, reflected in MSW disposal volume reduction at the Authority landfill.

The Authority was the recipient of carbon credit revenues for initiating a landfill-gas-to-energy facility which destroys methane gas. The Authority committed those revenues to environmental stewardship and waste diversion projects and programs.

The Authority revised its landfill hauler's access permit system to better identify and enforce its waste diversion requirements. Each county re-evaluated their permitting systems for transfer station access and increased waste diversion requirements.

The counties agreed to uniform standards for the acceptable recyclables in their transfer systems and, for the first time, all municipalities are collecting common recyclables. Each county maintains their own markets and revenues; however, the counties are now sharing market information and transportation.

The three counties and the Authority facilitated the refurbishment of a glass crusher for regional use and the development of beneficial use material at the landfill and in road construction.

The Authority agreed to assume responsibility for the management and financing of a regional household hazardous waste program. This regional approach increased the number of collection days and opened them to regional residents rather than county restrictions. The coordinated approach achieved better pricing through a multi-county, multi-year Request For Proposal (RFP). The Authority compiles the statistical data and processes the state reimbursement claims.

The success of the HHW centralization led the partners to take a similar approach to the diversion of electronic waste. Jefferson County, in particular, had an effective electronics recycling program in place. The Authority utilized that model, combined with the new state legislation, to establish a regional program utilizing each county's transfer system. The Authority established criteria for a request for proposals and solicited competitive proposals which were reviewed and ranked by the counties. Upon a consensus of the solid waste committee, a standard contract was adopted by each county. The program provides diversion, compliance and a small revenue stream for the counties. In the latter part of 2014, the e-waste industry experienced significant costs associated with

processing cathode ray tubes (CRTs). Those costs were passed on to the Counties via a per pound charge for CRTs that were collected for recycling. To alleviate the financial impact of those charges on the Counties, the Authority assumed responsibilities for those costs so that the Counties could continue to accept e-waste from residents at no cost to the resident.

In 2010, the Authority solicited proposals for the retention of professional/technical assistance in the plan preparation and with the participation of the solid waste committee selected SCS Engineers to lead the initial efforts for the development of the first regional plan.

The SCS team worked with each of the individual counties to compile the necessary information and data available relative to each program and operation. The SCS team then began drafting the plan document based upon, then current, NYSDEC guidance and prior experience. Each individual element of the plan was circulated to the individual counties for review, after which the solid waste committee would meet collectively to review, revise and finalize a document section. Each individual county incorporated legislature participation to the degree warranted by the respective county.

Upon completion of the final draft, the solid waste committee endorsed the final draft and its submission to NYSDEC and transmission to the respective county legislatures. This document reflects numerous revisions, including a complete reformatting and reorganization of the pertinent information required for final approval by NYSDEC.

The first planned landfill disposal tipping fee increase in over fifteen years was authorized by the Authority Board to be effective January 1, 2013. The intent was to gradually increase disposal costs to create a disincentive for disposal as an option. The revenue increases will also be utilized to provide financing for the waste reduction initiatives.

As the draft LMMP has been prepared, the Authority and counties have agreed to move forward with implementing various initiatives contained in the plan, thereby advancing waste diversion before final plan approval.

## **1.8 PLANNING UNIT ASSESSMENT ISSUES**

Upon approval of the LMMP, the Authority is the responsible administrative entity for the maintenance of the plan, the coordination of the implementation, and all necessary reporting and monitoring. The efforts to date have been collaborative and consensus building between the Authority and the counties, a relationship expected to continue. However, the Authority has no actual power over the counties to require they take a particular action and, in fact, the counties have the authority to appoint the Authority's governing board members. A potential issue could be the operational independence of each of the counties. The Authority does not have governance over the counties and, in fact, the counties are the appointing authority for the Authority's governance Board.

With the approval of the LMMP, the Authority is responsible for the collection and reconciliation of data for the region. While all parties are committed to this transition of function, a common uniform means of collecting and combining the individual county data collection methodologies does not currently exist. This is particularly difficult when coordinating public and private information sources, which may or may not be reporting data to the state.

In 2013 the Authority purchased scale software for Lewis County and St. Lawrence Counties. Jefferson County had scale software. This allows each county to keep better

track of data from their respective transfer sites. It also creates an opportunity for data sharing in the completion of annual Planning Unit reports.

The counties have retained control over their collected recyclables for the purposes of marketing and revenue generation. While the Authority could assume a coordinating or directing role, it is not anticipated because each county utilizes revenues to offset operational expenses.

The issue of centralization versus decentralization of functions will be a common factor in the ongoing program decision making. The large geographic region and distance considerations will make the movement of waste and related transportation costs critical elements in program design.

The rural nature of the region and the lack of population density will contribute to a degree of compliance and successful implementation. If the implementation of the LMMP is too aggressive or leads to significant increases in disposal fees compared to the recent modest increase, the residents will simply decline to participate, resulting in significant increases in illegal dumping in remote and isolated rural areas. The Authority and the counties are conscious of this factor.

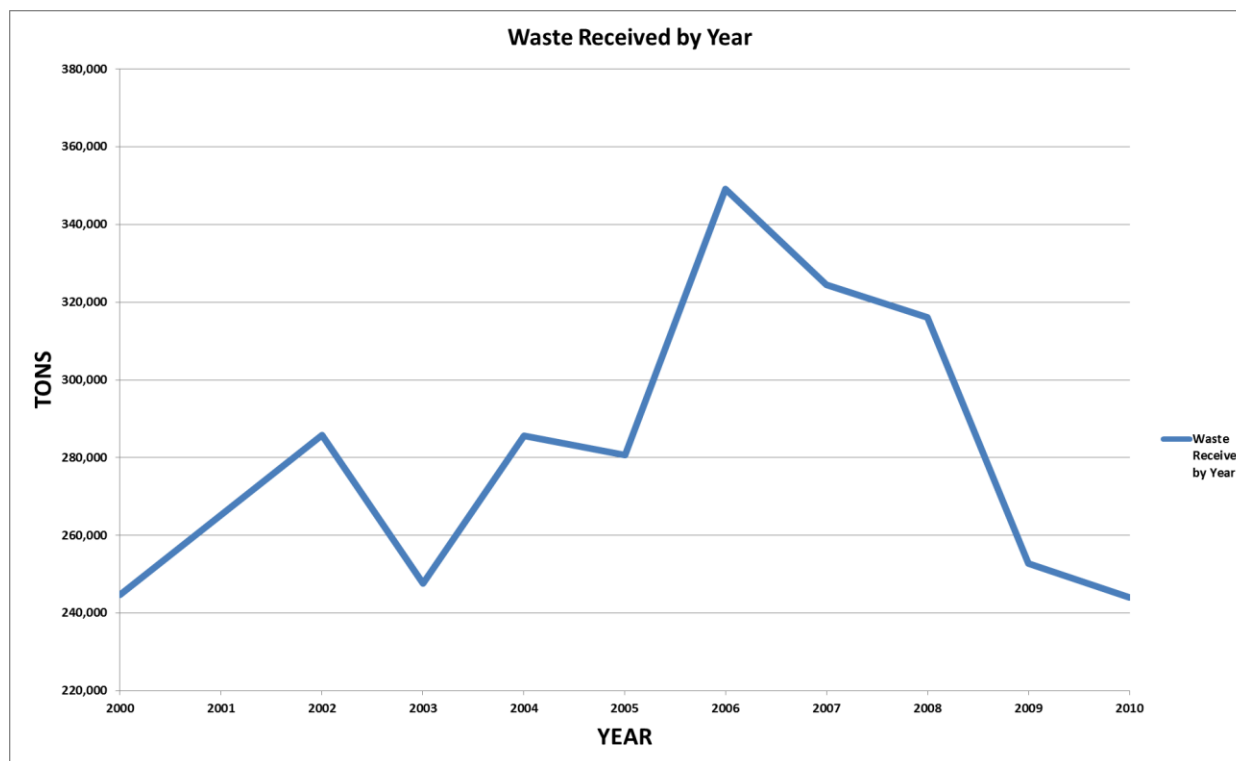
To date, the additional financing of the coordination and consolidation activities has been provided by the Authority. Each county continues to financially support their respective collection and recycling programs. Both elements of the pricing (collection and disposal) have increased during the current year. The Authority and the counties share financial and planning information; however, the final budget decisions are determined independently.



## 2.0 SOLID WASTE QUANTITIES AND TYPES

### 2.1 SOLID WASTE QUANTITIES

Historical solid waste quantities disposed at the Authority's landfill (Solid Waste Management Facility or Regional SWMF), for 2000 through 2010, are presented in Figure 5. The higher-than-normal MSW tonnages in 2006, 2007, and 2008 are due to an extra 50,000 tons of MSW from outside the three-county region that were accepted under a 3-year contract between the Authority and Casella.



**Figure 5. Historical Solid Waste Disposal at the Authority's SWMF**

A breakdown of 2010 solid waste quantity data, by county, is presented in Table 8. Table 8 includes a breakdown by major waste type for all waste from the three-county region that was disposed. A breakdown of the recyclable materials as reported by the county Planning Units is found in Table 8. The landfill data was provided by the Authority and represents waste that originated from each county, and includes that hauled by public and private haulers.

The recyclable materials included in Table 9 represent the materials reported by each county on their annual Planning Unit report. In the case of Jefferson and Lewis Counties, those figures represent materials received at their recycling facility only and do not include recyclables delivered to recycling centers exclusive of their operations or entities that market their own recyclables.

In order to capture more comprehensive data on recycling, the Authority's new landfill permit system will require private haulers to provide an annual report to the Authority that identifies where haulers take their recyclables for processing, including quantities of recyclables they collected for the year. This recyclables annual report will be a condition of the hauler's permit to use the Regional SWMF and will facilitate the compilation of recycling data for the region.

**Table 8. 2010 Solid Waste Disposed**

2010 Planning Unit Solid Waste Disposed					
Material	Jefferson County	Lewis County	St. Lawrence County	Unknown Origin	Planning Unit Total
MSW	77,575	11,921	64,603	1,212	155,311
Medical Waste	139				139
Waste Tires			154	222	376
<b>MSW Subtotal</b>	<b>77,713</b>	<b>11,921</b>	<b>64,603</b>	<b>1,212</b>	<b>155,826</b>
C&D	22,622	4,548	3,652	394	31,216
Contaminated Soil	10,793	2,290	10,307	5,570	28,960
Asbestos	24	16	88	764	891
<b>C&amp;D Subtotal</b>	<b>33,438</b>	<b>6,854</b>	<b>14,047</b>	<b>6,728</b>	<b>61,067</b>
Industrial Waste	3,183	2,470	2,775	2,282	10,710
Industrial Process Sludge (non beneficial)	1,992	1,978	479	1,295	5,744
Industrial Process Sludge (beneficial use)	1,574	314	2,058		3,945
Other Special Waste				242	242
<b>Industrial Waste Subtotal</b>	<b>6,748</b>	<b>4,761</b>	<b>5,312</b>	<b>3,819</b>	<b>20,640</b>
Sewage Sludge	3,625	0	1,687	693	6,005
Ash	5,198	0	0	812	6,010
<b>Biosolids Subtotal</b>	<b>8,823</b>	<b>0</b>	<b>1,687</b>	<b>1,505</b>	<b>12,015</b>
<b>Total Solid Waste Disposed</b>	<b>126,722</b>	<b>23,536</b>	<b>85,649</b>	<b>13,264</b>	<b>249,548</b>

**Table 9. 2010 Recyclables Recovered**

2010 Planning Unit Recyclables Recovered					
	Jefferson County Transfer Station	Lewis County Transfer Station	St. Lawrence County Transfer Station	Other Transfer Stations & Private Haulers	Total Recyclables Recovered
Single Stream				3,352	3,352
Comingled Containers			383	307	690
Plastic Containers 1-7	386	77			463
HDPE	41			0	41
Container Glass				2	2
Tin /Aluminum Containers	162	71		1	234
Aluminum Foil/Trays		5			5
Comingled Paper & OCC		861	895	1,012	2,768
Mixed Paper	1,594				1,594
Junk Mail				144	144
Newspaper				109	109
Magazines				29	29
Office Paper				74	74
Corrugated Cardboard	2,925			2,734	5,659
<b>Subtotal GMP and Cardboard /Paper</b>	<b>5,108</b>	<b>1,014</b>	<b>1,278</b>	<b>7,764</b>	<b>15,164</b>
Bulk Scrap Metal	327	133	128	2,383	2,971
Enamaled Appliances / White Goods				14	14
<b>Subtotal Other Recyclables</b>	<b>327</b>	<b>133</b>	<b>128</b>	<b>2,397</b>	<b>2,985</b>
<b>Total Recyclables Recovered</b>	<b>5,435</b>	<b>1,147</b>	<b>1,406</b>	<b>10,161</b>	<b>18,149</b>

### 2.1.1 Jefferson County

Jefferson County Highway Department, Division of Recycling and Waste Management manages a portion of the waste and recyclables generated in Jefferson County. Individual municipalities, private haulers, businesses, and residents use the Jefferson County transfer station and recycling center, although they are not obligated to use these facilities. A summary of the recyclable materials received at the Jefferson County Highway Department transfer station and recycling center, is provided in Table 9.

The Jefferson County Transfer Station handles about 25 percent of the total solid waste (40 percent of the MSW) generated in Jefferson County that is delivered to the Regional SWMF.

The major private haulers in Jefferson County, and the percentage of the total solid waste and total MSW within the County that they handle, are as follows:

- Waste Management: 29 percent of the total solid waste; 31 percent, MSW.
- Thomas Excavating: 13 percent of the total solid waste; 13 percent, MSW.
- John Allen Sanitation: 8 percent of the total solid waste; 2 percent, MSW.
- Feher Rubbish Removal: 6 percent of the total solid waste; 8 percent, MSW.

The majority of the solid waste handled by these haulers is direct-hauled to the Regional SWMF in Rodman, NY, thus bypassing the county transfer station.

### **2.1.2 Fort Drum**

Federal employees collect, transport, and prepare Fort Drum's MSW for shipment to the Regional SWMF, including single-soldier housing (formerly barracks), dining facilities, institutional facilities, and commercial facilities. Fort Drum operates and maintains its solid waste transfer station. MSW described above is transported to this site and compacted by federal employees into containers provided under contract with Feher Rubbish Removal, Inc. (Feher). Feher then transports the waste to the Regional SWMF. Additionally, federal employees collect, on-site, used antifreeze, motor oil and fuel, lead acid batteries, light and heavy metal salvage, kitchen grease, and bulky white goods for recycling under a certified Army Qualified Recycling Program. The Defense Re-utilization and Marketing Office (DRMO), a federal agency on post, collects and ships Army-owned electronic equipment, automotive property, and tires to the Defense Logistics Agency for demilitarization, reclamation, re-use, recycling, or re-sale.

In 2005, the Army deeded the operation and maintenance of Army Family Housing to a private company, ACTUS Lend Lease and Fort Drum Mountain Community Homes, LLC. The U. S. Army, Fort Drum has no affiliation with this privatized housing regarding the collection, transportation, and disposal of solid waste generated in this community. WM collects MSW from the privatized housing (under contract with ACTUS Lend Lease) and transports it to the regional landfill. WM provides single-stream recycling to the privatized housing, which is transported to Recycle America, Liverpool, NY for processing.

### **2.1.3 Lewis County**

Lewis County Solid Waste Department manages a portion of the waste and recyclables generated in Lewis County. Individual municipalities, private haulers, businesses, and residents use the Lewis County transfer stations and recycling centers, although they are not obligated to use these facilities. A summary of the recyclable materials handled at the Lewis County Solid Waste Department transfer stations and recycling centers is provided in Table 9.

The Lewis County Transfer Station handles about 53 percent of the total solid waste (81 percent of the MSW) generated in Lewis County that is delivered to the Regional SWMF.

The major private hauler in Lewis County is Casella, who handles about 28 percent of the total solid waste (15 percent of the MSW) within the county that is delivered directly to the Regional SWMF.

### **2.1.4 St. Lawrence County**

The St. Lawrence County Solid Waste Department manages a portion of the waste and recyclables generated in St. Lawrence County. Individual municipalities, private haulers, businesses, and residents use the St. Lawrence County transfer stations and recycling centers, although they are not obligated to use these facilities. A summary of the

recyclable materials handled at the St. Lawrence County Solid Waste Department transfer stations and recycling centers is provided in Table 9.

St. Lawrence County Transfer Stations handle about 36 percent of the total solid waste (47 percent of the MSW) generated in St. Lawrence County that is delivered to the Regional SWMF.

The major private hauler in St. Lawrence County is Casella, who handles about 41 percent of the total solid waste (48 percent of the MSW) within the county that is delivered directly to the Regional SWMF.

## **2.2 SOLID WASTE COMPOSITION**

In October 2010, the Authority contracted with SCS to conduct an analysis of waste generated in Jefferson, St. Lawrence, and Lewis Counties, and delivered to the Regional SWMF. The primary objectives of the study were:

- To estimate types and quantities of recyclable waste components in the waste stream now being landfilled.
- To compare the composition of waste generated and collected in the three different counties and by the various waste haulers.

The waste characterization was based on one, week-long sampling event. It was not possible to differentiate between residential and commercial waste, as the majority of the trucks that haul MSW commingle those wastes.

Based on these samples, the largest subcomponents, by weight, of the waste stream are Other MSW (36.6 percent) and Other Organic (36.4 percent). The largest recyclable subcomponents are Cardboard (4.8 percent), Paperboard (3.8 percent), and Newspaper (3.3 percent). Recyclable paper made up about 19 percent of the waste stream, while recyclable containers (aluminum, plastics, metal, and glass) made up about five percent of the waste stream. Accordingly, the total potential for recyclable paper and containers is about 24 percent of the total MSW. There were no significant differences between counties or haulers.

From this study, we estimate that a significant portion of the MSW currently disposed at the Regional SWMF could be diverted through increased recycling of paper products and containers. Beyond these traditional recyclables, another significant portion of the waste stream (about 36 percent) that could be partially diverted is the Other Organics fraction. Various types of organics diversion programs, such as backyard or centralized composting, could be considered.

Due to the limitations of the waste composition study (which did not include diverted recyclable materials, thus representing a potential additional diversion opportunity), this LMMP uses the waste composition data collected by the Authority. Those data are presented in Table 10.

**Table 10. 2010 MSW Composition Analysis**

Material Components	Mean Composition	Standard Deviation	95% Confidence Limits	
			Lower	Upper
Recyclable Paper				
1 Newspaper	3.3%	2.9%	2.5%	4.1%
2 Magazines	2.9%	3.3%	2.0%	3.8%
3 Cardboard	4.8%	3.5%	3.8%	5.8%
4 Paperboard	3.8%	2.1%	3.2%	4.4%
5 Phone Books	0.1%	0.5%	<0.1%	0.2%
6 Office Paper	1.8%	2.0%	1.2%	2.3%
7 Other Paper	2.6%	2.6%	1.9%	3.3%
Recyclable Paper	19.3%			
Recyclable Containers				
8 PET #1	0.9%	0.4%	0.8%	1.1%
9 HDPE #2	0.9%	0.8%	0.7%	1.1%
10 3-7 Bottles	0.1%	0.2%	<0.1%	0.2%
11 Other Containers	0.6%	0.4%	0.5%	0.7%
12 Ferrous Cans	1.0%	0.8%	0.8%	1.3%
13 Aluminum Cans	0.2%	0.2%	0.2%	0.3%
14 Aluminum Foil	0.3%	0.3%	0.2%	0.4%
15 Glass Bottles	1.2%	1.1%	0.9%	1.5%
Recyclable Containers	5.3%			
Organic				
16 Leaves	0.5%	1.7%	<0.1%	1.0%
17 Grass	<0.1%	0.4%	<0.1%	0.2%
18 Brush	<0.1%	0.2%	<0.1%	0.1%
19 Other Organic	36.4%	9.1%	33.9%	38.9%
Total Organic	37.0%			
20 Electronics	1.5%	2.6%	0.8%	2.2%
21 Household Hazardous Waste	0.3%	0.6%	0.1%	0.5%
22 Other MSW	36.6%	8.2%	34.3%	38.8%
TOTALS	100.0%			

Note: Composition based on 50 samples.

### 3.0 EXISTING PROGRAM DESCRIPTION

In each county, collection of solid waste and recyclables is provided through a combination of private collection, self-haul, and municipal collection (e.g., the City of Watertown). Jefferson County does not have flow control for waste. Lewis and St. Lawrence Counties have flow control authority for waste and reinstated its use in 2008. Waste types covered under flow control include Solid Waste and C&D debris.

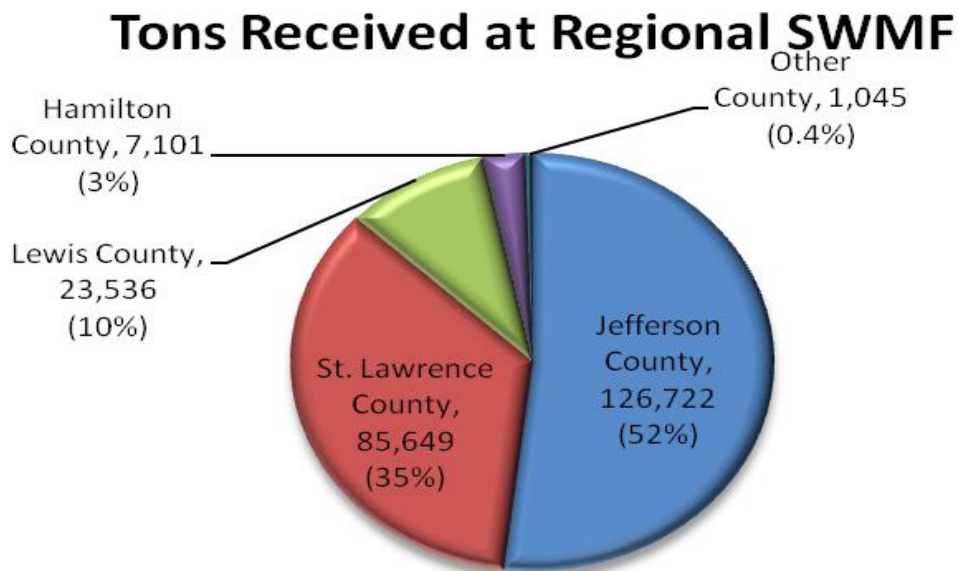
### 3.1 SOLID WASTE MANAGEMENT FACILITY INVENTORY

Historical solid waste quantities disposed at the Authority's landfill (Solid Waste Management Facility or Regional SWMF), for 2000 through 2010, are presented in Figure 5. The higher-than-normal MSW tonnages in 2006, 2007, and 2008 are due to an extra 50,000 tons of MSW from outside the three-county region that were accepted under a 3-year contract between the Authority and Casella.

#### 3.1.1 Landfill

The Authority owns and operates the Regional SWMF in the Town of Rodman in Jefferson County. The Regional SWMF includes a double-lined landfill, which began operation in 1992. Phase I of the landfill can provide capacity through approximately 2027. A planned expansion of the landfill would extend the capacity to about 2072. The proposed project, herein referred to as the "Proposed Southern Expansion", encompasses approximately 110 acres to the south and southwest of the existing landfill footprint on Authority property. The environmental review and permitting actions for the Proposed Southern Expansion are in progress.

The landfill accepts non-hazardous solid waste from all three counties, as transported by private and public (e.g., county) haulers. Some towns located in southern Jefferson County haul directly to the Regional SWMF. Waste is also accepted from Hamilton County, under a NYSDEC-sanctioned contract, and from other counties, under special conditions. The relative contribution of waste, by county, is shown in Figure 6 (next page).



**Figure 6. Waste, by County, Received at the Regional SWMF**

All haulers must be permitted by the Authority. Beginning on April 1, 2011, a new permit system was implemented by the Authority. Under the new permit system, haulers are required to report on their recycling activities and quantities, among other items.

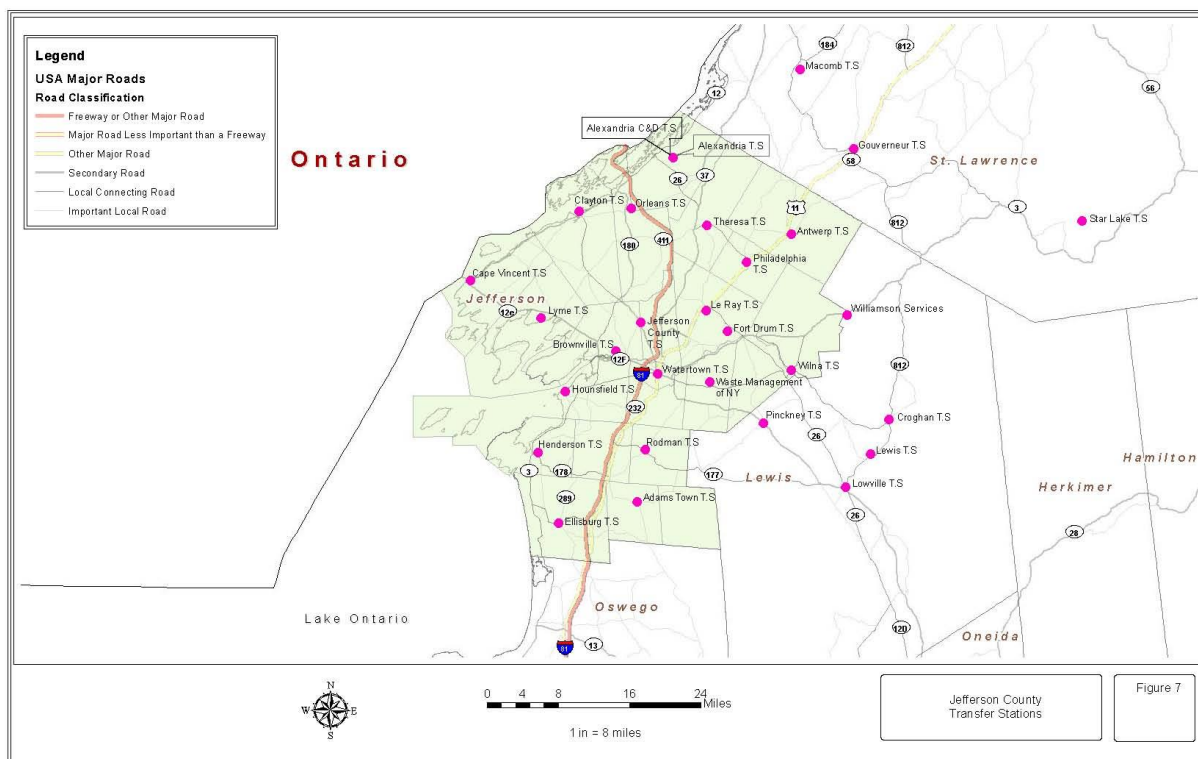
There are no active ash monofills, regulated construction and demolition debris landfills, or industrial/commercial waste landfills in the North Country

### **3.1.2 Transfer Stations**

A list of the transfer stations in the North Country is provided in Appendix B, along with some details of operation (e.g., materials accepted). Figures 7, 8, and 9 show maps of each county and the respective transfer stations.



There are 22 transfer stations in Jefferson County. Twenty (20) of the 22 transfer stations are municipally-operated; Fort Drum and Jefferson County operate the other two.



**Figure 7. Transfer Stations in Jefferson County**

Jefferson County Highway Department operates its transfer station, located in the Town of Pamela, which is open to residents, businesses and private haulers, and accepts MSW, C&D debris, and recyclables. C&D debris is co-mingled with the MSW when loaded into transfer trailers. Commercial haulers that use the Jefferson County Highway Department transfer station are required to obtain an annual permit for \$100. The commercial tipping fee is currently \$57 per ton, which is set based on the Regional SWMF tip fee plus a surcharge of \$18 per ton.

Residents can haul directly to the Jefferson County Highway Department transfer station and pay \$2 per 33-gallon bag or \$120 per ton for bulk loads.

The Jefferson County Highway Department transfer station also accepts and processes recyclables from the 20 municipally-operated recyclables drop off locations, located throughout the County. Additional information on the recycling activities at the Jefferson County Highway Department transfer station is provided in Section 3.1.5, Recycling Centers.

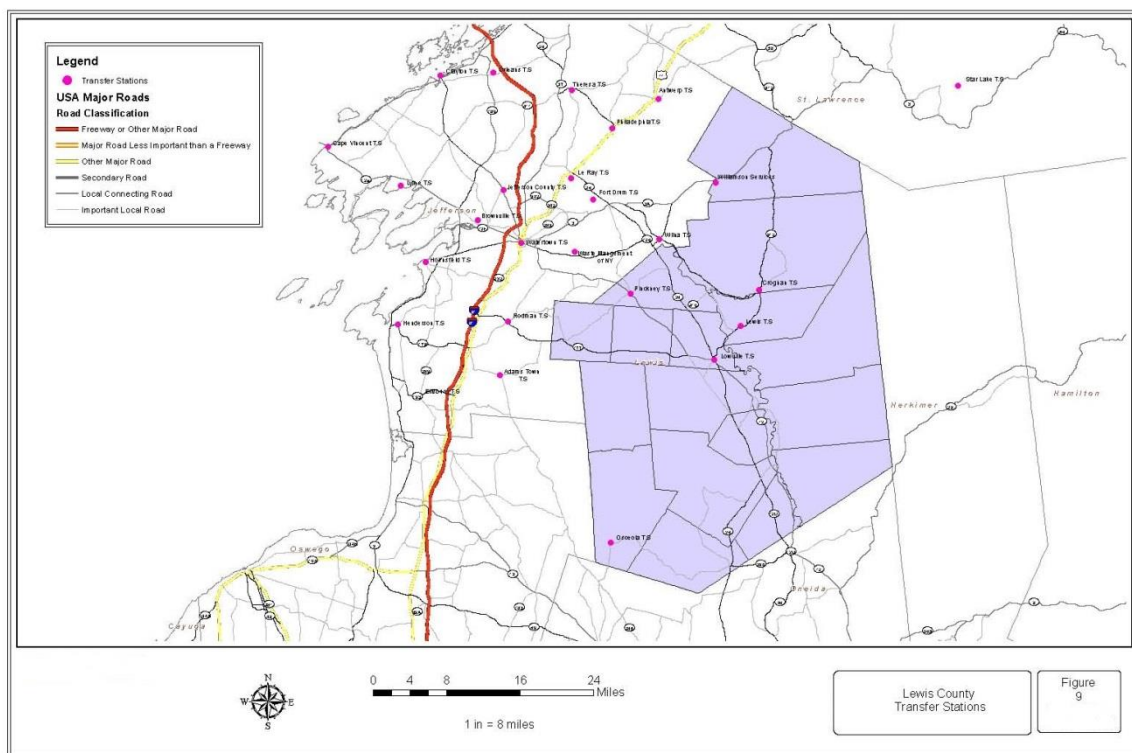
The County recently modified its transfer station. The construction included new buildings for commercial waste, and e-waste storage.

Fort Drum operates and maintains its own solid waste transfer station. MSW from portions of the base is transported to this site and compacted by federal employees into containers provided under contract with Feher. Feher then transports the waste to the Regional SWMF.

The County provides recyclable containers and MSW containers at some of the municipal transfer stations. The County hauls these containers to the Jefferson County Highway Department transfer station and charges a per-mile haul fee to the municipality.

### 3.1.2.2 Lewis County

There are 6 transfer stations in Lewis County. Lewis County Solid Waste Department operates 2 of the 6 transfer stations.



**Figure 8. Transfer Stations in Lewis County**

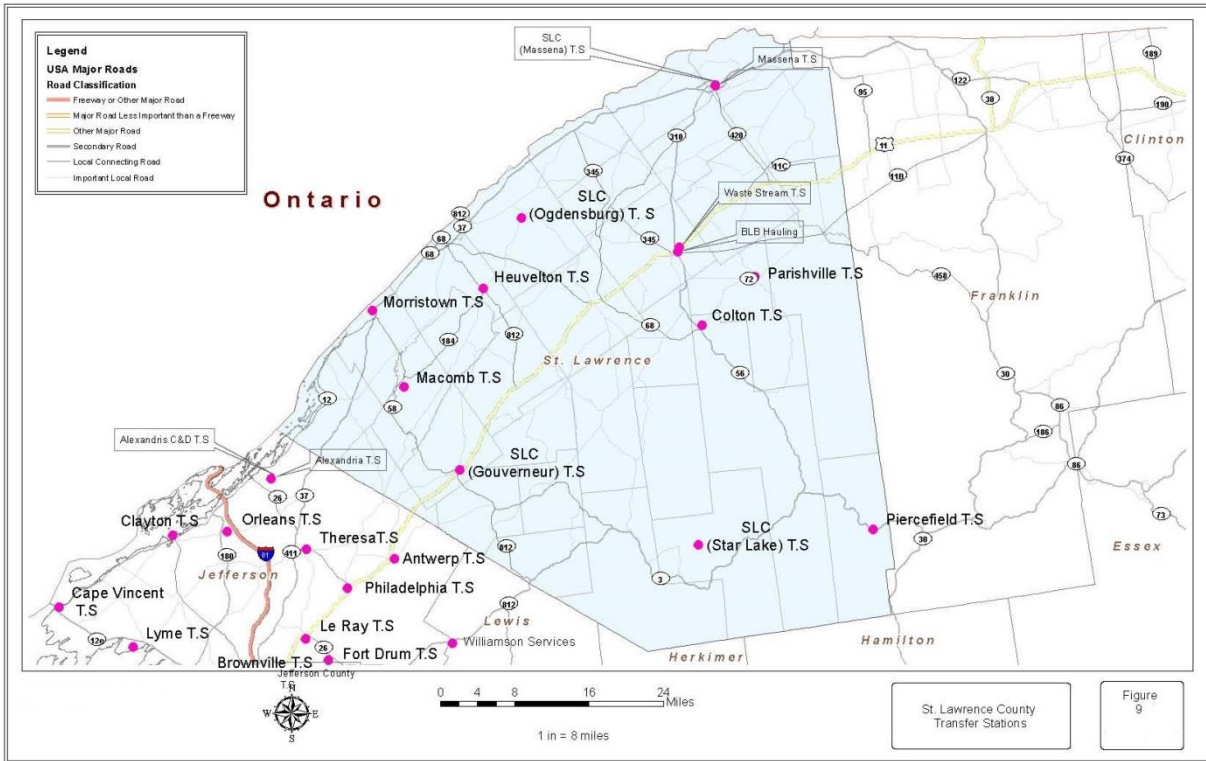
The County-operated Croghan facility serves the Towns of New Bremen, Croghan, and Diana. The County-operated Lowville facility serves the other 14 towns in the County. The Lowville facility is the larger of the 2 County-operated transfer stations. All private haulers that operate in Lewis County are required to obtain a permit from Lewis County (no fee). The Lowville and Croghan transfer stations use compactors to compact MSW before loading into a transfer trailer. C&D debris is placed into open-top containers at the Lowville transfer station.

The County-operated transfer stations are open to residents, businesses and private haulers, and accept MSW, C&D debris, and recyclables. Residents can haul directly to either of the County-operated transfer station and are charged a per-bag fee for disposal of MSW.

The County-operated transfer stations went from accepting recyclables dual stream to single stream in early 2016. The County accepts recyclables at no charge. All recyclables received at the Croghan transfer station are trucked by County vehicles to the Lowville Transfer Station. Lewis County transports recyclables from the Lowville Transfer Station to the Oneida-Herkimer Solid Waste Authority's (OSHWA) Materials Recovery Facility (MRF) for processing.

The County plans to modify the Lowville transfer station. The building where recyclables are received will be modified with a conveyor system to assist loading single stream recyclables into a compactor unit for transportation to the OSHWA MRF. These modifications are expected to be completed by fall of 2016. t

There are 13 transfer stations in St. Lawrence County, four of which are owned and operated by the St. Lawrence County Solid Waste Department. The St. Lawrence County-owned transfer stations are located in Ogdensburg, Massena, Gouverneur and Star Lake. The St. Lawrence County Solid Waste Department transfer stations are open to residents, businesses and private haulers, and accept MSW, C&D debris, and recyclables. C&D debris is co-mingled with the MSW when loaded into transfer trailers. Most of the recyclables received are from residential generators.



**Figure 9. Transfer Stations in St. Lawrence County**

Commercial haulers can use the St. Lawrence County transfer stations. Commercial haulers in St. Lawrence County are required to transport all waste to one of the four St. Lawrence County Solid Waste Department transfer stations; the Regional SWMF; or the county-designated transfer station in Potsdam, operated by Casella.

Residents can haul directly to the St. Lawrence County Solid Waste Department transfer stations and pay the per-ton fee for bulk loads. Alternatively, residents can use the Pay-by-Bag system for MSW and the Pay-by-Tag system for recyclables. Residents in the Town of Parishville and the Town of Colton can haul directly to their respective town transfer stations, if desired.

The Ogdensburg transfer station is the primary transportation hub for the St. Lawrence County Solid Waste Department system. The County Highway shop acts as the maintenance facility for the Solid Waste Department's fleet. The Massena transfer station is the busiest of the St. Lawrence County Solid Waste Department transfer stations as it handles about 40 percent of the solid waste and over half of the recyclables.

The County is researching ways to increase the amount of waste it can haul in a transfer trailer. Current loads average about 17 to 18 tons per 90-cubic yard trailer. The County goal is to achieve 30 tons per trailer. In spring of 2014 the County purchased 100 yd trailers and have achieved, on average, 28 tons per load. This has resulted in the County

reducing the number of trips to the Regional SWMF by approximately 400 per year for equivalent amounts of waste. .

The Towns of Colton and Parishville have their own transfer stations. Casella hauls waste from each of these transfer stations to the Regional SWMF.

### 3.1.3 Land Application Facilities

According to NYSDEC, there are two land application facilities located in the North Country (see Table 11). Both facilities are located in St. Lawrence County and both land-apply biosolids.

**Table 11. List of Existing Land Application Facilities**

Facility	Estimated Quantity (dry ton/yr)	Location	Owner
Heuvelton	54	Heuvelton	Heuvelton
Waste Stream, Inc.	216	Potsdam	Waste Stream, Inc. (Casella)

### 3.1.4 C&D Debris Processing Facilities

According to NYSDEC, there are three construction and demolition (C&D) debris processors located in the North Country, which are all located in Jefferson County (see Table 12).

**Table 12. List of Existing C&D Debris Processing Facilities**

Facility Name	Town	Owner	Materials
T.J. Clement Construction Company	Black River	T.J. Clement Construction Company	Soil, rock, sand, concrete
T.J. Clement Construction Company	Calcium	T.J. Clement Construction Company	Soil, C&D debris, concrete, brick, asphalt
Hanson Aggregates, LLC	Watertown	Tree Source Solutions LLC	

### 3.1.5 Recycling Centers

#### 3.1.5.1 Non-County Facilities

According to NYSDEC, there are six non-county, registered recyclables handling and recovery facilities located in the North Country (see Table 13). One facility is located in Jefferson County and the remaining five are in St. Lawrence County.

**Table 13. List of Existing Recyclables Handling and Recovery Facilities**

Facility Name	Town	County	Owner
CNY Northeast	Adams	Jefferson	Russell Gower, Syracuse, NY
Norwood Recycling Center	Norwood	St. Lawrence	Town of Norwood
Waste Stream, Inc. (Casella) Recycling Facility	Parishville	St. Lawrence	Waste Stream, Inc. (Casella)
Shue Brothers Excavating and logging	Port Leyden	Lewis	Shue Brothers
Rauscher Brothers	West Leyden	Lewis	David and Douglas Rauscher
CMT Recycling Center	Ogdensburg	St. Lawrence	Clint Middlemiss
Conte Containers/ Fullers Trucking	Raymondville	St. Lawrence	Charlotte Beamis
Wiley Trash Removal	Massena	St. Lawrence	Greg Wiley
L&H Hauling	Norfolk	St. Lawrence	Bradley Premo
Ashleys Home Center	Ogdensburg	St. Lawrence	John Ashley

#### 3.1.5.2 Jefferson County

As noted above, the Jefferson County Highway Department transfer station accepts and processes recyclables from 20 municipally-operated recyclables drop off locations, located throughout the County. There is no charge for recyclable materials. E-waste is also accepted at the transfer station.

Equipment at the County Highway Department recycling center includes a high capacity double-ram, auto tie horizontal baler with fluffer and feed conveyer; a small, hand-tie vertical baler, an eight-station sorting conveyer with magnetic separator; two skid steer loaders with bucket and fork attachments; three tractors and six transport trailers; three 50



cubic yard roll-off containers and one roll-off transport trailer; and ten 30 cubic yard compartmentalized and covered roll-off containers for recyclables collection.

At Fort Drum, a dedicated, government-owned facility equipped with government-owned property is provided for the processing and packaging of the recyclable materials. The facility is staffed under contract by a private entity and operated under rules established by an Army Qualified Recycling Program.

#### **3.1.5.3      Lewis County**

At the Lowville transfer station, Lewis County Solid Waste Department operated a dual-stream MRF that accepted mixed paper and co-mingled containers. Recyclables from the Croghan facility are brought to the Lowville processing facility for consolidation. The County currently accepts recyclables single stream and transports the collected recyclables to the Oneida-Herkimer Solid Waste Authority's Material Recovery Facility in Utica, NY for processing.

Most of the recyclables received are from residential and small commercial generators. Most of the larger commercial/industrial generators self-market their own recyclables.

E-waste is accepted at the Lowville facility.

#### **3.1.5.4      St. Lawrence County**

St. Lawrence County previously owned and operated a MRF, but it is now closed. The glass crusher from the old MRF was transferred to Jefferson County, who uses it at the Jefferson County transfer station.

At the Massena transfer station, St. Lawrence County Solid Waste Department has two relatively-new compactors that it uses for recyclables.

Two boxes for metal are provided at each transfer station: one for white goods and the other for metal. Tires and E-waste are accepted at the transfer stations.

### **3.1.6 Composting Facilities**

#### **3.1.6.1      Jefferson County**

There are three food waste composting operations located in the County, as follows:

- Cape Vincent Correctional Facility (Cape Vincent).
- Watertown Correctional Facility (Watertown).
- Fort Drum Military Installation

The correctional facilities owned and operated by NYSDOC, compost pre- and post-plate food waste and wood waste. The compost is used on-site at both facilities. The Fort Drum Military Installation composts food waste from its dining facilities, on-post restaurants and the Commissary. There were 12 municipal yard waste composting facilities identified in Jefferson County. Locations and other details are provided in Section 3.2.5 below.

#### **3.1.6.2      Lewis County**



There were 4 municipal yard waste composting facilities identified in Lewis County. Locations and other details are provided in Section 3.2.5 below.

### **3.1.6.3      St. Lawrence County**

The Riverview Correctional Facility (Ogdensburg), owned and operated by NYSDOC, has a food waste composting operation. Riverview also composts floral waste. There were 9 municipal yard waste composting facilities identified in St. Lawrence County. Locations and other details are provided in Section 3.2.5 below.

In 2012 Clarkson University in Potsdam, NY installed a two stage anaerobic digester for use in process pre and post-consumer food waste.

## 3.2 EXISTING EFFORTS TO RECOVER RECYCLABLES

The Authority, in 2009, initiated a policy change which encouraged waste diversion and began assuming a leadership role to coordinate and enhance the county activities.

The executive management of the Authority changed the utilization of the landfill disposal from being the preferred option to the least preferred option in waste management hierarchy. The change in philosophy and policy was intended to anticipate the state's effort to update its statewide solid waste plan and enhanced regulatory requirements. The Authority Board adopted policy resolutions and executive management initiated numerous operational changes to develop a regionally consistent approach to managing solid waste in the three counties.

With the assumption of the coordinating role among its three county partners, the Authority established a series of meetings with county administrators and county solid waste management personnel. These efforts resulted in a commitment from each county to move forward collectively on a regional basis, and the establishment of an Authority solid waste committee as a coordinating work group. The Authority then established and appointed the region's first Regional Recycling Coordinator to lead the new initiatives.

The Authority solid waste committee is led by the Regional Recycling Coordinator, with regular participation by the solid waste management personnel of each county and the Authority. These individuals offer advice and recommendations for program and program changes. One of the earliest initiatives was an enhanced enforcement effort at the Authority's landfill to exclude recyclables, working with the county haulers to identify excessive and unacceptable loads. This entailed increased frequency and volume of load inspections and encouraging the member counties to do likewise at county transfer facilities. The Authority initiated a public information and education campaign encouraging waste diversion. The Authority began coordinating the county activities to develop shared services and uniform regional practices, including uniformity of acceptable recyclables.

The Authority helps to coordinate recycling activities and programs throughout the North Country. The website [northcountryrecycles.org](http://northcountryrecycles.org) ("North Country Recycles" website) is operated and managed by the Authority in cooperation with Jefferson, Lewis and St. Lawrence Counties; the City of Watertown; and, the NYSDEC. Further details relative to the "North Country Recycles" website are presented in Section 3.2.7 "Public Education Efforts" below.

The Authority has helped to standardize the list of materials that can be accepted for recycling at all County-operated transfer stations. The following materials are currently accepted for recycling at all County-operated transfer stations:

Plastic  
Plastic Containers 1 through 7.  
Glass  
Bottles and jars (no separation by color).  
Metal  
Tin food cans  
Aluminum food and beverage cans, aluminum pans and foil.  
Mixed Paper  
Office and copier paper  
Junk mail and envelopes  
Newspaper  
Magazines and catalogues  
Shredded paper  
Telephone books  
Paperback books  
Paper grocery bags  
Cardboard  
Corrugated cardboard boxes  
White Goods  
Scrap Metal  
Paperboard

The Authority has recently implemented a recycling rebate program, whereby money is provided to the individual Counties if they participate with the Authority in its efforts to promote and increase recycling. The following actions were taken by each County in 2010 to participate in the rebate program:

1. Develop a uniform list of acceptable recyclables for use throughout the North Country.
2. Participate in the development of a Regional Solid Waste Management Plan.
3. Work together to develop shared services and economies of scale (e.g., glass crusher).
4. Participate in and host HHW events in each county.
5. Develop a program to establish electronics recycling collection sites at transfer facilities.

Some of the funding for the Authority's recycling activities comes from sale of carbon credits earned by the Authority from its landfill gas-to-energy facility at the Regional SWMF. The Authority recovers energy from the landfill gas and earns carbon credits for these efforts.

Other material assistance (e.g., funding, materials) provided by the Authority is described below.

Beyond the Authority's activities, the individual counties, municipalities, and private haulers are responsible for conducting recycling activities and implementing recycling programs. Programs vary in extent, outreach and education, marketing, and other factors.

Both St. Lawrence and Lewis Counties have “flow control” legislation in place for solid waste, requiring delivery to the Authority. However, private haulers are currently free to take recyclables to any permitted facility, including those outside the North Country.

### **3.2.1 Residential Source Separation and Collection**

This section presents information on residential source separation and collection, including recyclable paper and containers. Commercial, institutional, and industrial activities involving recyclable paper and containers are presented in the subsequent sections. Recycling activities associated with organic materials (e.g., food and yard waste) are described in Section 3.2.5.

#### **3.2.1.1 Jefferson County**

Recycling is mandated in Jefferson County by County Law No. 3 (1991). Jefferson County adopted an updated version, Local Law No. 1 (2014) Residential collection of recyclable paper and containers are provided through a combination of private collection, self-haul/drop-off, and municipal collection (e.g., City of Watertown). Recycling activities are described below under three headings: County; Village/City/Town; and Private Hauler Initiatives.

##### ***County Initiatives***

The list of materials accepted for recycling at the County Highway Department transfer station/recycling center is posted on the Jefferson County website and generally matches the Authority’s list noted above. Additionally, the County Highway Department transfer station/recycling center accepts batteries and electronics. Tires are accepted for a fee.

The transfer of a glass crusher from St. Lawrence County to Jefferson County has been completed. The crusher is located at the Jefferson County Highway Department transfer station and can accept glass from the three counties. Processed glass will be available for use by the three county highway departments, as road base. The Authority paid for refurbishment of the glass crusher.

All recyclables brought to the County Highway Department transfer station are consolidated and are marketed by the County Highway Department. The recycling markets transport the recyclables from the County Highway Department transfer station.

Tires are currently hauled to Seneca Meadows.

Jefferson County Highway Department typically held one household hazardous waste (HHW) collection event per year at the County Highway Department transfer station. In 2010, the Authority assumed the role of coordinating and paying for HHW events in the North Country. Since then, the Authority has helped coordinate multiple HHW events throughout the Planning Unit, which can be attended by all North Country residents regardless of the event location. The locations and dates for the HHW events are posted on the “North Country Recycles” website.

For E-waste, Hamilton, Jefferson, Lewis and St. Lawrence Counties have chosen a vendor to support the North Country. Each County is basically the same wherein each county has specified their transfer stations as drop off points for E-waste. E-waste is aggregated on pallets and then placed on staged trailers. The vendor picks up full trailers and replaces any used supplies when switching out the trailers. The Counties are paid at a predetermined cost per pound for non-CRT covered electronic equipment.

## *Village/City/Town Initiatives*

Some Villages (about 14 in total) and the City of Watertown provide/contract/offer municipal curbside collection of waste and recyclables (representing about 30 percent of the County population). The Villages of Alexandria Bay, Antwerp, Black River, Brownville, Clayton, Cape Vincent, Chaumont, Deferiet, Dexter, Evans Mills, Glen Park, Herrings, Philadelphia, and Theresa provide curbside collection of waste and recyclables through a private hauler or Village manpower. Appendix C provides additional information on collection programs at the municipal level.

The largest municipal curbside program (about 70 percent of the population served by a municipal curbside program) is provided by the City of Watertown, although it is not mandatory (i.e., residents can contract with a private hauler if they choose). The City of Watertown has a pay-as-you-throw (PAYT) program for waste. Recyclables collection (every other week) is free for City residents that use the PAYT program and requires residents to separate materials into multiple streams. The City PAYT program offers weekly waste collection for residents that use one of 3 different size totes or that purchase stickers for bags.

For residents that are not served by a municipal collection service or that do not contract directly with a private hauler, they can self-haul recyclables to one of the 20 municipal drop-off centers or the County Highway Department transfer station. Materials must be separated into the component categories by residents at the County and town transfer stations. In most instances, there is no charge for residents for recyclable material drop-off. Most transfer stations use a PAYT-type fee schedule (Town of Brownville is one exception), with higher prices for higher volumes of waste, usually priced on a per-bag basis.

As noted above, the County provides recyclable containers at some of the municipal transfer stations (including Clayton, Ellisburg, Worth, Rodman, Alexandria, Champion, and Rutland). The County hauls the containers to the County Highway Department transfer station and charges a per-mile haul fee to the municipality.

## *Private Hauler Initiatives*

Portions of Fort Drum residential housing are served by curbside collection of waste and recyclables. For certain residences, Waste Management collects single-stream recyclables and transports them to its Recycle America MRF in Liverpool. Other portions of the base are serviced by government employees, who collect recyclables and then transport them to a processing center on the base. These recyclables are prepared and marketed by base personnel. Purchasers of the recyclable materials take custody of the materials on base. Additional information on recycling at Fort Drum is included in Section 3.2.3, Institutional Source Separation and Collection.

Waste Management offers residential curbside waste and recyclable collection throughout Jefferson County. Single-stream recycling services are available and have been offered in the County for some time. Other private haulers are required to provide recycling services to their customers and some bring these materials to the County Highway Department transfer station.

Until the Authority began collecting this information in 2011, the amount of recyclables collected by private haulers was not known.

### **3.2.1.2      Lewis County**

Recycling is mandated in Lewis County by County Law 5-1992. Lewis County adopted an updated version, Local Law 3 (2015). Residential collection of recyclable paper and containers is provided through a combination of private collection, self-haul/drop-off, and municipal collection. Recycling activities are described below under three headings: County; Village/Town; and Private Hauler Initiatives.

#### ***County Initiatives***

The list of materials accepted for recycling at both County Solid Waste Department transfer station/recycling centers generally matches the Authority's list noted above. Additionally, the County Solid Waste Department transfer station/recycling centers accept tires for a fee.

There is no charge to residents for recyclable material drop-off. The two transfer stations receive recyclables single stream. Recycled materials from commercial entities are also received free at the County Solid Waste Department transfer stations.

The Towns of Lewis and Osceola contract with a private hauler to transport their recyclables from their transfer stations. They are currently being transported to the Oneida-Herkimer Solid Waste Authority's MRF in Utica.

As noted above, the County's main recyclables processing facility is located at the Lowville transfer station. Recyclables from the Croghan facility are brought to the Lowville processing facility for consolidation [23]. Recyclables are transported to OHSWA's MRF in Utica for processing.

Lewis County typically holds one HHW collection event per year at the Lowville transfer station. In 2010, the Authority assumed the role of coordinating and paying for HHW events in the North Country. Since then, the Authority helped coordinate HHW events throughout the Planning Unit, which could be attended by all North Country residents regardless of the event location. The locations and dates for the HHW events are posted on the "North Country Recycles" website.

For E-waste, Hamilton, Jefferson, Lewis and St. Lawrence Counties have chosen a vendor to support the North Country. Each County is basically the same wherein each county has specified their transfer stations as drop off points for E-waste. E-waste is aggregated on pallets and then placed on staged trailers. The vendor picks up full trailers and replaces any used supplies when switching out the trailers. The Counties are paid at a predetermined cost per pound for non-CRT covered electronic equipment.

#### ***Village/City/Town Initiatives***

Some Villages (about 6 in total) provide/contract/offer municipal curbside collection of waste and recyclables (representing about 10 percent of the County population). The Villages of Castorland, Copenhagen, Lowville (municipal offices only), Lyons Falls, Osceola, and Turin provide curbside collection of waste and recyclables through a private hauler or Village manpower. Appendix C provides additional information on collection programs at the municipal level.

#### ***Private Hauler Initiatives***

Casella Waste Systems offer residential curbside services to nearly all municipalities within Lewis County. Casella currently provides single stream recycling services as part of the curbside services.

Private haulers are required to provide recycling services to their customers and some bring these materials to the County Solid Waste Department transfer station. Until the Authority began collecting this information in 2011, the amount of recyclables collected by private haulers was not known.

### **3.2.1.3 St. Lawrence County**

Recycling is mandated in St. Lawrence County by County Law No. 5 enacted in 1991 and amended in 1997. Residential collection of recyclable paper and containers is provided through a combination of private collection, self-haul/drop-off, and municipal collection. Recycling activities are described below under three headings: County; Village/City/Town; and Private Hauler Initiatives.

#### ***County Initiatives***

The list of materials accepted for recycling at all County transfer station/recycling centers generally matches the Authority's list noted above and is posted on the St. Lawrence County Solid Waste Department website. Additionally, the County transfer station/recycling centers accept tires for a fee. Cell phones are accepted at each transfer station, the Canton DMV and the County Clerk's office. Cartons and aseptic packaging are also accepted at the County Solid Waste Department transfer station/recycling centers.

St. Lawrence County Solid Waste Department accepts single recyclables at its transfer stations. St. Lawrence County charges a tipping fee of \$50/ton for recyclables or residents may purchase tags at a cost of \$2.50 / 5 tags. One tag is required for each bag or bin of recyclables disposed (not to exceed 25 lbs.).

St. Lawrence County Solid Waste Department is under contract with Casella Waste Systems, Parishville, NY for the handling of its recyclables. St. Lawrence County hauls recyclables single stream from its four transfer stations to a Casella-owned MRF in Parishville, NY. Casella removes the fiber from the stream and self-markets to a local paper manufacturer. The remaining containers are then transported to an out of county single stream processing facility of its choice. St. Lawrence County's contract requires that the County pay Casella a pre-negotiated processing fee for each ton of recyclables delivered to its facility. The contract also includes a revenue sharing component. With current market conditions, in 2016 St. Lawrence County has been paying an average of \$10,000/month to Casella for its recyclables.

Metal and appliances with refrigerants are accepted for free. KIMCO hauls the metal to Kingston, Ontario.

Tires are accepted at the transfer stations and are hauled by the St. Lawrence County Solid Waste Department to Seneca Meadows, Waterloo, NY.

St. Lawrence County Solid Waste Department typically holds two HHW collection events per year at one of its transfer stations. The County Planning Department organizes these events. In 2010, the Authority assumed the role of coordinating and paying for HHW events in the North Country. Since then, the Authority has helped coordinate HHW events throughout the North Country, which could be attended by all North Country residents



regardless of the event location. The locations and dates for the HHW events are posted on the “North Country Recycles” website.

For E-waste, Hamilton, Jefferson, Lewis and St. Lawrence Counties have chosen a vendor to support the North Country. Each County is basically the same wherein each county has specified their transfer stations as drop-off points for E-waste. E-waste is aggregated on pallets and then placed on staged trailers. The vendor picks up full trailers and replaces any used supplies when switching out the trailers. The Counties are paid at a predetermined cost per pound for non-CRT covered electronic equipment.

### *Village/City/Town Initiatives*

Some Villages (about 3 in total) provide/contract/offer municipal curbside collection of waste and recyclables (representing about 20 percent of the County population). The Villages of Heuvelton, Massena, and Potsdam provide curbside collection of waste and recyclables through a private hauler or Village manpower. Appendix C provides additional information on collection programs at the municipal level.

In the Village of Potsdam, Casella provides municipal collection services under a five-year contract, which is due to expire in 2016, but has an option to renew for another five years.

In the Village of Massena, the Village Department of Public Works provides municipal collection services. In mid-2015, the Village of Massena stepped up enforcement of its curbside collection program, including the use of clear bags for trash. The increased oversight and enforcement has resulted in a 38% increase in recycling and significant cost savings to the village from the reduction of disposal fees for trash.

The Village of Heuvelton has a PAYT program.

The Norwood Lake Association (a community organization) accepts recyclables for free and then markets its recyclables on its own.

### *Private Hauler Initiatives*

Casella Waste Systems offer residential curbside services to nearly all municipalities within St. Lawrence County. Casella currently provides single stream recycling services as part of the curbside services. Casella also offers drop-off service for MSW, C&D, recyclables, electronics, bulky items and yard waste at its Parishville Road (Potsdam) location and scrap metal recycling at their Maple Street (Potsdam) location.

Other private haulers are required to provide recycling services to their customers and some bring these materials to the County Solid Waste Department transfer stations or to Casella’s facility. Until the Authority began collecting this information in 2011, the amount of recyclables collected by private haulers was not known.

## **3.2.2 Commercial Source Separation and Collection**

This section presents information on commercial source separation and collection, including recyclable paper and containers. Residential, institutional, and industrial activities involving recyclable paper and containers are presented in other sections. Recycling activities associated with organic materials (e.g., food and yard waste) are described in Section 3.2.5.

### **3.2.2.1      Jefferson County**

Recycling is mandated in Jefferson County by County Law No. 3 (1991), including for commercial entities. Commercial waste haulers must obtain a permit in Jefferson County and pay a fee of \$100 per year. Haulers can bring recyclable paper and containers to the County Highway Department transfer station for free.

Some businesses haul their waste and recyclables directly to the County Highway Department transfer station/recycling center. Businesses need to follow the County recycling requirements, which include source separation of recyclables. Based on 2010 data as recorded at the County Highway Department transfer station, the recycling rate for businesses is about 9 percent.

### **3.2.2.2      Lewis County**

Recycling is mandated in Lewis County by County Law 5-1992, including for commercial entities. Commercial users of the County Solid Waste Department transfer stations are required to obtain a permit. Most of the larger commercial/industrial generators self-market their recyclables.

### **3.2.2.3      St. Lawrence County**

Recycling is mandated in St. Lawrence County by County Law No. 5 enacted in 1991 and amended in 1997, including for commercial entities. All commercial haulers in the County are required to obtain a permit from the County.

Wal-Mart back-hauls its own recyclable paper and containers. Lowe's and Home Depot also recycle, including cardboard, wooden pallets, plastic film and appliances. Other commercial entities contract with private companies for waste and recycling services.

## **3.2.3 Institutional Source Separation and Collection**

This section presents information on institutional source separation and collection, including recyclable paper and containers. Residential, commercial, and industrial activities involving recyclable paper and containers are presented in other sections. Recycling activities associated with organic materials (e.g., food and yard waste) are described in Section 3.2.5.

### **3.2.3.1      Jefferson County**

The Authority has provided recycling boxes to several area school districts and the Jefferson-Lewis BOCES / Watertown to assist their recycling efforts. The County Highway Department has provided recycling containers to some schools in the County as well. In general, however, institutional recycling, such as at schools, is not managed by the County Highway Department.

At Fort Drum, pick-up, transportation, and processing for marketing of recyclable materials is performed under contract with a private entity, utilizing Government equipment and facilities on post under the Army Qualified Recycling Program. The Government provides on-site containers for the source segregation of white office paper, junk mail and miscellaneous mixed colored paper, newspaper, cardboard, metal containers, glass containers, and plastic containers. Scrap Metal, Brass, Used Petroleum Oil and Fuel, and White Goods are also recycled.

Relative to C&D waste generated at Fort Drum, the Army attempts to divert a significant amount of this material. Typical C&D waste on base includes excavated materials (rock, soil, stone, sand, and wood from site clearing activities), concrete, brick, asphalt, masonry, metals, roofing, glass, and lumber. The bulk of this C&D material is diverted from landfill by re-utilizing these materials within the boundaries of the installation. For example, excavated materials are re-used on projects for grade and fill; blast rock is crushed and utilized on road projects; clean, uncontaminated excavation materials are also used as fill to rehabilitate abandoned borrow pits. Further, unsalvageable material is transferred to the Regional SWMF.

### **3.2.3.2      Lewis County**

The Authority has provided recycling boxes to the several area school districts and the Howard G. Sackett Technical Center to assist their recycling efforts. The Howard G. Sackett Technical Center in Glenfield was awarded a \$500 grant by the NYS Association for Reduction, Reuse and Recycling. The Howard G. Sackett Technical Center intends to build an outdoor composting bin, which will be built by the carpentry class. The compost bin will be used to compost waste such as paper shreds, wood chips, food scraps and waste associated with small animal care. The school estimates that, for the first full school year, they will be able to compost 500 pounds of food/animal waste.

Additionally, all 20 of the technical programs at the Howard G. Sackett Technical Center will be involved in recycling within their classrooms. The Authority supplied recycling boxes for all the classrooms for the collection of paper. Grant money will be used to purchase other recycling bins for beverage containers. The visual communication class will create posters for outreach and education about recycling. The forestry class will estimate the environmental impacts of recycling and the life skills class will be responsible to collect all the materials for recycling. The school estimated that, for the first full school year, they would be able to recycle 800 pounds of paper and 900 pounds of drink bottles.

Lewis County Solid Waste Department provides containers for MSW and recyclables at the County fairgrounds, the hospital, and social services. Otherwise, institutional recycling, such as at schools, is not managed by the County Solid Waste Department.

### **3.2.3.3      St. Lawrence County**

The Authority has provided recycling boxes to several area school districts to assist their recycling efforts. Each school district in St. Lawrence County contracts with a private hauler, except for Ogdensburg which is serviced by the County Solid Waste Department. Casella offers single-stream recycling to schools.

Gouverneur High School has a Triple R Club (Reduce, Reuse, Recycle), which started out recycling paper, and has expanded to include plastics and some metals. School personnel have worked with the County Solid Waste Department to develop the recycling program. The Authority provided boxes for plastics and metals. Beyond Gouverneur and Ogdensburg, however, institutional recycling, such as at schools, is not managed by the County Solid Waste Department.

Edwards-Knox Central School District started heating its building complex with biomass instead of fuel oil, as of January 2010. Edwards-Knox was only the second public school district in New York to heat with a biomass system (the first is Hartford Central School District in Washington County). The Edwards-Knox biomass boiler is capable of burning various materials, including wood chips, wood pellets, switchgrass or dried corn kernels.

In August 2010, the Potsdam school district was awarded a U.S. Forest Service grant of up to \$7,500 to study the feasibility of building a central boiler system powered by renewable energy to heat its three main buildings. As of 2010 the district warmed its buildings with a hot water and steam system using several natural-gas-fired boilers. The grant came from the Wood Education and Resource Center of the U.S. Forest Service. The study estimated whether savings can be achieved by heating district buildings with woody biomass, such as wood chips or pellets.

SUNY Canton promotes sustainability and environmental conservation through its Green Canton initiative. The initiative is looking at the college's overall environmental footprint taking into consideration recycling, energy efficiency, and other improvements to reduce its impact on the environment. SUNY Canton has formed a Sustainability Task Force, as well as a Green Campus Committee and the Student Environmental Awareness Society (SEAS). Its website is a resource for reducing waste on campus with tips on printing, greening your office and greening your residential hall, among others.

SUNY Potsdam recycles cardboard and bottles/cans, but does not track quantities.

Clarkson University has implemented a plan to reduce waste and increase recycling called "Clarkson Recycles". The following items are covered in their recycling program:

- Glass
- Metal
- Plastic
- Paper and cardboard
- Computers and monitors
- Fluorescent tubes
- Batteries
- Packing peanuts, bubble wrap, and pillows
- Ink cartridges

St. Lawrence University reports a recycling rate of about 20 to 25 percent each year. Recycling rooms are attached to all residence halls and the University community is encouraged to deposit their recyclables in classrooms and common spaces. In addition to typical recyclable materials (e.g., paper, plastic, metal, cardboard), St. Lawrence also recycles batteries, ink/toner cartridges, and compact florescent light bulbs. A student-run thrift store, called the Re-Cellar, works to keep usable items out of the dumpster. This initiative, focused on reusing goods instead of purchasing new, is popular when students return in the fall looking for dorm room items.

### **3.2.4 Industrial Recyclables Recovery Efforts and Collection**

This section presents information on industrial source separation and collection, including recyclable paper and containers. Residential, commercial, and institutional activities involving recyclable paper and containers are presented in other sections. Recycling activities associated with organic materials (e.g., food and yard waste) are described in Section 3.2.5.

#### **3.2.4.1 Jefferson County**

Jefferson County is working with Cornell Cooperative Extension to recycle agricultural plastics. Climax Paperboard, a paperboard mill, uses secondary fiber. Although we do not have specific quantities, we understand that businesses such as New York Air Brake (metals), Car Freshner (fiber), and FiberMark (fiber) currently generate and recycle the materials as listed.

#### **3.2.4.2 Lewis County**

Lewis County is working with Cornell Cooperative Extension to recycle agricultural plastics. Some bales of agricultural plastics are stored at the Lowville transfer station.

Lewis County has over 125 logging operations with at least 30 businesses that process raw wood into finished products. All waste from these processing operations is reportedly sent to the Lyonsdale Biomass facility, which produces power, steam and wood ash [11]. AMF uses scrap wood in its boiler. Although we do not have specific quantities, we understand that businesses such as Kraft (packaging) currently generates and recycle the materials as listed.

#### **3.2.4.3 St. Lawrence County**

St. Lawrence County is working with Cornell Cooperative Extension to recycle agricultural plastics. Although we do not have specific quantities, we understand that businesses such as Alcoa (metals), Corning Glass (glass), and ACCO (metals) currently generate and recycle the materials as listed.

### 3.2.5 Composting and Organics Recovery Efforts

This section presents information on recycling activities associated with organic materials (e.g., food and yard waste). Recycling activities involving recyclable paper and containers are presented in other sections.

#### 3.2.5.1 Jefferson County

##### *County Initiatives*

At the County Highway Department transfer station, brush and leaves are accepted and ground by a tub grinder twice a year. The materials are then composted on site in a static pile.

##### *Village/City/Town Initiatives*

The majority of the county's rural residents manage yard waste in their own yards. The Cornell Cooperative Extension in Jefferson County (Watertown) provides a backyard composting class once a year for homeowners.

Most villages and the City of Watertown provide curbside collection of yard waste and then manage it in varying ways, as shown in Table 14.

**Table 14. Yard Waste Collection and Management in Jefferson County**

Village/City	Collection Method/Entity	Management Method/Location
Adams	Curbside/Village	Private animal bedding
Alexandria Bay	Curbside/Village	Active compost
Antwerp	Curbside/Village	Static pile
Black River	Curbside/Village	Active compost
Brownville	Drop-off/residents	Brownville TS
Cape Vincent	Unknown	-
Carthage	Curbside/Village	Active compost
Chaumont	Curbside/Village	Lyme TS
Clayton	Curbside/Village	Static pile
Deferiet	Curbside/Village	Wilna TS
Dexter	Drop-off/residents	Brownville TS
Ellisburg	None	-
Evans Mills	Curbside/Town of LeRay	-
Glen Park	Drop-off/residents	Brownville TS
Mannsville	None	-
Philadelphia	None	-
Sackets Harbor	Curbside/Village	Hounsfield TS
Theresa	Curbside/Village	Static pile
Watertown	Curbside/City	Compost
West Carthage	Curbside/Village	Static pile

Sludge is managed at the Jefferson County wastewater treatment plants as summarized in Table 15.

**Table 15. Sludge Management at Jefferson County WWTPs**

Village/City	Management Method/Location
Adams	Contract haul to High Acres landfill
Alexandria Bay	Village haul to Watertown
Antwerp	Contract haul to Watertown or Carthage
Black River	No WWTP; connection to Watertown
Brownville	Contract haul to Carthage
Cape Vincent	Unknown
Carthage	Haul to Regional SWMF
Chaumont	Contract haul to Watertown
Clayton	Haul to Carthage
Deferiet	Contract haul to Carthage
Dexter	Contract haul to Carthage
Ellisburg	No WWTP
Evans Mills	Contract haul to Carthage
Glen Park	No WWTP
Mannsville	No WWTP
Philadelphia	Contract haul to Watertown
Sackets Harbor	Contract haul to Regional SWMF
Theresa	Contract haul
Watertown	Incinerate onsite
West Carthage	Haul to Regional SWMF

### ***Animal Mortality Initiatives***

Throughout the region, animal mortalities that occur during normal agricultural activities are typically composted on the farm. Animal mortalities occurring at veterinary facilities are typically cremated or the remains are returned to the pet owners. The SWMF does not accept whole animal carcasses for disposal.

### ***Institutional Initiatives***

At Fort Drum, grass clippings are typically left on-site. Limbs, branches, stumps and C&D wood debris is chipped onsite at the transfer station. A portion of the wood chips are mixed with food waste from dining facilities, on-post restaurants and the commissary and composted. Fort Drum estimated that 75 tons of food waste was composted in 2015. Wood chips not used in composting operations are sent to the Re-Energy facility located on Ft. Drum.

As previously noted, NYSDOC operates two food waste composting operations, at the following facilities:

- Cape Vincent Correctional Facility.
- Watertown Correctional Facility.

These facilities compost pre- and post-plate food waste and wood waste. The compost is used on-site at both facilities.

### ***Industrial Initiatives***

Sheland Farms in Adams processes cow manure in an anaerobic digester and produces 125 kilowatts of power.



*County Initiatives*

Yard waste or other organic wastes are not managed by the County Solid Waste Department.

*Village/City/Town Initiatives*

The majority of the county's rural residents manage yard waste in their own yards. Some villages provide curbside collection of yard waste and then manage it in varying ways, as shown in Table 16.

**Table 16. Yard Waste Collection and Management in Lewis County**

Village/Town	Collection Method/Entity	Management Method/Location
Castorland	Curbside/Village	Static pile
Diana	Unknown	Static pile
Harrisville	Curbside/Village	Diana facility
Lowville	Curbside/Village	Static pile and Lyonsdale facility
Port Leyden	Curbside/Village	Static pile
Turin	Curbside/Private hauler	Unknown

Sludge is managed at the wastewater treatment plants as summarized in Table 17:

**Table 17. Sludge Management at Lewis County WWTPs**

Village/Town	Management Method
Village of Castorland	On-site storage.
Village of Copenhagen	To transfer station.
Village of Croghan	On-site storage.
Town of Martinsburg (Glenfield Sewer District)	Unknown.
Village of Lowville	On-site lagoon.
Village of Lyons Falls	Haul to Watertown

*Animal Mortality Initiatives*

Throughout the region, animal mortalities that occur during normal agricultural activities are typically composted on the farm. Animal mortalities occurring at veterinary facilities are typically cremated or the remains are returned to the pet owners. The SWMF does not accept whole animal carcasses for disposal.

*Institutional Initiatives*

Compost bins have been manufactured in the past by the ARC program and sold for \$15 each.

The Lowville Digester Work Group (comprised of representatives from Cornell Cooperative Extension of Lewis County, Kraft Foods, Lewis County Economic Development Office, residents, dairy farmer representatives, Lewis County Farm Bureau, and the Soil and Water Conservation District) investigated anaerobic digestion technology and its

application in a centralized anaerobic digester (CAD) system that would use both farm and non-farm biomass feedstock sources as input materials. The feasibility study included resource assessments, sampling and laboratory analyses, methane production estimations and trucking analyses. The scope of work also included biogas to energy conversion quantifications, digester site option investigations, and economic profitability analyses. The June 2010 report recommended further investigation of one centrally-located complete mix CAD, sited adjacent to the Lowville wastewater treatment plant that would co-digest manure from 15 dairy farms and non-farm biomass substrates (e.g., whey, post-digested sludge, and glycerin) that are generated nearby.

### *Industrial Initiatives*

Lyonsdale Biomass LLC owns and operates a 19-megawatt wood-fueled power plant that generates electricity and steam. The power plant is located in the Town of Lyonsdale and processes about 230,000 tons per year of wood, including the following:

- Wood chips from trees.
- Pallet-derived wood.
- Non-recyclable fibrous material such as wax cardboard.

Most of the incoming wood is leftover wood from logging operations, including limbs, treetops and low-grade wood. The owner, with help from SUNY Environmental Science and Forestry, has also planted willow trees in the Tug Hill area and other upstate New York locations, which are specifically planted for energy production.

Kraft contracts with Ecovation to operate a wastewater treatment plant and an anaerobic digester at its cream cheese manufacturing facility in Lowville. The digester processes liquid waste from the facility and produces a biogas that Kraft fires in a boiler at its facility. The digester cannot accept solid waste. A digester at Marks Farm for manure has been evaluated.

*County Initiatives*

Yard waste or other organic wastes are not managed by the County Solid Waste Department.

*Village/City/Town Initiatives*

The majority of the county's rural residents manage yard waste in their own yards. Some villages provide curbside collection of yard waste and then manage it in varying ways, as shown in Table 17:

**Table 18. Yard Waste Collection and Management in St. Lawrence County**

Village/City	Collection Method/Entity	Management Method/Location
Canton	Curbside/Village	St. Lawrence University
Edwards	Curbside/Village	Static pile
Gouverneur	Curbside/Village	Static pile
Hermon	Curbside/Town	Unknown
Heuvelton	Curbside/Village	Static pile
Massena	Curbside/Village	Active compost
Ogdensburg	Curbside	Static pile
Potsdam	Curbside/Village	Static pile
Rensselaer Falls	Drop-off/residents	Static pile
Richville	Drop-off/residents	DeKalb

Sludge is managed at the wastewater treatment plants as summarized in Table 19.

**Table 19. Sludge Management at  
St. Lawrence County WWTPs**

Village/Town	Management Method
Brasher Falls	Unknown
Village of Canton	On-site lagoon.
Colton	Land apply, Waste Stream.
Dekalb	Land apply, Heuvelton.
Village of Edwards	Haul to Carthage
Town of Gouverneur	On-site lagoon.
Village of Gouverneur	On-site lagoon.
Village of Hammond	On-site lagoon.
Village of Hermon	Contract hauler.
Village of Heuvelton	Land apply.
Lisbon	Contract hauler.
Madrid	Land apply.
Village of Massena	Haul to Rochester
Village of Morristown	Unknown
North Lawrence	Contract hauler.
Town of Norfolk	Land apply, Waste Stream.
Village of Norwood	On-site lagoon.
Ogdensburg	Landfill at Regional SWMF.
Town of Potsdam	Store on-site.
Village of Potsdam	Land apply, Waste Stream.
Village of Rensselaer Falls	Contract haul
Village of Waddington	Landfill at Regional SWMF.
Wanakena	Land apply.

### ***Animal Mortality Initiatives***

Throughout the region, animal mortalities that occur during normal agricultural activities are typically composted on the farm. Animal mortalities occurring at veterinary facilities are typically cremated or the remains are returned to the pet owners. The SWMF does not accept whole animal carcasses for disposal.

### ***Institutional Initiatives***

The Riverview Correctional Facility (Ogdensburg) has a food waste composting operation. Riverview also composts floral waste. The compost is used on-site and is given away.

Clarkson University submitted an application to the Environmental Research and Education Foundation (EREF) in response to the EREF's Request for Proposals on Sustainable Solid Waste Management Research. The proposed research would develop, test and analyze the economic and environmental value of an innovative anaerobic membrane bioreactor (AMBR) for treating source-separated organic wastes (e.g., cafeteria/kitchen food waste). Specifically, the objectives of this proposed work are to:

- Determine the biogas potential of diverted organic waste treated in an AMBR.
- Adapt a previously-developed model of anaerobic digester systems with combined heat and power production (The Dynamic Anaerobic Reactor & Integrated Energy System (DARIES) Model) to simulate this process.
- Determine the net lifecycle environmental impact and economic value of diverting organic waste from the Regional SWMF to AMBR systems.

The Authority officially endorsed the application.

Also, Clarkson University composts yard waste, but does not anticipate food waste being added to the yard waste compost.

St. Lawrence University and the Village of Canton have combined efforts to compost yard waste. The site is a field across from the Appleton Riding Arena on Route 68. The University contributed the land and the Village contributes personnel and machinery. Local residents can use the finished compost. The University has started incorporating food waste in its composting operation. They estimated 21 tons of food scraps were composted in 2015.

SUNY Potsdam has a central food processing area, where staff separate all pre-consumer vegetative food scraps. This material is transported by SUNY Potsdam to local farmers for use as animal feed or use in the farmers' composting operations. Historically, SUNY Potsdam is not always able to give away all the aggregated food scraps and some is disposed as waste. Various personnel want to compost but the University doesn't have a leader/champion to make it happen. At the present time, equipment, personnel, or land do not appear to be obstacles to food waste composting. SUNY Potsdam is interested in a cooperative effort among Universities.

Also, SUNY Potsdam conducted a food waste compost trial at its Lehman Dining Hall.

Canton High School just began composting of food waste from the kitchen and cafeteria in a compost bin that was built on school grounds. The finished compost will be used in the school's two vegetable gardens.

### ***Industrial Initiatives***

Pierce Farm in Heuvelton composts organic materials. Casella, in concert with the Gilbert Farm in Parishville, land applies sludge.

## **3.2.6 Intermediate Processing of Collected Recyclables**

### **3.2.6.1 Jefferson County**

The County Highway Department recycling center only accepts source-separated recyclables so intermediate processing is not required.

### **3.2.6.2 Lewis County**

Single stream recyclables are received at the Lewis County Solid Waste Department processing facility and transported to the OHSWA MRF in Utica, NY. No intermediate processing of collected recyclables is required.

### **3.2.6.3 St. Lawrence County**

Recyclables are compacted at the County Solid Waste Department transfer stations as single stream prior to hauling by the County to Casella.

### **3.2.7 Public Education Efforts**

As noted above, the Authority helps to coordinate recycling activities and programs throughout the North Country. The website [northcountryrecycles.org](http://northcountryrecycles.org) is operated and managed by the Authority in cooperation with Jefferson, Lewis and St. Lawrence Counties; the City of Watertown; and, the NYSDEC. Through the “North Country Recycles” website, the Authority endeavors to educate and enable people of the North Country to adopt environmentally-sound practices in their homes and businesses. Other pertinent websites that contain educational materials include the following:

- NYSDEC: <http://www.dec.ny.gov>
- Cornell: <http://cwmi.css.cornell.edu>
- USEPA: <http://www.epa.gov/osw/>
- NYSAR: <http://www.nysar3.org/>

The Authority also coordinates and pays for recycling-related commercials, which run on local television stations and radio stations. The Authority also runs print ads in several North Country publications.

“North Country Recycles” includes tips for residents and businesses relative to:

- Reducing waste.
- Reusing waste.
- Recycling.
- Backyard composting.
- Locating places to recycle certain materials.

The Authority’s website also includes success stories from around the North Country.

#### **3.2.7.1 Jefferson County**

The Jefferson County Highway Department provides assistance to businesses and residents who have questions about recycling or waste management. The Highway Department has flyers and brochures available about composting and recycling.

#### **3.2.7.2 Lewis County**

Lewis County previously conducted educational programs in the schools and purchased recycling bins, but does not presently.

#### **3.2.7.3 St. Lawrence County**

St. Lawrence County provides recycling information to private haulers. Newspaper advertisements are used to educate the public on recycling opportunities. The County has conducted a paint disposal awareness program, with a focus on large retailers of paint.

The County has conducted educational programs at schools, including those located in Gouverneur, Ogdensburg, and Heuvelton.

## **3.2.8 Enforcement Efforts**

### **3.2.8.1 Development Authority of the North Country**

Beginning on April 1, 2011, a new permit system was implemented by the Authority, which includes new permit requirements and new Regional SWMF rules. All haulers (public and private) are required to obtain a permit from the Authority in order to dispose solid waste at the Regional SWMF. All haulers are subject to the Authority's permit requirements as well as any local laws established by the respective counties and municipalities where the haulers work. The Authority can deny, revoke, or refuse to renew a permit for failure to comply with the permit requirements and/or local laws.

Among other items, the permit requirements include:

- Solid waste and recyclables cannot be commingled at any time.
- Recycling services must be offered to customers.
- Customers must be informed that they are strictly prohibited from disposing recyclable materials in their solid waste.
- Haulers must report annually to the Authority (with the permit renewal application) how recyclables are collected, where the collected recyclables are disposed, and the tonnages of recyclables collected.
- Loads containing excessive recyclables, as deemed by Authority staff, may be subject to surcharges or rejection of the load.
- Waste will only be accepted from Jefferson, Lewis, St. Lawrence and Hamilton Counties.
- Yard waste is prohibited.

In 2015 the Authority hired a Recycling Compliance Officer. This individual is responsible for performing routine random inspections of haulers at the landfill and at the transfer stations. The Compliance Officer also assists local transfer station personnel with education and outreach to users of the facility. This function is an essential to increasing compliance with those individuals who don't use a commercial trash hauler for the collection of waste and recyclables.

### **3.2.8.2 Jefferson County**

The County staff at the transfer station assists customers with compliance with the recycling requirements.

### **3.2.8.3 Lewis County**

The County staff at the transfer stations assists customers with compliance with the recycling requirements.

### **3.2.8.4 St. Lawrence County**

The County staff at the transfer stations assists customers with compliance with the recycling requirements.



### 3.3 Markets for Recovered Recyclables

There are several existing regional MRFs and/or purchasers of specific materials within hauling distance that may be interested in receiving materials from the Authority or from the counties as shown in the following table.

#### 3.3.1 Recyclable Markets

The markets listed in Table 20 are currently used by one or all counties in the Planning Unit.

**Table 20. Recyclable Markets**

Facility Name/Owner	Location	Recyclable Material Type
Alfano's Recycling	Greig, NY	Aluminum foil, trays, license plates, batteries
Croghan Redemption Center	Croghan, NY	Aluminum cans
Total Recycle, Inc.		Brass
Reed Recycling	Alexandria Bay	Cardboard
Oneida-Herkimer	Utica	Single stream recyclables
Jefferson County		Glass
S&S Auto Salvage	Evans Mill, NY	Industrial Scrap Metal
Buffalo Biodiesel	Tonawanda, NY	Kitchen grease
Exide Corporation		Lead-acid batteries
Elof Hansson	Bensalem, PA	Newspaper/Mixed Paper, Plastic (Commingled), Plastic (HDPE Drums), Cardboard
Empire Recycling	Utica, NY	Paper: mixed
RockTenn	Solvay, NY	Paper: mixed
Ensley Corporation		Plastic
Haycore	Gregoire, Canada	Plastic: co-mingled
Lance		Refrigerant
Kimco Metals	Kingston, Ontario, Canada	Scrap metals
Massena Metals	Massena, NY	Scrap metals
Paige's Junkyard	Dexter	Scrap metal
Roth Steel	Syracuse	Scrap metal
FCR Casella	Stanley (Ontario County)	Single stream, dual stream recyclables
Metro	Albany and Rochester	Single stream, dual stream recyclables
Recycle America	Liverpool, NY	Single stream, dual stream recyclables
K.C. Eckman International	Brick, New Jersey	Tin Cans
K&S Tires	Williamstown, NY	Tires
Seneca Meadows	Waterloo, NY	Tires
Lafarge	Montreal, Canada	Tires
Catalyst Renewables	Syracuse, NY	Used fuel
Safety Kleen	Syracuse, NY	Used oil
Modern	Buffalo	Unknown

Average revenue received for recyclables in 2010 is summarized below, based on data from Lewis County in Table 21:

**Table 21. Average Revenue  
from Lewis County  
Recyclables for 2010**

Material	Average Price (\$/ton)
Aluminum plates	228
Aluminum bales	300
Scrap steel	82
Tin cans	237
Plastic	327
Mixed paper	86

Additional potential markets are listed by Empire State Development (ESD), which is a state-funded agency supporting economic development within the state. ESD has a website (<http://esd.ny.gov/businessprograms/secondarymarketinfo.html>) that provides listings of secondary markets within the state. These listings include a repository for recycling market information, organics and composting facilities, and the New York Ag, Food and Organics Trader. The Northeast Recycling Council (NERC) is another resource available to find recycling markets.

### **3.3.2 Market Development**

The Authority and the three member counties plan to work together on developing markets. Historically, each County has marketed their recyclables on their own. In the future, the Authority will help to identify markets that each county can take advantage of. The Authority will also research opportunities and markets that present synergies for working together.

Beyond opportunities for specific material marketing, as an extension of the present methods, it may be possible to evaluate whether tri-county marketing and hauling to single or a few locations offers economic or logistical advantage. After collection of more comprehensive recyclable material information and assessment of the overall program, this may become clearer.

## **4.0 FUTURE PLANNING UNIT PROJECTIONS AND SOLID WASTE CHANGES**

### **4.1 SOLID WASTE PROJECTIONS**

**Table 22. Municipal Solid Waste Projections**

**Development Authority of the North Country (DANC)**

**2016-2025**

Year	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
<b>Projected MSW Generation (Tons/yr)</b>	170,948	171,205	171,461	171,719	171,976	172,234	172,492	172,751	173,010	173,270
<b>MSW Diverted (Tons/yr)</b>	38,909	41,992	45,927	48,150	51,242	54,344	57,454	60,574	63,704	66,842

		2015			2016	2017	2018	2019	2,020	2021	2022	2023	2024	2025
	MSW Materials Composition (%)	MSW Generated (Tons)	MSW Diverted (Tons)	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted	% MSW Diverted
Material	100.0%	170,731	31,413	18.4%	22.8%	24.5%	26.8%	28.0%	29.8%	31.6%	33.3%	35.1%	36.8%	38.6%
Total Paper	24.3%	41,420	22,612	54.6%	55.0%	56.0%	57.0%	58.0%	59.0%	60.0%	61.0%	62.0%	63.0%	64.0%
Total Metals	3.1%	5,373	915	17.0%	18.0%	20.0%	22.0%	24.0%	26.0%	28.0%	30.0%	32.0%	34.0%	36.0%
Total Plastics	7.9%	13,549	1,150	8.5%	9.0%	12.0%	15.0%	18.0%	21.0%	24.0%	27.0%	30.0%	33.0%	36.0%
Total Glass	2.1%	3,585	1,077	30.0%	30.5%	32.0%	33.0%	34.0%	35.0%	36.0%	37.0%	38.0%	39.0%	40.0%
Total Organics	28.3%	48,313	806	1.7%	2.5%	5.5%	8.5%	11.5%	14.5%	17.5%	20.5%	23.5%	26.5%	29.5%
Total Textiles	6.5%	11,025	576	5.2%	6.2%	7.2%	8.2%	9.2%	10.2%	11.2%	12.2%	13.2%	14.2%	15.2%
Total Wood (Pallets, crates, adulterated and non-adulterated wood)	1.8%	3,144	2,029	64.5%	65.0%	66.0%	67.0%	68.0%	69.0%	70.0%	71.0%	72.0%	73.0%	74.0%
Total Miscellaneous	26.0%	44,322	2,248	19.7%	20.0%	21.0%	22.0%	23.0%	24.0%	25.0%	26.0%	27.0%	28.0%	29.0%

Actual MSW diverted and landfilled in the future will be dependent on:

- Local and national economic conditions.
- Recyclable markets.
- Consumer habits.
- Changes in packaging.

**Table 23. Municipal Solid Waste Generation and Diversion – Detailed projections**

Development Authority of the North Country (DANC)	2016-2025
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2016			2017			2018			2019			2020			2021			2022			2023			2024			2025		
MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted	MSW generated (Tons)	MSW Diverted	% MSW Diverted
170,948	38,909	22.8%	171,205	41,992	24.5%	171,461	45,927	26.8%	171,719	48,150	28.0%	171,976	51,242	29.8%	172,234	54,344	31.6%	172,492	57,454	33.3%	172,751	60,574	35.1%	173,010	63,704	36.8%	173,270	66,842	38.6%
41,473	22,810	55.00%	41,535	23,260	56.0%	41,597	23,710	57.0%	41,660	24,163	58.0%	41,722	24,616	59.0%	41,785	25,071	60.0%	41,847	25,527	61.0%	41,910	25,984	62.0%	41,973	26,443	63.0%	42,036	26,903	64.0%
5,380	968	18.00%	5,388	1,078	20.0%	5,396	1,187	22.0%	5,404	1,297	24.0%	5,412	1,407	26.0%	5,420	1,518	28.0%	5,429	1,629	30.0%	5,437	1,740	32.0%	5,445	1,851	34.0%	5,453	1,963	36.0%
13,567	1,221	9.00%	13,587	1,630	12.0%	19,344	2,902	15.0%	13,628	2,453	18.0%	13,648	2,866	21.0%	13,669	3,280	24.0%	13,689	3,696	27.0%	13,710	4,113	30.0%	13,730	4,531	33.0%	13,751	4,950	36.0%
3,589	1,095	30.50%	3,595	1,150	32.0%	3,600	1,188	33.0%	3,605	1,226	34.0%	3,611	1,264	35.0%	3,616	1,302	36.0%	3,622	1,340	37.0%	3,627	1,378	38.0%	3,633	1,417	39.0%	3,638	1,455	40.0%
48,375	1,209	2.50%	48,447	2,665	5.5%	48,520	4,124	8.5%	48,593	5,588	11.5%	48,666	7,057	14.5%	48,739	8,529	17.5%	48,812	10,006	20.5%	48,885	11,488	23.5%	48,958	12,974	26.5%	49,032	14,464	29.5%
11,039	684	6.20%	11,055	796	7.2%	11,072	908	8.2%	11,089	1,020	9.2%	11,105	1,133	10.2%	11,122	1,246	11.2%	11,139	1,359	12.2%	11,155	1,473	13.2%	11,172	1,586	14.2%	11,189	1,701	15.2%
3,148	2,046	65.00%	3,152	2,080	66.0%	3,157	2,115	67.0%	3,162	2,150	68.0%	3,166	2,185	69.0%	3,171	2,220	70.0%	3,176	2,255	71.0%	3,181	2,290	72.0%	3,186	2,325	73.0%	3,190	2,361	74.0%
44,378	8,876	20.00%	44,445	9,333	21.0%	44,512	9,793	22.0%	44,578	10,253	23.0%	44,645	10,715	24.0%	44,712	11,178	25.0%	44,779	11,643	26.0%	44,846	12,109	27.0%	44,914	12,576	28.0%	44,981	13,045	29.0%

2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
257,566	257,952	258,339	258,727	259,115	259,504	259,893	260,283	260,673	261,064
170,948	171,205	171,461	171,719	171,976	172,234	172,492	172,751	173,010	173,270
1,327	1,327	1,327	1,327	1,327	1,327	1,327	1,327	1,327	1,327
38,909	41,992	45,927	48,150	51,242	54,344	57,454	60,574	63,704	66,842
302	326	356	372	396	419	442	465	489	512
132,039	129,212	125,534	123,569	120,734	117,890	115,038	112,177	109,307	106,428
1,025	1,002	972	955	932	909	885	862	839	815
2.81	2.74	2.66	2.62	2.55	2.49	2.43	2.36	2.30	2.23

## 4.2 ANTICIPATED CHANGES WITHIN THE PLANNING UNIT AREA

Population is expected to increase in all three counties in the North Country over the 10-year planning period. From 2016 to 2026, a 0.15% percent per year increase is forecasted for the entire North Country.

The economy of the North Country is dependent on the agriculture and forestry industries, including the manufacture and production of agricultural and forest products, such as dairy products and lumber. The agriculture and forestry industries are expected to remain steady, if not decline, over the 10-year planning period.

Fort Drum is also a key driver of the North Country economy. The 10th Mountain Division has been the primary tenant at Fort Drum since 1984. Communities in the Fort Drum region, especially those closest to the Fort Drum gates, have experienced substantial population growth and development since the arrival of the 10th Mountain Division. The base itself has undergone a significant transformation in recent years in response to the Global War on Terrorism. A substantial increase in the personnel assigned to Fort Drum has already occurred with approximately 5,500 additional personnel assigned to Fort Drum between 2004 and 2006. As of 2008, about 17,000 soldiers were assigned to the base, and more than 3,700 civilians were employed. By 2013, it was expected that over 20,000 troops would be permanently assigned to the post, and nearly as many family members will accompany them.

Future expansions or contractions at Fort Drum will have a large impact on the North Country.

## 4.3 PROJECTIONS OF CHANGES TO WASTE STREAM

Key assumptions incorporated into Table 23:

- Per capita waste generation rates remain constant for the 10-year planning period, for all waste streams (e.g., MSW, C&D debris).
- Additional recyclables are captured through additional recycling of paper products and containers, and through organic waste diversion, as noted below. Details on the new diversion programs that the Authority will promote are presented in Sections 5 and 6.

To reduce waste going to the Regional SWMF, the Authority will focus on increasing the rate of recycling of paper products and containers. As shown in Section 2, approximately 24 percent of the MSW going to the Regional SWMF includes paper products and containers that could be recycled. The Authority will target 10 percent of this waste fraction for recycling every five years of the plan. By 2025, 40 percent of this material should be recovered.

The two largest private haulers in the North Country (Waste Management and Casella) own and operate single stream MRFs, which are located outside of the North Country, but are utilized by each company for materials collected in the North Country. Waste Management offers single-stream recycling to its Jefferson County residential customers now. Casella started to offer single-stream recycling to its St. Lawrence County residential customers, beginning in March 2011. Since these two companies currently manage about 37 percent of the MSW disposed in the North Country (based on 2010 data), further implementation of single-stream recycling programs by these companies should result in a significant increase in recycling tonnage, overall, in the North Country.

To further reduce waste going to the Regional SWMF, the Authority will also focus on organic diversion. As shown in Section 2, about 36 percent of the MSW going to the Regional SWMF includes items that could be composted. The Authority will target 10 percent of this waste fraction for diversion by 2015 and another 10 percent by 2020. An additional 10 percent will be targeted between 2020 and 2030. In other words, 10 percent of the organics being landfilled now (36 percent of the MSW overall) will be recovered by 2015 (3.6 percent of the total MSW). By 2025, 30 percent of this material will be recovered.

Based on EPA reports, the national per capita generation rate for MSW has been steadily increasing since 1960 (3.66 lb/person/day in 1980, 4.5 in 1990, 4.65 in 2000). However over the last three years, this rate has decreased (4.63 lb/person/day in 2007; 4.52 in 2008; and, 4.34 in 2009). The 4.34 lb/person/day rate for 2009 is for MSW generation. On average, recycling is 1.09 lb/person/day, composting is 0.37, combustion with energy recovery is 0.52, and landfill disposal (or combustion without energy recovery) is 2.36 lb/person/day, which all total to 4.34.

The national disposal rate for MSW is about 2.9 lb/person/day (adding landfill to energy combustion). The NYS disposal rate for MSW is 4.1 lb/person/day. The current North Country disposal rate for MSW is about 3.3 lb/person/day, which is about 10 percent higher than the national average, but about 20% lower than the NYS average. The North Country disposal rate is higher than the national disposal rate due to differences in the diversion of materials from disposal. The national diversion rate for MSW is about 34 percent, while the North Country diversion rate for MSW is about 13 percent. However, the North Country diversion rate, expressed as a percentage, is misleading as it does not account for yard waste composting and some private hauler recycling.

Projections may also be influenced by waste reduction efforts. For example, newspaper quantities have been declining as newspapers have become smaller in size and as fewer people buy newspapers. The Authority supports the work of the New York Product Stewardship Council (NYPSC), which seeks to enact legislation to require manufacturer responsibility for reuse/recycling of their old discarded merchandise. An example is electronics recycling, which will become the responsibility of the manufacturer of the product instead of the counties or the Authority. The premise of product stewardship is to create incentives for producers to make product and packaging improvements that facilitate recycling and reuse as well as decrease packaging and toxicity. A decrease in packaging would have a positive impact on waste generation.

#### **4.4 ANTICIPATED EFFECTS OF THE CHANGES ON CURRENT/PROPOSED MANAGEMENT PRACTICES**

Increased recycling of paper products and containers will affect each of the counties as additional volumes of materials must be handled, processed, and marketed by each county. However, the projected increase in recycling volumes should be manageable within the existing facilities operated by the counties and the individual municipalities. As noted above, Waste Management and Casella handle about 37 percent of the MSW in the North Country. These companies will need to increase their material handling capacities as well.

Organics diversion will have a greater impact on the individual counties and municipalities as limited facilities (e.g., food waste, yard waste composting facilities) are currently available in the North Country. The Authority's initial focus on organics diversion will center on the large institutions and large municipalities, including the colleges/universities,



prisons, primary and secondary schools, and others. Further discussion on organics diversion and the need for new facilities is provided in Sections 5 and 6.

## **5.0 TECHNOLOGY EVALUATION**

### **5.1 STORAGE, TREATMENT, DISPOSAL OF SOLID WASTE**

The third order of preference in the solid waste management hierarchy is "to recover, in an environmentally acceptable manner, energy from solid waste that cannot be economically and technically reused or recycled." After waste reduction, reuse, and source separation of recyclable materials, NYS prefers municipal waste combustors (MWCs) that generate energy, also known as waste-to-energy (WTE) or energy-from-waste (EFW) facilities, rather than landfills for the management of residual solid waste that still requires disposal.

#### **5.1.1 Traditional WTE**

In 2008, combustors managed approximately 14 percent of New York State's MSW and about 8 percent of all materials and waste (including MSW, C&D debris, industrial waste, and biosolids). Ten MWCs are currently operating in New York. The existing MWCs employ mass-burn technology and have operated successfully for over 20 years.

Modern MWCs reduce the amount of waste requiring disposal and also produce energy (about 575 kWh per ton net) using specially-designed furnaces equipped with air pollution control equipment necessary to comply with current air emissions standards. The process reduces incoming, uncompact solid waste volume and weight by 90 percent and 75 percent, respectively, with the ash residue disposed in lined landfills.

Strong environmental group and community opposition to MWCs create significant political barriers to new developments. MWCs also face practical barriers because they are more capital intensive to develop and operate than landfills and, therefore, have difficulty competing with existing landfills that have relatively low tip fees.

On the other hand, public concern for environmental protection, expanded state and federal regulatory programs, and improved MWC technologies have led to enhanced operational efficiencies and significantly reduced emissions from MWCs during the past 20 years. While high costs and lack of community support may limit the development of new MWCs, when properly designed and operated, MWC is the preferable method of disposal of waste that remains after waste prevention, reuse, recycling and composting programs have been maximized.

Mass-burn MWC is an option for the North Country. A mass-burn MWC sized for about 400 tons per day (tpd) could handle all of the MSW currently disposed at the Regional SWMF and thereby extend the life of the Regional SWMF. Three of the existing mass-burn MWCs in New York are sized for about 400 to 500 tpd and have demonstrated commercial viability in this size range. A proposed mass-burn MWC could be located more centrally in the North Country so as to minimize transportation costs for all public and private haulers.

Based on a cost database maintained by SCS, which includes actual capital and operating cost data for existing MWCs, SCS estimated the tipping fee for a 400 tpd mass-burn MWC for the North Country. We assumed that the Authority would contract with a private vendor to design/build and operate the WTE facility to enable the project to take advantage of private expertise and staffing capability. The owner/operator of this proposed WTE facility would finance the capital costs through private bank/equity financing. Similar to other

WTE projects, it is further assumed that the operator would enter into a long-term contract for the purchase of the electrical power, which would be dispatched to the local power grid. The revenue stream generated by these electricity sales enables the private vendor to recover projected facility operating fees, typical pass-through costs for air emission control systems and utilities, and ability to pay debt service for the project.

While a detailed feasibility study would be needed to better estimate the economics, we estimate that the tipping fee for a North Country mass-burn MWC would exceed \$150 per ton.

### 5.1.2 Emerging Conversion Technologies

Additionally, many companies are working to develop the next generation of MSW conversion technologies as a waste management alternative to landfilling or conventional mass-burn MWC. These technologies include thermal, biological, or chemical processes to convert the organic portion of the waste stream into usable products, such as electricity, synthetic fuels, and/or chemical products.

Thermal conversion technologies include pyrolysis, gasification, and plasma gasification. Biological and chemical conversion technologies include anaerobic digestion, fermentation to ethanol, acid hydrolysis, and catalytic cracking.

Emerging technologies are attracting the attention of municipalities seeking alternatives to current residuals management techniques. Communities in California, Florida and New York City have commissioned studies on alternative thermal, biological and chemical conversion technologies.

However, there are still many questions regarding implementation of these technologies on a commercial scale, including:

- Can the technology be scaled up successfully and operated on a long-term basis?
- Will costs and revenues make the project viable for the life of the project?
- Will the project sponsor be available throughout the life of the project for servicing and operation assistance?
- Will the system perform as expected during the life of the project?
- Will the system have good reliability and sufficient availability?
- Will the environmental impacts be as described by the project sponsor?

Historically, many emerging technologies have had operational problems and have had difficulty with scale-up from bench to commercial scale.

### 5.1.3 Landfill Disposal

As the least preferred alternative on the solid waste hierarchy (after reduce, reuse, recycle/compost, and recover/energy-from-waste), the use of landfills for disposal still constitutes an environmentally safe option. Current regulatory requirements for landfill design, construction, and operation help to ensure the continued viability of this technology. The current landfill being utilized for disposal by the entire Planning Unit is operated by the Development Authority of the North Country. This current landfill has been in operation, and in full regulatory compliance, since 1992 and has sufficient capacity to provide disposal of projected volumes covered by this Plan. At this time, continued operation of the landfill is the most cost-effective option. The current tipping fee for MSW is \$46.00/ton.

In summary, while various technologies are emerging, alternatives to landfills have not yet been successfully demonstrated in the U.S. in an economically viable, environmentally protective, commercial-scale operation.

## 5.2 ALTERNATIVE RECYCLABLES RECOVERY PROGRAMS

### 5.2.1 Pay as You Throw

Volume-based pricing programs for waste, such as Pay as You Throw (PAYT), have been implemented throughout New York State, including in the North Country. Appropriately-priced PAYT programs create a financial incentive for consumers to produce less waste, and reduce and recycle more. As of 2006, more than 7,100 communities in the U.S. (25 percent) are using some form of PAYT, including over 400 communities in New York (over 40 percent of the communities in the state). Most residents in the North Country have access to some form of a PAYT program, as shown in Table 24 (for select facilities) and Appendix B (the Town of Brownville is an exception). However, to date, the PAYT programs implemented thus far in the North Country have not produced the desired effect of landfilling less waste and recycling more. An effective PAYT program must provide a significant enough incentive to recycle (eg. free recyclables collection) with a large enough fee for disposal to encourage recycling and discourage disposal.

**Table 24. PAYT Fees at Select Facilities**

Facility	PAYT Fee
Jefferson County Transfer Station	\$2 per 33-gallon bag
Lewis County Transfer Station	\$2.25/small bag, \$4.50/33-gal. bag
St. Lawrence County transfer stations	\$2.50 per bag (sold as bundles of 5)

For a number of years, the EPA has promoted PAYT, and currently is funding a non-profit company (Econservation Institute) to provide free nationwide PAYT webinars to help communities across the country learn about PAYT. Dubbed “PAYT-Now”, the program has a dedicated website ([www.paytnow.org](http://www.paytnow.org)) with PAYT resources available to communities throughout the US.

PAYT (also called variable rates, volume-based rates, user pay, and other similar names) provide a different way to bill for all or portions of solid waste services. Instead of paying a fixed bill, or including all costs in the general fund tax rate for unlimited collection, these systems require households to pay more if they put out more garbage – usually measured either by the can/cart or bag of garbage. Paying by volume provides households with an incentive to recycle more and reduce disposal.

Communities have been implementing PAYT solid waste rate incentives since the late 1980s. The programs can provide a cost-effective method of reducing disposal tonnage, increasing recycling and improving equity, among other effects. Experience in 7,100 communities, which are distributed across the U.S., shows these systems work well in a variety of situations. Examples of each of the following configurations are available in many states:

- Private haulers, multiple haulers, or municipal collection.
- Manual or automated collection trucks.
- Wheeled carts, bags or other types of containers.
- Urban, suburban, small / rural, and isolated communities.

The objectives of a PAYT program typically include the following:

- Reduce the amount of MSW generated and ultimately disposed at a landfill or MWC via a cost incentive to reduce the amount of waste set out at curbside or dropped-off at a transfer station.
- Increase recycling rates by encouraging residents to fully utilize recycling carts that are provided for curbside collection or material containers that are provided at transfer stations. PAYT programs promote increased recycling and usually result in increased revenues from materials recovered.
- Obtain revenues from the PAYT program that will offset the cost of MSW handling, transportation, and disposal, and the increase in cost of recyclables collection/processing.

Data from more than 1,000 communities around the country was used to identify the impacts of PAYT above and beyond any other recycling or yard waste program differences, demographics, and other factors. The research showed the following impacts on residential solid waste:

- Disposal decreases by 16 to 17 percent.
- Increases in recycling of 5 to 6 percent of residential waste generation.
- Increases in yard waste diversion of about 4 to 5 percent.
- Source reduction of about 6 percent of generation.

Research indicates that households put out fewer garbage cans for collection after PAYT is implemented – partly because of declines in tonnage, and partly because cans are “stuffed” (dubbed the “Seattle Stomp”). In Seattle, cans reduced from 3-1/2 30-gallon cans to 1 with PAYT and other new programs. In Hoffman Estates (IL), disposal decreased, on average, from 3.1 to 1.3 stickered bags. Many communities report 1 to 1.5 30-gallon equivalents are set out by each household after implementation of a PAYT program.

Based on research, communities report that long-term system costs are reduced and the majority of communities in state surveys report short-term system costs did not increase either. In two state surveys (WI, IA), about two-thirds of the communities reported that short-term system costs were lower or stayed the same after PAYT was implemented. Only one-third reported increases.

In the North Country, many of the villages and cities are served by curbside collection of MSW and recyclables, while the towns are served by drop-off sites and transfer stations. Within the towns, residents drop off MSW and recyclables at one of the county or municipal transfer stations, all of which employ some type of PAYT program (or contract with a private hauler). As shown in Appendix B, most transfer stations use a “cost per bag” method, in which the resident (or business) is charged per bag of a selected size for a set cost, ranging between \$1.00 and \$2.50 each. Recyclables are accepted for free at most North Country transfer stations, except in St. Lawrence County, which charges a fee but at a lower rate than that for MSW.

The City of Watertown employs a curbside PAYT program with variable pricing for different size carts for waste. Recyclables are collected for free.

Most residents in the North Country have access to a PAYT program.

## 5.2.2 Recyclables Collection

As described in Section 3.2, residential collection of recyclable paper and containers in the North Country is provided through a combination of private collection, self-haul/drop-off, and municipal collection. Dual-stream, single-stream and multi-material curbside collection or drop-off are currently required in different parts of the North Country.

To a large extent, the type of collection program employed in a community is dictated by the type of material recovery facilities (MRF) used by that same community. Historically, dual-stream MRFs have been used in the U.S. but the recent trend is towards single-stream MRFs, as discussed in Section 5.2.3. In the North Country, dual-stream, single-stream and multi-material MRFs are employed in different parts of the North Country.

Currently, St. Lawrence and Lewis Counties operate single stream recycling programs. Any village in Lewis or St. Lawrence County that offers curbside collection of recyclables and that uses the County transfer stations can offer single stream recycling to its residents.

In Jefferson County, residents and municipalities that use the County transfer station and recycling center are required to source separate recyclables into multiple categories. As such, any village or City in Jefferson County that offers curbside collection, and uses the County transfer station for recyclables drop-off, needs to provide for multi-stream collection. Waste Management currently provides single-stream recycling services as part of its curbside services in Jefferson County. Several smaller private haulers are starting to offer single stream recycling to their customers. Those haulers providing single stream recycling services must transport those recyclables to out of county facilities for processing, thus bypassing the Jefferson County system.

#### **5.2.2.1      Multi-Material Collection**

Some communities, many of which are smaller and rely primarily on drop-off programs, have more than two recycling streams. Instead of requiring that only paper and containers be separated, some programs require residents to separate several types of material (plastic, metal, glass, newspapers, cardboard, etc.) from one another at the drop-off location or the curb.

The major advantages of multi-material collection programs are:

- Most residents are comfortable with this type of separation at drop-off centers.
- They produce high-quality materials that are readily marketable for higher-value uses and which allow for higher prices.
- They produce less residue than other collection programs.

The major disadvantages of multi-material collection programs are:

- Potentially, less participation and less diversion (in terms of tons) in comparison to other programs.
- Higher collection costs for curbside programs.



### 5.2.2.2 Dual-Stream Collection

Historically, most MRFs in New York were designed and operated to accept dual-stream recyclables, which required dual-stream collection. The major advantages of dual-stream collection programs are:

- They are well established. Most residents are comfortable with this type of separation and understand the need to keep paper and containers separate.
- There is existing processing infrastructure. Many communities have access to an MRF or other processing facility for dual-stream materials.
- They produce quality materials using simple processing technologies. Higher quality materials can command a higher price in the market and result in higher revenues. Keeping containers separate from paper generally simplifies processing and avoids contamination, such as shards of glass imbedded in newsprint and other recyclable paper, which can create problems for end users and limit recycling market options. Dual-stream systems, on average, convert 90 percent of the incoming glass into higher-end feedstock for use in bottle-making. They produce fewer residues than single-stream programs. On a net basis, some data suggests that dual-stream systems result in similar recycling rates as single-stream systems, once residue is included in the calculations.

The major disadvantages of dual-stream collection programs are:

- Less participation and less up-front diversion (in terms of tons) in comparison to single-stream collection.
- Higher collection costs.

### 5.2.2.3 Single-Stream Collection

A number of communities in the state have moved to single-stream collection, an increasing trend in recyclables collection that combines all recyclables (paper and containers) in one collection stream. This system has emerged as a way to control costs and improve participation by allowing residents to place all recyclables in one container. New York State's single-stream communities report high participation, increased diversion rates and reasonable residue rates.

The major advantages of single-stream recycling include:

- Greater participation. Because sorting is easier and more convenient for residents and large recycling containers are usually provided, single-stream programs have greater participation rates.
- More up-front diversion. Some single-stream system operators report that recovery rates increase by 20 to 40 percent above prior dual or multiple-stream systems when these programs are launched.
- Reduced collection costs. Single stream recyclables can be compacted, allowing larger volumes of materials to be collected. Co-collection trucks can be used (one compartment for MSW and one compartment for recyclables on the same vehicle) reducing the need for separate trash and recycling routes. This results in greater efficiencies, fewer collection vehicles and personnel... Additionally, semi-automated or automated collection trucks can be used, which usually reduce worker injury and worker compensation costs.
- With automation, wheeled carts with covers can be used, which reduce litter, are aesthetically pleasing, and protect paper from precipitation. Automation increases collection efficiency.

- Compatibility with other program changes. Many communities around the country have implemented single-stream collection of recyclables along with other program changes, such as the addition of source-separated food scraps collection or PAYT pricing, yielding increased diversion from disposal.
- Collection trucks can be used for multi-purposes (garbage, yard waste, and recycling).

Although many local governments are moving to single stream, many solid waste agencies are hesitant to invest additional resources (e.g., carts, new trucks) in a new program. Despite progress, such as technological advancement in sorting and processing, problems have been noted by many industry observers to single stream collection, including:

- Reduced quality control and increased contamination at curbside.
- Increased capital and operating costs at MRFs.
- Increased residue at recycling processing facilities, which lowers the overall recycling rate as residue is landfilled.
- Increased residue at paper mills and other manufacturing sites which use the recycled material, which lowers the overall recycling rate as residue is landfilled.
- Potential increases in operating and maintenance costs for paper mills and other manufacturing sites, due to contamination.
- Less revenue due to lower quality end products.
- On a program-wide basis, lower collection costs may be outweighed by higher processing costs and lower material revenues.
- Reduced glass recovery.
- Increased public education and transitioning costs (e.g., cost of containers).

While some single-stream processes have generated poor quality materials and high-residue rates, experience in New York State and elsewhere indicates that when appropriate technology is employed, coupled with an aggressive educational campaign, residue generation can be minimized.

Based on an April 2010 presentation, Casella's experience with single-stream collection is summarized below:

- When single-stream recycling is provided along with appropriate education, recycling quantities range from 8.71 to 11.34 pounds per home per week (lb/home/week). These rates represent a 16 to 62 percent increase in recycling quantities in comparison to previous programs.
- When single-stream recycling is provided along with automated carts, recycling quantities average 12.66 lb/home/week, which is a 71percent increase above previous levels.
- When single-stream recycling is provided along with a rewards program, recycling quantities range from 15.18 to 18.39 lb/home/week, which exceeds a 100 percent increase above previous levels.

Casella's experience is based on operating 23 MRFs in 13 states. Eight MRFs are single-stream and 2 MRFs are being retrofitted to single-stream.

The State of Washington Department of Ecology published a report in June 2010 concerning single-stream recycling. One notable item in the report is that it recommends that glass not be included in single-stream collection programs. Instead, the report recommends that glass be collected separately. The report noted that glass poses problems and hazards for the processing and end-use parts of the recycling system. The report also noted that glass contaminates paper, whose potential end use is then greatly



reduced from an environmental and economic standpoint. Further, the report notes that the glass product recovered from single-stream MRFs cannot be recycled into another glass container or used in fiberglass due to contamination.

### 5.2.3 Recyclables Processing

Historically, dual-stream MRFs have been used in the U.S. but the recent trend is towards single-stream MRFs, as shown in Table 25 below.

**Table 25. MRF Trends across the US**

Year	Number of Single-Stream MRFs	Number of MRFs, Total
1991	0	40
1996	5	330
2001	70	460
2006	160	550

Virtually all of the new MRFs being developed currently are designed for single-stream processing. The experience with single-stream MRFs in New York State to date has been positive, with five "state-of-the-art" single-stream processing facilities in operation, and others in the planning stage.

Due to the high level of sophistication of these new MRFs, the feed rate to these facilities must be relatively high to justify the capital and operating costs. A feed rate of about 30,000 tons per year may be the lower limit for single-stream MRFs.

Capital costs are not linear for these facilities. A MRF rated for 25 tons per hour (about 50,000 tons per year) will cost about \$10 million to construct. A 15 ton per hour MRF (about 30,000 tons per year) will likely cost about \$8 million to construct (Table 26).

Currently, the three counties "control" about 8,000 tons per year of recyclable paper and containers, with about 15,000 tons per year collected throughout the region. This amount of recyclables is likely not enough to support development of a single-stream MRF dedicated to the North Country (i.e., not economically feasible).

An article by Berenyi (2008) compares the capital costs of different MRF designs. Using data collected by Governmental Advisory Associates for its annual survey of U.S. MRFs, average capital costs were calculated. Although the average capital cost of single stream MRFs is significantly higher than other types of MRFs, the average capital cost per average daily ton shows single stream facilities as the more cost efficient alternative. This is due to the increased tonnage that typically results from single stream recycling programs. However, to achieve this efficiency, a high level of throughput must be maintained.

**Table 26. Adjusted Capital Costs of MRFs (2006)**

Type of MRF	Average Capital Cost	Average Capital Cost per Average Daily Ton
Single Stream	\$7,551,000	\$66,630
Dual Stream	\$4,900,000	\$105,660
Three-to-Five Sort	\$3,949,000	\$123,210
Source Separated	\$1,972,000	\$144,360

For single-stream MRF services, it is common for new contracts to include a base processing fee and a revenue-sharing arrangement that is market-dependent. Contracts usually have terms such as the following:

- Fixed Processing Fee = \$75/ton – Sales Revenues.
- Sales revenues are based on Official Board Market (OBM) prices, which vary monthly. If Revenues exceed the Fixed Processing Fee, they are apportioned 70 percent to the County and 30 percent to the MRF operator. Adjustments to the Processing Fee include CPI and fuel adjustments annually.

Based on recent market pricing, many municipalities and counties across the US are earning revenue from this type of MRF agreement.

Jefferson County and Lewis County could enter into such an agreement with one of the three regional single-stream MRFs. While recyclables sales revenue would not be earned directly by the counties, it is likely that the overall cost of the solid waste management programs would be reduced once higher recycling rates (and avoided transport and disposal costs) and lower operating costs (for recyclables processing and marketing) are considered.

## 5.2.4 Organics Diversion

### 5.2.4.1 Overview

To begin, it is useful to define what is meant by "organic materials", "organics", and "food residuals". There is confusion with the term organic, as it holds different meanings in different applications. For the purpose of this plan, organic(s)/organic materials will be defined as materials derived from living origins--in other words, if it once grew or was derived from something which grew. Fruits and vegetables, leaves, grass and yard debris are all "organics", as well as paper items (derived from trees), pasta and breads (derived from grains), egg shells and other by-products from food processing facilities, hair and fur, seafood and shells, and animals and their wastes (including human). For the purpose of this document, "Food Residuals", will refer to all pre- and post-consumer foods and food by-products, as well as organic items which may accompany food, such as soiled paper products (e.g., napkins, paper cups, cardboard).

As noted in Section 2, organic materials, including yard trimmings, food scraps, and non-recyclable papers, make up about 36 percent of the North Country's MSW disposed from the region. To further reduce the amount of waste going to disposal, organics diversion needs to be expanded in the North Country with a focus on food residuals.

Composting, anaerobic digestion and other organic material recycling technologies are equivalent to recycling and are in the second tier of the state's solid waste management hierarchy. The best technology for any particular organic waste stream will depend on a number of factors, including the volume and makeup of the material, the space available for aggregation and management, flexibility, cost, transportation distances, etc. Relatively speaking, composting is a simple, low-cost technology. Anaerobic digestion is more sophisticated and involves more capital investment and cost.

In New York State, more than 300 composting facilities exist today. The facilities vary in size, with smaller ones handling a few hundred cubic yards per year and larger facilities handling more than 100,000 cubic yards per year. In total, NYSDEC estimates that more than 600,000 tons of yard trimmings are composted annually in New York State, which

represents 67 percent of the total estimated generation. The vast majority of these compost facilities handle yard waste only.

As of November 2008, there were 15 food residual composting facilities in New York, beyond the NYSDOC programs, which involve about 30 prisons (see Table 26). Virtually all of the programs listed in the table source food residuals from institutional sources. Residential food residuals are managed at the New York City facility only.

The North Country mimics New York State relative to composting facilities. Most of the facilities handle yard waste only. Further, due to the rural nature of the North Country, there are not that many centralized composting operations. Some villages and towns have yard waste compost sites, but they are not actively managed in most instances. Further, many individuals/farms manage yard waste on their own property.

Food residual composting is practiced at three prisons in the North Country, which are

**Table 27. Compost Facilities Managing Food Scraps in New York**

Facility Name	Location	Food Waste Tonnages (annual unless noted)	Materials Composted 2	Source	System
Bard College	Annandale-on-Hudson	500 (permitted capacity)	FW, hay bales	ICI	Windrow
Cayuga Compost	Trumansburg	2,000 (permitted capacity)	FW, YW, SP	ICI, Res	Windrow
Columbia University	Bronx	18	FW, YW	ICI	In-vessel (Earth Tub)
Greenway Environmental	Newburgh	1,000 cy	FW, YW	ICI, Mun	Windrow
Ground Effects, Inc.		n/a	FW, YW	ICI	Static Pile
Herkimer County Community	Herkimer	18	FW	ICI	In-vessel (Earth Tub)
Ithaca College	Ithaca	357 tons of FW in 2006	FW	ICI	Aerated static pile (ASP)
Lower East Side Ecology Center	Manhattan	100	FW	Res	Windrow, vermi-composting
McEnroe Organic Farm	Millerton	10,000 cy	FW, SP	ICI	Enclosed ASP (Polyflex), windrow
Misty Hills Farm	Troy	n/a	FW, YW	Manure	In-vessel (BW Organics) vermi-composting
Rensselaer Polytech Institute	Troy	18	FW	ICI	In-vessel (Earth Tub)
SUNY Binghamton	Binghamton	n/a	FW	ICI	Static pile
SUNY Rockland Community	Suffern	18	FW	ICI	In-vessel (Earth Tub)
Union College	Schenectady	18	FW	ICI	In-vessel (Earth Tub)
WeCare Organics, LLC	Jordan	<3,000	FW, YW	ICI	Windrow

closed loop systems. However, large quantities of organics, especially food scraps and soiled paper (i.e., food residuals), still end up in the Regional SWMF.

#### 5.2.4.2 Composting

Composting involves the aerobic biological decomposition of organic materials to produce a stable, humus-like material. Composting happens naturally in the environment when organic material falls to the soil surface. There are many compost technology options for

managing most organic materials in the waste stream, each striving to optimize the biological conditions in the mass of material to achieve the most uniform, mature compost in a reasonable amount of time.

Composting is the most prevalent method of recovering organic materials. Organic materials contain rich nutrients that can play an important role in rebuilding soil structures. According to the US Composting Council, compost's useful properties lead to healthier soil and plants, better nutrient cycling and greater fertility, and also aid in erosion control and storm water management.

The composting process is somewhat forgiving in practice, so it is not always necessary to meet ideal conditions for making good compost, but, the closer the system can get to the ideal, the better and more consistent the product will be. The resultant compost product makes a valuable soil amendment due to its high organic matter content. Because compost contains high levels of organic carbon, which can fuel key ecosystem functions like nutrient cycling, water retention, and erosion control, it can also help rebuild soils.

Composting methods can be classified by the level of sophistication of the operation, as follows:

- "Minimal" Technology
- "Low-Level" Technology
- "Intermediate-Level" Technology
- "High-Level" Technology

When evaluating alternative processing methods or technologies, key criteria include available land and labor. One distinct advantage that composting has compared to other organic treatment systems is its ability to work at a wide range of scales with both low technology and high technology systems. A homeowner's backyard compost bin or pile can be an effective method for recycling household food scraps and yard trimmings. On a larger scale, municipal and private facilities can recycle from as little as a few hundred cubic yards of organics to more than 200,000 cubic yards each year and handle a variety of materials, including yard trimmings, food scraps, manure, biosolids, and mixed solid waste.

Minimal or passive composting systems with limited management requirements will use more land area and take more time. More active composting systems with greater management requirements can process the materials more quickly using less land. While it is important to be aware of odor concerns, a well-run composting system will not create problematic, persistent odors, regardless of the technology.

Food scrap composting programs may also incur additional costs, including collection. However, collection costs can be avoided or minimized through the development of on-site systems, such as backyard composting for residences and small-scale composting operations at the location of large generators, such as colleges, institutions and food processing facilities.

### ***Backyard Composting***

SCS previously conducted a backyard composting waste reduction demonstration and evaluation project. The project was sponsored by the New York State Energy and Research Development Authority and was carried out by the Orange County Department of Environmental Facilities and Services, Cornell Cooperative Extension of Orange County, and SCS. The purpose of the project was to analyze the benefits of backyard composting in terms of waste reduction and energy and cost savings, and included the following objectives:

- Promote backyard composting as a home-based waste reduction methodology.
- Develop an estimate of the contribution of backyard composting to waste reduction goals; i.e., how much of the State waste reduction/reuse/recycling goal could be accomplished through backyard composting.
- Evaluate effectiveness of backyard composting using different waste constituents.
- Identify potential energy and cost savings benefits of backyard composting.

To accomplish these objectives, 143 County residents participated in a structured backyard composting program, which included monitoring of their composting activities and record keeping.

Compostable waste included yard trimmings, defined as grass, leaves, weeds, twigs, prunings, and other organic plant material collected on the person's property that would otherwise be disposed through the County system, if not composted. Food scraps included organic food waste generated in the home. Participants were instructed not to compost meat products or fats.

A Volunteer Outreach Plan was developed to solicit and select participants for the Project. The objective was to attract experienced composters with the dedication to track all of their composting activities on a regular basis, as well as novices who were willing to learn how to get started composting. All participants were required to compost and record data for one year.

Identifying volunteers who were willing to participate in the Project for the entire year was the first priority. Similar studies in the United States had weak results because of a high dropout rate of participants. Accordingly, the results are representative of maximum participation by interested participants.

The results for the year-long program were as follows (on a weight basis):

- Yard waste: 20 percent.
- Food waste: 15 percent.
- Recyclables: 23 percent.
- Other waste: 42 percent.

As shown, the participants achieved a high level of waste diversion overall (58 percent). Participants were able to divert 35 percent of their waste via backyard composting.

The participants in this study were a self-selected group of volunteers who already had an interest in composting. Most were already composting or were interested in learning how to compost before signing up for the study. The success of this study was excellent but the rates need to be tempered prior to application across the entire North Country.

Other notes of interest are as follows:

- Participant commitment decreased in the winter months when composting activity was minimal. Winter composting was difficult for participants, causing many to become discouraged when their compost piles were frozen or unreachable due to snow.
- Most participants indicated that they used or planned to use their compost for flower and vegetable gardens. Some participants cited mulching and landscaping as their intended use. A few participants said they would use the compost on their lawn, as fill, or for other uses.

- Finished compost was sampled and analyzed. Concentrations of heavy metals and PCBs were below detection limits or were within NYSDEC guidelines for compost acceptable for public distribution. Other compost quality parameters such as nutrients, salts, and organic matter were classified as fair, and the appearance of the finished compost was good. At a minimum, the compost was suitable for soil incorporation.

In summary, backyard composting has two major impacts on a community's solid waste management practices:

- It reduces the amount of material that requires collection and disposal as a solid waste.
- Decomposition of the organics in the solid waste stream reduces its volume and produces a material that can be used to enhance the local soil.

### ***Compost Technology Evaluation (Centralized Facilities)***

The majority of centralized yard waste composting facilities (i.e., excludes backyard composting) utilize low-level or intermediate technology (i.e., the turned windrow method) for ease and lower capital required. Other facilities simply use a static pile (i.e., minimal technology). Finally, some facilities use high-level technology that includes forced aeration or a vessel, at least for the initial phases of composting. Each technology is discussed below.

When composting food residuals, the risk of odors and excess moisture is more significant, and temperatures sufficient to kill pathogens must be ensured. Besides the technology, an understanding of operational methods is needed when considering food residuals.

### ***High-Level Technology***

There are several different systems which consist of a "high-level" technology method. These require less space and provide greater operational control and usually result in shorter composting time than other composting methods.

In-vessel composting is a high technology approach consisting of different proprietary systems that usually involve mechanical agitation and forced aeration, and may be enclosed in a building. These are the most capital intensive and result in the greatest level of process and odor control, as well as the shortest composting time required. These systems are generally used for composting sludge and/or solid waste, other than simply yard waste.

In-vessel compost technology on a small to medium scale can also be used for managing food scrap in areas with limited space (e.g., schools). Certain vendors have designed vessels specifically for on-site composting of food residuals. These vessels are fully-enclosed and may include power mixing, aeration, and bio filtration of process air (see Table 28 for a listing of in-vessel options). The Earth Tub is one example of a medium-scale, in-vessel compost system (3 cubic yard capacity), which is used by some of the facilities listed in Table 27 above. The Earth Tub requires electric power and a process drain so is better suited for colleges. The Mantis composter is one example of a small-scale, in-vessel compost system (about 1 cubic yard capacity), which requires no power and would be a good fit for a primary or secondary school.



**Table 28. In-Vessel Composting Options, Small and Medium Scale**

Trade Name/ Company Name	Unit Size (ft)	Capacity	Materials	Capital Cost (\$)	Notes
Big Hanna Vertal, Inc. (1)	4 x 8	150-250 kg/wk	FW	38,000	Continuous aeration with auger. 6-8 weeks retention time. Needs additional curing.
BW Organics (1)	8x 10	1 cubic yard	FW & BM	8,910 +additional equipment	Continuous flow system. 3-6 day retention time. Needs additional composting/curing
Compost Tumbler	3 x 4	1 cubic yard	FW & BM	500	1 cy batch system. May require use of 2 tumblers to continuously compost. Full unit needs to be rotated daily.
Earth Tub Green Mountain Technologies	7.5 diameter	40-150 lb/day	FW&BM	10,000	Continuous flow system. 3-4 weeks of active composting. Needs additional curing.
Earth Bin Green Mountain Technologies	5x24	0.25-2 ton/day	FW & BM	88,000	
Eco Value Technology	5x18	825 lb/wk	FW	30,000	Continuous flow. 1-2 week retention time. Needs additional outside curing. Other units available with up to 3,500 lbs/wk capacity as well as custom manufacturing.
Enviro-Drum DTE Environment al (1)	4x8	0.9 cy/day	FW&BM	45,000 - 65,000	Continuous flow, 3-day retention time. Needs additional composting/curing.
FOR Solutions	-	800 lbs/day	FW	99,500	Custom-built units available. 5-day retention time. Continuous flow.
Hot Box Open Road of New York	3x3	1 cy	FS&BM	~200-400	Batch system. Additional boxes may be needed for new batches and additional space for curing.
Hot Rot (1)	4 x 20	600-800 lb/day	FW & BM	125,000	Continuous flow. 14-day retention time. Needs

					additional composting/curing.
Jet Composting Drum (1)	3 x 6	24 cubic feet		8,000	Batch System
Micro-Bin O2 Compost	4 x 4	1 cy	FS&BM	~350 not including aeration	Batch system. Additional boxes may be needed for new batches and additional space for curing
Rocket North American Trading House (1)	2 x 8	80 gal/wk	FW	~18,500 - 89,000	
WEMI-1000 Wright Environmental (1)		1000 lb/day	FW		Continuous flow. 7-10 day retention time. Needs additional composting/curing.
XACT BioReactor XACT Systems (1)	5 x 10	1 cy/day	FW & BM	18,000-75,000	Continuous flow. Amount of FW & BM added daily is based on total volume of the composter divided by the retention time which averages about 5 days. Needs additional composting curing depending on use of product.

The compost unit's characteristics need to meet the requirements of the institution managing the organic residuals, including amount of waste per week, amount of space available for primary and secondary processing, carbon material required and where it can be sourced and stored, batch retention time or continuous feed, and space needed for curing. Even in-vessel composting has a primary and secondary processing stage, and the amount of time spent in each stage can be manipulated. If the unit has a short retention time, more time and space will be required in the secondary stage outside the unit. Regardless of the specific technology, mature, finished compost will usually take at least 3 months to produce.

A hybrid system that can be considered is to have in-vessel composting units at individual facilities (e.g., a school) to provide the initial phase of composting of food waste. The initial phase may provide volume reduction of between 20 to 50 percent of the food waste. This scenario allows the primary composting to occur in the area in which the waste is generated, reducing the amount of trucking required for transportation. The compost process could be completed at an existing yard waste facility. (The New York Botanical Gardens used this hybrid system to handle food waste from its on-site restaurant.) An agricultural mixer could be used to collect the material from the in-vessel unit and transport it to the yard waste facility. Yard waste could be mixed with the food waste in the mixer and then be formed into windrows. Penn State's facility (see case study below) is an example of a composting facility that uses an agricultural mixer to mix food waste with yard waste prior to forming windrows.

Odor control is one of the main advantages of in-vessel technology. However, if the recipe or balance is not correct or if the compost system is not designed to manage the actual feedstock, odor will be generated and it will escape from any unit.

Freezing potential is one of the main disadvantages of small-scale, in-vessel technology. Units will freeze if adequate precautions are not implemented. Units may need to be sized larger to allow for more bulking material to retain heat. Other options include heat tape, keeping the unit in a building, insulating the unit, or using other strategies. As an example, the Earth Tub is insulated for cold weather operation and reportedly can operate at temperatures down to 10 F for up to one week.

The aerated static pile is another example of a higher technology approach. In an aerated static pile or forced aeration composting, piles of organic material are aerated from below by blowers, controlled by timers or temperature feedback, moving the air through perforated pipes. Turning is required periodically to exchange inner and outer material. Onondaga County's facility (see case study below) is an example of a forced aeration composting facility.

With the forced aeration method, air is supplied to decomposing materials via perforated pipes embedded in or under each windrow. A blower moves the air, either by suction to pull air through the pile and into the perforated pipe ("negative pressure"), or by forcing air from inside the perforated pipe outward through the piles ("positive pressure"). The blower can operate continuously or intermittently, on a timer or thermostat. Since negative pressure collects air through the pile into the pipe, odors can be filtered out before discharge. With positive pressure, covering the pile with a layer of finished compost usually suffices as an odor-controlling biofilter.

With positive pressure, air flow is better and can be more effective at drying wet materials and cooling excessively hot piles, if needed. Whereas the turned windrow method moves the materials to expose them to air, the forced aeration method moves the air so that it is distributed throughout the materials.

Since aerated static piles are not turned during the process, the mixture and set-up are important to ensure even air distribution and composting. Organics are mixed and then placed on a base of porous materials (e.g., wood chips, chopped straw), in which the pipes are located. Initial pile height can be up to 8 feet, provided the porosity of the composting materials is sufficient to allow air to move between the particles. If the material is particularly wet, it may be necessary to use a bulky carbon source (e.g., corn cobs, wood chips, crop residues, shellfish shells) to increase porosity in the mixture. It is also useful to cover the pile with a 3- to 6-inch layer of finished compost to maintain moisture on the pile surface, discourage pests, insulate against heat loss, and prevent odors from leaving the pile. Texture, recipe and formation of the piles are critical.

### *Low-level or Intermediate Technology*

Low-level and intermediate technology methods utilize a windrow composting system. The organic feedstock is formed into long narrow piles (windrows) and periodically turned, based on temperature and time. The turning serves to mix and break up material; aerate the windrow; and, release excess moisture.

Low-level technology is the recommended option for most municipalities, especially when composting yard waste only. Low-level technology includes modest operation and maintenance requirements and limited equipment needs. Typically, windrows are turned every 3 to 4 weeks by a front-end loader.

Intermediate-level technology is the same as the low-level method, but utilizes more sophisticated and expensive windrow turning machines instead of front-end loaders for aerating and turning the windrows. Front-end loaders may be used to initially form the windrows, but a windrow turning machine is used to shred, turn and aerate the leaves, resulting in a more thorough and efficient blending and aerating than a front-end loader can achieve.

The turned windrow method is commonly used in yard waste composting facilities as it is a versatile, low-tech method which can be adapted to changing conditions. The height of the rows depends not only on the machinery used to stack materials, but also on the material's likelihood to aid or hinder air circulation (piles with greater percentage of moist materials, such as dairy manure or food residuals, should be made smaller than piles containing bulkier yard debris which permits greater air flow). With the addition of food residuals, the materials should be mixed according to carbon to nitrogen (C:N) ratio and moisture content.

In windrows, aeration occurs two ways: Primarily by convection, when heat vapors rise through and exit the piles drawing fresh air in behind; and secondarily, by direct exposure when piles are mechanically turned inside out, clumps are broken apart and materials are fluffed thereby improving circulation. Because the piles are repeatedly agitated, the recipe can be adjusted if needed in response to changing conditions or odors. Turning windrows also ensures materials are evenly mixed and exposed to high temperatures in the pile's core. If odors emerge after turning, windrows can be covered with a 3 to 6-inch layer of finished compost.

There are several factors to consider when using turned windrows to process food residuals so as to avoid odors, pests and pathogenic contamination. Because these materials may contain more moisture and/or nitrogen-rich ingredients than yard waste, decomposition may occur more rapidly in the first several weeks. Excessive moisture and rapid decomposition can lead to odors. Piles with food residuals may need more frequent turning initially than those with yard waste alone, and will likely decrease in size more rapidly. While smaller windrows enable greater air circulation, they also lose heat faster.

Maintaining temperatures in excess of 131°F is necessary to kill pathogens in food residuals. Therefore, it may prove useful to combine adjacent windrows after the initial rapid decomposition phase is complete. Though these factors can present challenges not previously encountered with composting yard waste, they are minor and infrequent if piles are managed properly. Using turned windrows to manage food residuals is a versatile system that can be easily adjusted to accommodate changing conditions.

### ***Compost Technology Summary (Centralized Facilities)***

A summary of the pros and cons of the turned windrow (low-tech) and forced aeration (high-tech) methods is as follows:

- Windrows are low/no-tech, while forced aeration requires a blower system, and personnel to maintain and repair it (costs).
- In turned windrows, the recipe and pile structure can be adjusted after piled, while forced aeration requires proper mixing before placing piles (versatility).
- Windrows can be turned and moved at will, while a forced aeration system must be disassembled before moving materials (versatility).
- Negative pressure forced aeration can help control odors by collecting air into the suction pipe, enabling filtration before discharging. Windrows require turning to aerate and can release odors as the pile is opened (odor, pest and public management).
- Positive pressure-forced aeration can eliminate excess moisture and excessively high temperatures by pumping higher volumes of air into the pile than the negative pressure system can pull in. Turned windrows must be turned repeatedly, or mixed with drier materials, to reduce moisture and temperature (moisture control, temperature control; odor, pest and public management).
- During dry weather periods, windrows will hold moisture better than piles processed with forced aeration.
- Forced air piles can be built as an extended pile, reducing the size of the "footprint" needed to process a given amount of material.
- Forced air systems need an engineer to design the system to assure the air flow will be sufficient for the amount to be composted.

### **5.2.4.3 Composting Case Studies**

This section presents two case studies to further illustrate the windrow and aerated static pile technologies.

#### ***Onondaga County***

In March 2007, Onondaga County Resource Recovery Agency (OCRRA) began a pilot food waste composting project by collecting pre-consumer food wastes from the New York State Fair and other area zero-waste events in Onondaga County. In December 2008, OCRRA converted from windrow composting to aerated static pile composting. A pilot project tested the technical and economic feasibility of composting pre-consumer food waste from County businesses and institutions. The goal was to compost over 18,000 cubic yards of food waste per year by the year 2015.

The food waste collected for the pilot project is pre-consumer food waste. Pre-consumer food waste is usually generated during meal preparation at large institutions or at grocery stores. The food waste is mixed at a 3 to 1 ratio with a bulking agent (yard waste and wood chips) and is placed into extended aerated static piles, underlain by piping. Through use of a blower, the pipes allow air to circulate through the piles and create optimal conditions for decomposition. After the food waste has decomposed and has met all of

the temperature and monitoring requirements, the finished compost is screened for use as a soil amendment.

### **Cornell**

Cornell's composting operation manages food scraps and animal bedding, and reduces the university's total waste stream by half. Cornell Farm Services, which runs the operation, trucks organic materials from 57 campus waste streams -- from dining halls to greenhouses -- each year. Cornell's composting facility is eight acres and is a mile off campus.

In 2009, the facility received 850 tons of food scraps and biodegradable utensils from 11 dining halls and other food locations; 3,300 tons of animal manure and bedding; and 300 tons of plant material and soil from greenhouses.

The site produces up to 6,000 tons (4,000 cubic yards) of compost each year that is used to nurture plant growth on campus or sold to local landscapers, garden centers, vineyards and farms for \$15 per cubic yard. Through compost sales and tipping fees for moving the waste, the compost site is largely self-funded and is set up to run as a not-for-profit facility.

Composting requires a lot of cooperation and coordination. Cornell Dining sends both waste from food preparation and plate scrapings and compostable packaging, cups and cutlery made from corn or potato starch from dining halls, to the compost site. Two Cornell Dining student coordinators have the job of raising awareness about composting in all dining halls and campus food retail outlets, working to educate diners about separating trash from compostable and recyclable items. Also, the dining hall kitchens use pulping machines to turn food waste into a pulp before it is trucked away.

At the compost site, the material is spread into 18-foot-wide, 7-foot-tall windrows. About 15 windrows sit on a four-acre gravel pad reinforced with a geotextile fabric. A compost turner is used.

Fabric and berms create channels along either side of the pad to direct storm water runoff into a 250,000-gallon retention pond. The water from the pond can be pumped back onto the windrows to keep them moist. The water is also sprinkled on a 30-acre field on a hill above the windrows where grass and soil filter the water before it re-enters the watershed.

In six to nine months, the compost is ready for use.

#### **5.2.4.4 Anaerobic Digestion Overview**

Anaerobic digestion (AD) involves decomposition of organic waste in an oxygen-deficient atmosphere, which results in production of methane-rich biogas. Digestate is the solid material that remains after digestion, which is then composted or disposed. The biogas is typically used in a boiler to produce thermal energy or in an engine to produce electricity. AD projects are generally classified as high solids (dry) or low solids (wet).

High solids/dry systems are applicable for food and yard waste. Dry systems for food and yard waste generally use tunnels, which are gas-tight, concrete, garage-like chambers and are loaded using front-end loaders.

Low solids/wet systems are applicable for manure, sludges, liquid industrial waste. Wet systems generally use vessels, which are mixed and are fed using pumps.

Opportunities may exist to link with the agricultural industry and commercial food processors.

A landfill is probably the most prevalent form of anaerobic digestion and perhaps the most cost-effective AD technology. Landfills can accept many different types of waste and produce a biogas. The solid material that remains after digestion is simply left in the landfill. Dedicated AD projects that manage just food and yard waste face many hurdles, including competition with relatively cheap landfills.

#### **5.2.4.5 Biosolids**

Biosolids currently being generated in the North Country are handled in a variety of ways, including very limited use in existing anaerobic digesters, more widespread land application, and disposal in the landfill.

### **5.2.5 Construction & Demolition (C&D) Debris Diversion**

Currently, there is very little C&D debris diversion occurring in the Planning Unit. Occasionally, some buildings are dismantled and components are reused, but this is not typically the case. A limited amount of separated C&D debris is processed and used for animal bedding. Most of the C&D debris generated in the North Country is landfilled. Although it would appear that there might be opportunities to segregate aggregate, and perhaps recycle or reuse the woody component, no current processing facilities exist. The additional handling and transportation costs associated with this possibility currently make this option not cost effective.

## **5.3 COST ANALYSIS**

### **5.3.1 Costs of Solid Waste System**

The costs for the North Country's solid waste system are borne by various governmental entities and, of course, by the generators themselves. The governmental entities involved in the North Country's solid waste system include:

- The Authority.
- Jefferson County.
- Lewis County.
- St. Lawrence County.
- Individual municipalities.

The Authority's and the counties' solid waste programs are funded primarily through tip fees for disposal of non-recyclable waste. Other revenue sources for the counties include sales of recyclables, grants, and other fees. The Authority also earns revenue from sales of electricity from the landfill gas to energy facility.

Solid waste programs at the municipal level are funded through user fees for disposal of non-recyclable waste and/or by the general fund. Other revenue sources for the municipalities may include sales of recyclables and grants.

The operating budget for each of the above entities covers expenses such as insurance, operations, maintenance and administration.

Moving forward, implementation of new solid waste programs, such as those described in this section, will result in additional capital and operating costs. Estimated incremental



costs for select program elements (see Section 6 for more discussion) are presented in Table 29. Key assumptions are as follows:

- 96-gallon carts for single-stream recycling are provided to 7500 homes in the City Watertown at a cost of \$60 per cart. 15 percent is added for extra carts and service.
- Single-stream recyclables collection, transport, processing, and revenue-share costs \$2 per home per month (net).
- Backyard compost bins are purchased for \$15 each and provided to 5 percent of the North Country population.
- The hybrid compost system includes 3 pilot-scale facilities with the following features:
  - Two existing yard waste compost facilities are upgraded in each county and each includes a 2-acre compost pad and storm water improvements.
  - 20 organics containers are purchased and 8 are located in each county, except for Lewis County which receives 4 containers.
  - One agricultural mixer is purchased and used to service the 6 compost facilities.
  - One screen and one chipper are purchased and used to service the 6 compost facilities.

**Table 29. Incremental Cost Summary for Selected Elements**

Program Element	Responsible Entity	Incremental Capital Cost (\$)	Incremental O&M Cost (\$)	Incremental Amortized Annual Cost (1) (\$)
PAYT Enhancements	Counties, municipalities	No extra costs to implement	No extra costs to implement	No extra costs to implement
Single-Stream Recycling for St. Lawrence County	St. Lawrence County	No extra costs to implement	No extra costs to implement	No extra costs to implement
Single-Stream Recycling for City of Watertown	City of Watertown	\$520,000	\$180,000	\$250,000
Backyard Compost Bins	Authority	\$200,000	\$0	\$26,000
Hybrid Compost System – 6 pilot systems	Authority	\$970,000	\$50,000	\$175,000

### 5.3.2 Describe the Financing Mechanisms that will meet the Anticipated Costs

The Authority's capital costs are financed through the issuance of bonds. When the Authority identifies a needed capital project, a cost assessment is conducted, and the Authority undertakes a process to secure the most favorable terms for a bond issuance.

## 5.4 NEIGHBORING JURISDICTION IMPACTS

The neighboring Planning Units include:

- Oswego County.
- Oneida-Herkimer Solid Waste Management Authority (OHSWA).
- Hamilton County.
- The County of Franklin Solid Waste Management Authority.

The Authority has good relations with the neighboring Planning Units. In the past, the Authority (or the individual counties) has participated in projects with Hamilton County and OHSWA for disposal services, recyclables processing, and information exchanges. The Authority currently accepts waste from Hamilton County. When projects are mutually beneficial, the Authority will continue cooperative efforts with neighboring Planning Units.

## 6.0 INTEGRATED SYSTEM SELECTION

### 6.1 PROPOSED PROGRAM – OVERALL

The main program elements for the new LMMP are outlined in this section. The responsibilities are broken down by entity in subsequent sub-sections.

The focus of the North Country integrated solid waste system is increasing diversion of waste from the Regional SWMF via increased recycling and composting. To increase recycling, the plan is to utilize existing infrastructure and facilities, with an increase in economic motivation through enhanced pay as you throw (PAYT) programs. For composting, the plan relies on many de-centralized facilities located throughout the North Country as the physical size of the North Country would result in large costs to truck waste to centralized facilities.

#### 6.1.1 Storage, Treatment, Disposal of Solid Waste

For cost reasons, a mass-burn MWC will not be considered further at this time. As landfill tipping fees increase, a mass-burn MWC may become more economically viable in comparison to landfills and may be considered by the Authority at that time.

The Authority will continue to monitor the evolution of emerging conversion technologies. To the extent that these technologies can achieve energy recovery and waste reduction in a cost-effective and environmentally-sound manner, the Authority may consider implementation.

For the foreseeable future, the Authority will continue to use the Regional SWMF for disposal of residual waste. A planned expansion of the landfill would extend the capacity to about 2074. The Proposed Southern Expansion encompasses approximately 146 acres to the south of the existing landfill footprint on Authority property. The environmental review and permitting actions for the Proposed Southern Expansion are in progress.

#### 6.1.2 Pay as You Throw

The Authority recommends that the current PAYT programs be continued but with an adjustment to the pricing for waste disposal. As shown in Table 10, there is about 25 percent more recyclable fiber and containers that could be diverted from disposal in each county. A bigger price differential (along with increased education) should result in more recycling and less waste disposed at the Regional Landfill.

In Jefferson County, many of the PAYT programs are implemented by the local municipality at its local transfer station or drop-off facility. The Authority recommends that municipalities double the cost for waste disposal. For example, if a town charges \$2 per 30-gallon bag of waste (with recyclables free), then the 30-gallon per-bag fee should be increased to \$4. To further provide an incentive for more recycling and composting, the towns should provide easy access to recycling containers and an option for food residuals. Local residents could deposit food residuals into an Earth Tub or a specially-designed roll-off container for organics (e.g., by Toter) to further decrease the amount of waste disposed at the Regional Landfill. Recycling and organics could be free to the residents. Periodically, the organics would be hauled to the County transfer station and combined with the yard waste composting operation (see below for further details).

To empower the residents to control their own costs, the towns could keep the current \$2 per bag fee but only for a 13-gallon bag. In other words, a resident's cost can remain the same as long as more recycling and composting is achieved. An educational display or demonstration could be conducted to show residents how to take 30 gallons of waste and separate the components into recyclables, compostables, and residual waste, with the residual waste fitting into a 13-gallon bag.

At the county level in each of the three counties, similar pricing adjustments should be made. Per-bag fees should be doubled and/or smaller bags should be allowed at the current rate. Disposal fees based on tonnage should be adjusted upward while recycling fees should be held at zero, or decreased if a fee is charged. Organic containers (e.g., by Toter) should be provided (see below) and promoted through an education program.

### 6.1.3 Recyclables Collection

As discussed in earlier sections, each county has existing infrastructure to manage recyclables in differing ways (i.e., Jefferson uses a multiple-stream approach; Lewis and St. Lawrence, single-stream). The Authority does not advocate many changes to the existing systems for recyclables collection, with three exceptions involving the City of Watertown, Jefferson County, and St. Lawrence County, as explained below.

In the City of Watertown, curbside collection of waste and recyclables is offered and a PAYT program is in-use. The PAYT program includes variable size carts with variable pricing for waste. Recyclables must be sorted into multiple streams because the City uses the Jefferson County recycling center, which dictates source separated materials. Based on 2010 data, the recycling rate in the City is about 13 percent. The Authority recommends that the City consider a change to single-stream recycling, with collection by the City or a private carter. The City or the private hauler could collect the recyclables and transfer them to one of three "local" single-stream MRFs: WM in Liverpool; FCR in Stanley; or, OHSWA. If Jefferson County converts its recycling center to single-stream (see below), the City of Watertown could transport its single-stream recyclables to Jefferson County.

Advantages and disadvantages to the City are as follows:

- Advantages
  - Eliminates labor and equipment costs associated with multiple-stream collection of recyclables. Labor could be re-assigned to other programs, such as an enhanced organics diversion program (see below).
  - Decreases waste collection and disposal cost as an increase in recycling quantities is expected.

- Increases the overall diversion rate for the City.
- Disadvantages
  - Increases cost of the recycling program as a private hauler (or the City) must be contracted to collect and transport materials to a single-stream MRF outside the County unless Jefferson County accepted single-stream recyclables.

In Jefferson County, source-separated recyclables are currently transported from town transfer stations to the County transfer station, where they are baled/prepared for sale. The Authority recommends a change from multiple-stream to single-stream recycling in Jefferson County as it will likely result in greater participation and greater recycling rates. Greater recycling translates into less waste, which means less cost for transport and disposal of the waste to the Regional SWMF.

With single-stream recycling, we estimate that Jefferson County could increase its MSW recycling rate from 15 percent to 25 percent, at least. Based on 2010 data, this would equate to about 3,720 tons per year of additional recycling. It would also facilitate the addition of new materials in the recycling stream which is currently limited by the number of compartments in the recycling containers used at the towns and by haulers. The County would avoid the transportation and disposal cost on this amount, which equates to about \$150,000 per year at an avoided disposal rate of \$39 per ton.

In St. Lawrence County, recyclables are currently transported from the County transfer stations to Casella, who ultimately takes them to its single-stream MRF in Stanley. The recommended change from dual-stream to single-stream recycling in St. Lawrence County was implemented in early 2013 and has resulted in greater participation and greater recycling rates. Greater recycling translates into less waste, which means less cost for transport and disposal of the waste to the Regional SWMF.

Casella had proposed an increase in its transport and processing price if the County switched from dual-stream to single-stream in 2013, with pricing for each method as follows:

- Mixed Fiber: \$68 / ton
- Mixed Containers: \$78 / ton
- Single-stream: \$86 / ton

However, with single-stream recycling, we estimated that St. Lawrence County Solid Waste Department could increase its MSW recycling rate from 5 percent to 15 percent. Based on 2010 data, this would equate to about 3,000 tons per year of additional recycling. The County would avoid the transportation and disposal cost on this amount, which equates to about \$90,000 per year, based on an avoided cost rate of about \$30 per ton (estimated by St. Lawrence County Solid Waste Department).

Alternatively, St. Lawrence could maintain its dual-stream program and transport its recyclables to Lewis County, which has capacity at its MRF. St. Lawrence and Lewis Counties could sign an agreement whereby Lewis County would get paid for processing the recyclables and St. Lawrence could share in the revenues from sale of the materials. Further, St. Lawrence could back-haul certain materials from Lewis County, if markets in and around St. Lawrence County (e.g., Canada) were more favorable. At current recyclable market rates of about \$100 per ton, St. Lawrence and Lewis County would receive about \$180,000 per year in gross revenue, based on 2010 recyclable quantities. St. Lawrence County would have an additional expense for transportation to Lewis County, which are likely significant and prohibitive, and Lewis County would incur

additional processing costs. If St. Lawrence County doubled its recycling rate to 10 percent, the gross revenues would double to about \$360,000 per year but the above-noted expenses would increase as well.

In discussions to date between St. Lawrence and Lewis Counties on this subject, Lewis County has not offered any revenue sharing. Further, St. Lawrence County has estimated that the transportation costs would be prohibitive, based on the flat-rate processing fee that Lewis County proposed. As such, this arrangement does not appear to be workable. However, if Lewis County converts to single-stream using the OHSWA MRF, St. Lawrence County could explore transportation of their recyclables to Lewis County for consolidation and further transportation.

To further enhance recycling in the North Country, the Authority also recommends that each county:

1. Increase recycling inspections on incoming loads.
2. Develop and implement a local permit system that is consistent with Authority permit requirements, which will require reporting of recycling activities. (St. Lawrence County is in the process of issuing waste hauling permits with an effective date of August 1, 2011.)
3. Develop common local laws that include a clear bag provision.
4. Standardize recycling categories for reporting.

#### **6.1.3.1 Enforcement**

The Authority will enforce our permit requirements, including inspections of loads for excessive recyclables. The Authority will hire an enforcement officer to conduct such inspections and otherwise enforce the Authority's permit requirements as well as the local laws of the counties and the municipalities. The Authority's enforcement officer will coordinate with local law enforcement personnel and NYSDEC enforcement personnel, as appropriate.

Additionally, to the extent that the counties do not have an existing law, each county should consider adopting a new law concerning illegal dumping. In most municipalities that use a PAYT system, illegal dumping is not a prevalent problem. However, illegal dumping can spike during the initial implementation phase of a PAYT or revised PAYT program. A law and enforcement of the law can minimize illegal dumping. Tompkins County has an illegal dumping law that could serve as a model for the North Country.

#### **6.1.4 Recyclables Processing**

Based on the discussion in Section 5, it does not appear to be economically feasible for any county or the North Country as a whole (via the Authority) to build and operate a new single-stream MRF. The counties do not control the recyclables in each county and the current amount handled by the counties is insufficient for a viable facility. Further, each county already has existing infrastructure to collect and process recyclables in differing ways (i.e., Jefferson uses a multiple-stream approach; Lewis and St. Lawrence, single-stream). As technology continues to develop, this topic should be re-evaluated.

## 6.1.5 Organics

Based on the current experience level of the Authority and the individual counties, the initial focus for organics begins with low-level composting technologies. The Authority will pursue a number of activities to promote and advance organics diversion throughout the North Country, in the following order:

- Provide technical assistance to existing yard waste operations, throughout the North Country, to upgrade to active windrow compost facilities (see Appendix C). The Authority will explore allowing the municipal entities to use an Authority-purchased trommel screen and wood chipper on a periodic basis, and associated operator (see below).
- Conduct pilot test of composting food residuals at 6 yard waste compost facilities located throughout the North Country (i.e., 2 in Jefferson; 2 in St. Lawrence; 2 in Lewis). The Authority will consider improving the 6 existing compost facilities through preparation of a stone base with geotextile for the compost area, improved entrance road, and improved storm water management. The Authority may purchase an agricultural mixer, a trommel screen, and chipper that could be shared across the North Country (to be operated by Authority staff). The Authority or counties will consider arranging to transport food residuals in the organics containers to a yard waste compost facility. If feasible, at the compost facility, the Authority would mix the food residuals with yard waste and wood chips via the agricultural mixer. The local town would provide a front-end loader while the Authority would provide a wood chipper. The front-end loader would be used to feed the agricultural mixer and to assist in windrow formation.
- Promote food residual composting at primary and secondary schools through Authority purchase of small in-vessel compost units (i.e., less than \$1000 per unit) or providing funding for on-site construction.
- Promote food residual composting at colleges and transfer stations through Authority purchase of organics containers (e.g., by Toter) or through Authority purchase of medium-size in-vessel compost units (e.g., Earth Tub; less than \$10,000 per unit).
- Promote backyard composting through an educational campaign and provision of compost bins. The Authority will consider funding a portion of the bin construction/supply and coordinate sales of the bins at every county and municipal transfer station. Similar to the HHW drop-off events, the Authority could have regionally-located “Compost Events”, which would include sale of compost bins as well as provision of free compost from one of the local compost facilities.
- Conduct pilot test of an anaerobic digester for processing of food residuals. The Authority should also monitor and support other efforts to implement anaerobic digestion (e.g., Clarkson University, SUNY Canton).



## 6.2 PROPOSED PROGRAM – THE AUTHORITY

The Authority will be responsible for the following:

1. Continued general education via its website, print and video ads, direct mailings, and other means.
2. Coordination and communication between/among County representatives to share information develop synergistic approaches and facilitate long-term mutually advantageous planning or contracting.
3. Provide the Counties with assistance in developing consistent Local Laws.
4. Provide the Counties with assistance in utilizing consistent scale software to facilitate information sharing and comparisons throughout the Planning Unit.
5. Adjust tip fees at the Regional SWMF to maintain overall revenue stream to support the complete solid waste management program.
6. Implement a new permit system at the Regional SWMF to require reporting of recycling activities by all haulers.
7. Consider providing incentive funding to the Counties for system changes that might increase waste diversion, such as single stream recycling.
8. Collect data and evaluate opportunities for C&D debris processing in the Planning Unit.
9. Collect data and evaluate opportunities for disposal alternatives for biosolids in the Planning Unit.
10. Collect data and evaluate opportunities for disposal alternatives for industrial wastes generated in the Planning Unit.
11. Provide technical assistance to towns and counties to upgrade existing yard waste operations to active windrow operations.
12. Purchase compost equipment including an agricultural mixer, wood chipper, and trommel screen. Provide or rent the equipment to town and county compost facilities on a periodic basis.
13. Improve 6 existing yard waste compost facilities to enable acceptance of food residuals.
14. Purchase small-scale and medium-scale in-vessel compost units, and/or organics containers, and provide to schools, colleges, and other generators of food residuals.
15. Subsidize purchase of backyard compost bins and coordinate distribution with the counties via Compost Events. Coordinate “give-back” of compost to residents.
16. Provide technical assistance related to waste diversion and the economics of materials management.



## 6.3 PROPOSED PROGRAM ACTIVITIES– JEFFERSON COUNTY

Jefferson County will be responsible for the following:

1. Education via its website and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Develop and implement a revised permit system that is consistent with Authority permit requirements, which will require reporting of recycling activities by haulers.
3. Increase tip fees for waste at its transfer station, both per-bag and per-ton.
4. Assist Towns with increasing their per-bag fees and promoting more recycling.
5. Provide additional staff and equipment to support increased recyclable quantities, as necessary (i.e., if multi-stream recycling increases due to higher waste fees and more education).
6. Consider conversion of the County transfer station/recycling center to a single-stream recycling center to increase diversion of waste.
7. Upgrade the existing yard waste operations at the County transfer station to active windrow operations, at a minimum. Also, consider this yard waste facility for additional improvements in order to accept food residuals.
8. Assist the Authority with selection of 2 existing yard waste facilities for improvements to allow acceptance of food residuals.
9. Consider locating an organics container at the County transfer station for acceptance of food residuals.
10. Promote and coordinate sale of backyard compost bins.
11. Require clear bags for waste disposal.

The City of Watertown will be responsible for the following:

1. Education via its website and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Consider implementing single-stream recycling via City forces or a private contractor.
3. Upgrade the existing yard waste facility to active windrow operations, at a minimum. Also, consider this yard waste facility for additional improvements in order to accept food residuals.
4. Consider locating an organics container at an appropriate location in the City for acceptance of food residuals.
5. Promote and coordinate sale of backyard compost bins.

Other entities will be responsible for the following:

JCC:

1. Consider locating an organics container at an appropriate location on campus for acceptance of food residuals.

Towns:

1. Education via their websites and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Increase per-bag fees for waste.

3. Upgrade the existing yard waste facility (if one exists) to active windrow operations, at a minimum. Also, consider the existing yard waste facility for additional improvements in order to accept food residuals. Existing facilities include those in Alexandria, Black River, Brownville, Cape Vincent, Carthage, Lyme, Wilna, LeRay, Theresa, and West Carthage.
4. Consider locating an organics container at the town transfer station for acceptance of food residuals.

## 6.4 PROPOSED PROGRAM ACTIVITIES– LEWIS COUNTY

Lewis County will be responsible for the following:

1. Education via its website and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Develop and implement a permit system that is consistent with Authority permit requirements, which will require reporting of recycling activities by haulers.
3. Increase tip fees for waste at its transfer station, both per-bag and per-ton.
4. Implement single-stream recycling. Assist Towns with promoting more recycling.
5. Negotiate with St. Lawrence County to accept its recyclables. Provide additional staff and equipment to support increased operation of the MRF, as necessary.
6. Consider coordinating the transportation of single stream recycling from SLC thru Lewis Co to OHSWA
7. Assist the Authority with selection of 2 existing yard waste facilities for improvements to allow acceptance of food residuals.
8. Consider locating an organics container at the Lowville transfer station for acceptance of food residuals.
9. Promote and coordinate sale of backyard compost bins.
10. Require clear bags for waste disposal.

Towns/Villages will be responsible for the following:

1. Education via their websites and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Upgrade the existing yard waste facility (if one exists) to active windrow operations, at a minimum. Also, consider the existing yard waste facility for additional improvements in order to accept food residuals. Existing facilities include those in Castorland, Diana, Port Leyden, and Lowville.

## 6.5 PROPOSED PROGRAM ACTIVITIES – ST. LAWRENCE COUNTY

St. Lawrence County will be responsible for the following:

1. Education via its website and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Develop and implement a revised permit system that is consistent with Authority permit requirements, which will require reporting of recycling activities by haulers.
3. Increase tip fees for waste at its transfer station, both per-bag and per-ton.
4. Explore ways in which the County can save money on its single stream processing costs, including an intermunicipal agreement with Lewis County for transportation to a single stream MRF.
5. Assist Towns with promoting more recycling.
6. Assist the Authority with selection of two existing yard waste facilities for improvements to allow acceptance of food residuals (e.g., Canton, Potsdam, and Massena).
7. Consider locating organics containers at the County transfer stations for acceptance of food residuals.
8. Promote and coordinate sale of backyard compost bins.

Other entities will be responsible for the following:

Clarkson, St. Lawrence University and SUNY campuses:

1. Consider locating an organics container at an appropriate location on campus for acceptance of food residuals.

Towns:

1. Education via their websites and other means, which should be coordinated and consistent with Authority efforts. Websites and literature should be updated regularly.
2. Upgrade the existing yard waste facility (if one exists) to active windrow operations, at a minimum. Also, consider the existing yard waste facility for additional improvements in order to accept food residuals. Existing facilities include those in Canton, Massena, Potsdam, Gouverneur and Ogdensburg.

## 6.6 PROCEDURES FOR PROGRAM IMPLEMENTATION

To a large extent, the procedures for program implementation are described above. After the collection of data and the completion of their evaluation, identification of appropriate structures and/or equipment for C&D debris, biosolids, and industrial wastes will be completed. Consideration of their funding requirements will be made. For some of the specifically identified implementation actions listed in the previous section, additional details are provided in this section.

### 6.6.1 Equipment

For enhancing additional recovery of recyclables, existing equipment and infrastructure will continue to be utilized. New equipment may be needed for the City of Watertown single-stream recycling program, if implemented. We will consider the purchase of 96-gallon carts for each residence for collection of recyclables.

For enhancing additional recovery of organics, the following new equipment will be considered for purchase initially:

- One trommel screen (Doppstadt SM514).
- One wood chipper.
- 20 organics containers (e.g., by Toter).
- One agricultural mixer (Kuhn-Knight 5144).
- One loaded container handler (or contract with a private hauler for this service).
- 20 Mantis composters.
- About 10,000 backyard compost bins.

### 6.6.2 Collection Arrangements

The only change to collection arrangements concern the City of Watertown. As previously noted the Authority recommends that the City issue RFPs for single-stream collection and processing of recyclables. If interested, the City could bid on the collection RFP.

### 6.6.3 Processing and Storage

For recyclables, the only change concerns the City of Watertown. Single-stream processing of recyclables will occur at an out-of-region facility. Three single-stream processing facilities are potentially available.

For organics, processing and storage will occur at multiple locations. The Authority plans a decentralized approach to organics processing. The first location will be select locations for organic containers, including transfer stations, college campuses, and motivated businesses (e.g., Wal-mart). The organics containers will be transported to select yard waste compost facilities, where processing and curing will occur. The second location will be primary and secondary schools. The Authority will conduct a pilot test on various compost units that will be set-up on the grounds of the pilot schools. The schools will be encouraged to use the finished compost on their grounds for flower beds and other landscaping uses. The third location will be individual backyard composting bins. Individuals will be able to truly recycle food residuals on their own property through use of finished compost in vegetable and flower beds.

## **6.6.4 Market Agreements**

The City of Watertown will enter into agreements for collection and/or processing of recyclables. The processor of the recyclables will be responsible for marketing of the individual components.

Compost markets and agreements will occur at a local level. In most instances, agreements will not be needed as the generators will use the finished material themselves. At the yard waste compost facilities, the local town will have the option to use the finished compost themselves. To the extent excess materials remain, “give-backs” to the residents will be provided and local farms will be contacted for use or purchase of the nutrient-rich compost.

## **6.6.5 Funding Sources**

The Authority will fund certain equipment purchases, such as equipment needed for pilot programs. Funding may be made available to the Counties, or to other entities within the Planning Unit area that are working towards increased waste diversion goals. Examples may include (but not be limited to):

- Glass reuse/recycling.
- Food waste composting.
- C&D debris processing.
- Single stream recycling.
- Biosolids processing.
- Industrial waste processing.

## **6.6.6 Operation and Maintenance**

For recyclables, the selected company will be responsible for operation and maintenance (O&M) of the carts and collection equipment.

For the organics program, multiple entities will be responsible for O&M of the system components. For the in-vessel compost units, staff local to the unit’s location will have primary responsibility for O&M, with guidance provided by the Authority. Similarly, for yard waste compost operations, the local town/village staff will have primary responsibility for O&M. The Authority will provide O&M of the shared equipment (e.g., agricultural mixer, trommel screen, chipper).

## **6.7 PRIVATE SECTOR INVOLVEMENT**

The private sector will continue to be involved with many aspects of solid waste management in the North Country. There are numerous private companies that collect waste and recyclables in the North Country. If an individual company does not adequately manage its operations, other private companies will fill the void. North Country residents and businesses are not completely reliant on the private sector. All residents have the option to transport waste and recyclables to a county-operated transfer station.

The Authority and the counties will actively encourage and regulate, through disposal permits, the private sector compliance with these waste diversion objectives.

## 7.0 IMPLEMENTATION SCHEDULE

The proposed implementation schedule for the LMMP is presented in Table 30.

**Table 30.Implementation Schedule (2016-2025)**

Year										
Program strategy	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
	1	2	3	4	5	6	7	8	9	10
1.) Evaluate solid waste diversion opportunities and efforts in the Planning Unit	Continue to review alternatives for waste diversion through reuse, recycling									
2.) Evaluate the transfer stations and waste hauler inspection program	Install uniform recycling signage at all transfer stations in the Planning Unit	Develop and implement necessary changes	Evaluate the effectiveness of the transfer station inspection program.	Provide feedback to local officials and the partnership	Evaluate the effectiveness of the private hauler inspection program	Develop and implement necessary changes		Evaluate the effectiveness of the inspection program and implementation necessary changes		
3.) Roll out Waste Hauler and Transfer Station Attendant training programs	Provide training to transfer station attendants and to waste haulers on an ongoing annual basis									Analyze programmatic success for 10-year planning period
4.) Increase diversion of agricultural plastics from the waste stream	Research potential opportunities for the diversion of agricultural plastics		Identify potential opportunities for recycling and/ or diversion of agricultural plastics		Initiate diversion program throughout the Planning Unit			Monitor and assess program success; establish diversion goals for the next 10-year planning period		
5.) Increase diversion of construction & demolition debris from the waste stream	Gather and analyze data pertinent to C&D debris generation		Identify potential opportunities for recycling and/or diversion of C&D debris.		Plan and establish practical C&D waste diversion goals	Work with all 3 counties to establish a C&D processing facility		Monitor and assess program success; establish diversion goals for the next 10-year planning period		



6.) Identify and evaluate potential opportunities for mattress recycling or diversion	Gather quantitative data relative to the number of mattress/ box springs that are being generated in the Planning Unit	Identify potential opportunities for mattress recycling	Identify and reach out to potential partners	Work with the partnership to develop a program	Implement	Analyze programmatic success for 10-year planning period
7.) Increase the diversion of organics from the waste stream	Gather data on existing organics collection and recycling within the Planning Unit	Analyze data and identify opportunities for increasing the diversion of organics from municipal waste within the Planning Unit.	Establish an organic composting demonstration project	Implement the project and track inputs and production		
8.) Provide backyard composting	Provide education and outreach about the benefits of back yard composting; make back yard composting units available to residents that attend educational programs on a limited basis					
9.) Promote food waste composting	Inventory existing food waste composting programs in the Planning Unit	Analyze inventory data and offer assistance to established programs	Share findings with other institutions within the Planning Unit	Provide technical assistance and funding as available to develop additional programs within the Planning Unit	Analyze programmatic success for 10-year planning period	
10.) Complete an waste composition study to evaluate programmatic needs					Implement 10-year study	Perform 15-year study
11.) Establish uniform Authority-approved Single Stream Recycling Decal for use on recycling bins	Develop decal for use on residential recycling containers	Provide decals to transfer station and private haulers for dissemination.				
12.) Develop recycling palm cards for distribution at recreational facilities, businesses, and hotels	Develop palm card advertisement	Disseminate to hotels, resorts, etc. in the Planning Unit	Reach out to resort/hotel owners and gather data on waste and recycling quantities	Disseminate to hotels, resorts, etc. in the Planning Unit		Analyze programmatic success for 10-year planning period

13.) Work with industry and businesses to develop greater accountability for waste and recyclables	Hire a recycling specialist who has the ability and skills to focus on commercial and industrial activities	Employ social media to support the recycling program (i.e. Facebook, twitter, etc.)	Continue to reach out to commercial and industrial business units to encourage participation in the regional Planning Unit reporting activities; also continue to maintain social media accounts as necessary to encourage participation by all age groups	Analyze programmatic success for 10-year planning period
14.) Evaluate ongoing education and outreach programs	Apply for NYSDEC Municipal Waste Reduction, Reuse and Recycling (MWRRR) program funding	Obtain funding to support the initiatives of the Authority Recycling Program	Continue to develop educational methods such as TV commercials, mailings, and school programs to further increase recycling and diversion to the maximum extent possible. Further develop partnerships and cooperatives with in the Planning Unit to achieve local goals for recycling and diversion.	Focus education and outreach efforts to assist the authority in achieving the goals as set forth in the upcoming LSWMP
15.) Staff training and development for onsite inspections and landfill compliance	Create a training program for compliance staff performing onsite hauler inspections; provide education and training to landfill equipment operators relative to the identification of unacceptable materials, and waste diversion goals for the Authority		Implement and adjust annually to ensure compliance with NYSDEC Part 360 permit requirements and authority policies; adjust as necessary and provide updated training to ensure compliance	
16.) Financial incentives for recycling	Evaluate regional recycling activities and identify needs of the Planning Unit to enhance our recycling and waste diversion goals	Create financial incentives to increase recycling and waste diversion activities in the Planning Unit, as appropriate; assess the ongoing needs of the Planning Unit, on an individual county basis, and offer financial support for the implementation of local programs , development of infrastructure, and the establishment of rebates, as appropriate		Analyze programmatic success for the 10-year planning period on a per county basis; plan goals and activities for the next 10-year planning period
17.) Establish an enforcement program to increase compliance with Authority recycling and waste diversion goals	Provide education and outreach to the partnership and private haulers regarding recycling compliance and waste diversion	Develop a comprehensive penalty schedule to disincentives bringing recyclable materials into the Authority landfill	Work with the partnership to establish a mirror program at the local County and Town transfer station level	Analyze programmatic success for the 10-year planning period on a per county basis; plan goals and activities for the next 10-year planning period
18.) Product Stewardship	Work with the NYS Product Stewardship Council in coordinating and participating product stewardship initiatives locally and regionally; this includes working with County and State governments to encourage support for Legislative actions that support product stewardship			

## **8.0 NEW LAWS AND REGULATIONS/LEGAL/ INSTITUTIONAL ANALYSIS**

### **8.1 CONSTRAINING LAWS, RULES, REGULATIONS, OR ORDINANCES**

Currently, there are no laws, rules, regulations, or ordinances that constrain or inhibit the Authority relative to solid waste management and implementation of this LMMP.

We do note that the Authority's and the Counties' diversion programs are largely funded through disposal revenue. As waste is diverted from disposal, the Authority and the Counties will need to raise per-ton tipping fees to maintain revenue levels that will support all of the diversion and disposal operations. In contrast, private disposal facilities do not bear an operating expense for support of diversion programs. As such, private disposal facilities can charge a lower tipping fee, with all else equal. Lower private tipping fees create a perception that private facilities are more efficient, when they may not be.

### **8.2 NEW LOCAL LAWS**

The Authority and the Counties foresee the need to revise local laws or ordinances to implement this LMMP in order to conform and be consistent with the LMMP waste diversion objectives. In 2012, the Authority developed and shared with the Counties, a local law template for County use that provides consistent waste handling, diversion and disposal requirements. Jefferson County adopted Local Law 1 of 2014. Lewis County adopted Local Law 3 of 2015. St. Lawrence County's proposed local law is undergoing legislative review. (Current Local Laws in Appendix C.)

### **8.3 INCENTIVE BASED PRICING (PAYT)**

Currently, incentive-based pricing, such as PAYT, is widely utilized throughout the North Country but has not yet made a significant difference in promoting diversion and decreasing waste disposal. As noted in Section 6, the Authority will consider changes to PAYT fees be made to further promote diversion. Specifically, the Authority will consider an increase in the price for waste disposal. Such price increases could be implemented by the Counties and municipalities without passage of new laws or ordinances.

### **8.4 HAULER LICENSING**

As noted in Section 3, the Authority implemented a new permit system for haulers on April 1, 2011. Jefferson County and St. Lawrence County also require permits for haulers. The Authority will consider the implementation of region-wide permit system that is consistent between each entity and that will require reporting of recycling activities by haulers, at a minimum.

The permit system and a requirement for reporting of recycling are expected to increase the rate of recycling. In turn, the amount of waste going to the landfill will be reduced. An important goal of this LMMP is to continuously reduce the North Country disposal rate. The current North Country disposal rate for MSW is about 3.3 lb/person/day, which is about 10 percent higher than the national average, but about 20% lower than the NYS average. The North Country disposal rate is higher than the national disposal rate due to differences in the diversion of materials from disposal. The national diversion rate for MSW is about 34 percent, while the North Country diversion rate for MSW is about 13 percent. However, the North Country diversion rate, expressed as a percentage, is

misleading as it does not account for yard waste composting and some private hauler recycling.

## **8.5 FLOW CONTROL**

Lewis County has flow control authority for waste and reinstated its use in 2008. St. Lawrence County has flow control authority for waste and reinstated its use in 2008. For both St. Lawrence and Lewis Counties, flow control applies to solid waste and requires delivery to the Regional SWMF. Jefferson County does not currently have flow control and chose not to include it as part of their new Local Law. However, private haulers are currently free to take recyclables to any permitted facility, including those outside the North Country. All Counties could consider establishing flow control for recyclables within their respective Counties.

## **9.0 INTERIM SOLID WASTE MANAGEMENT MEASURES**

Interim solid waste management measures are not applicable for most components of the waste stream, except for organics. Based on the current experience level of the Authority and the individual counties, the initial focus for organics begins with low-level composting technologies. The Authority recommends a number of interim activities to promote and advance organics diversion throughout the North Country, as previously noted and summarized as follows:

- Provide technical assistance to existing yard waste operations, throughout the North Country, to upgrade to active windrow compost facilities.
- Conduct pilot test of composting food residuals at 6 yard waste compost facilities located throughout the North Country (i.e., 2 in Jefferson; 2 in St. Lawrence; 2 in Lewis).
- Promote food residual composting at primary and secondary schools through Authority purchase of small in-vessel compost units (i.e., less than \$1000 per unit).
- Promote food residual composting at colleges, retail stores, and transfer stations through Authority purchase of organics containers (e.g., by Toter) or through Authority purchase of medium-size in-vessel compost units (e.g., Earth Tub; less than \$10,000 per unit).
- Promote backyard composting through an educational campaign and provision of compost bins.
- Conduct pilot test of an anaerobic digester for processing of food residuals.

## **10.0 EXPORT CERTIFICATION (IF NECESSARY)**

Since waste export from our Planning Unit is not a part of the LMMP, an export certification is not required.

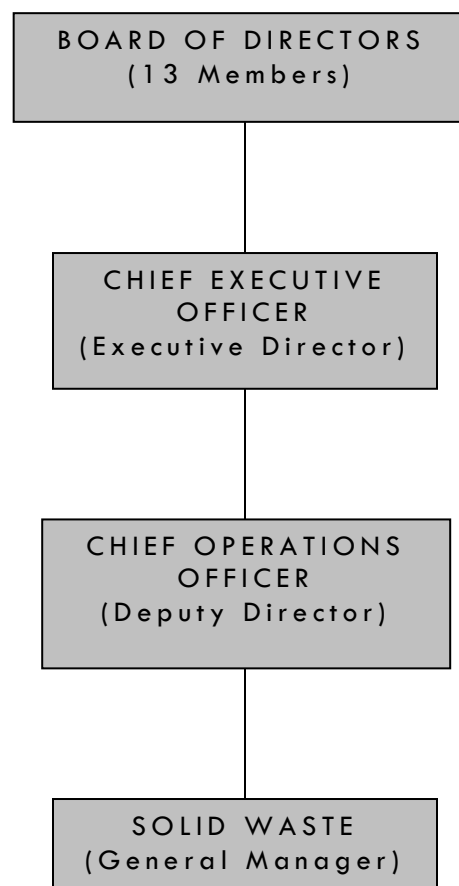
## 11.0 ADMINISTRATIVE STRUCTURE

### 11.1 THE AUTHORITY

The Authority's Board of Directors is comprised of eight voting members appointed by the governing bodies of Jefferson, Lewis and St. Lawrence Counties and the City of Watertown, and five non-voting members appointed by the Governor, and the New York State Assembly and Senate. The primary responsibility of the Board is to make policy and formally adopt or approve major policy decisions or directions. The board of directors provides oversight and guidance to the Authority's Executive Director. The Executive Director, deputy director and senior managers execute the directives of the Board of Directors (see Figure 10).

The Executive Director and Authority staff will coordinate and communicate between/among County and municipal representatives to share information, develop synergistic approaches, and facilitate long-term mutually advantageous planning or contracting. The Executive Director and Authority staff will also be responsible for implementation of this LMMP and specifically, the items assigned to the Authority.

**Figure 10: Authority Organization Chart for LMMP**

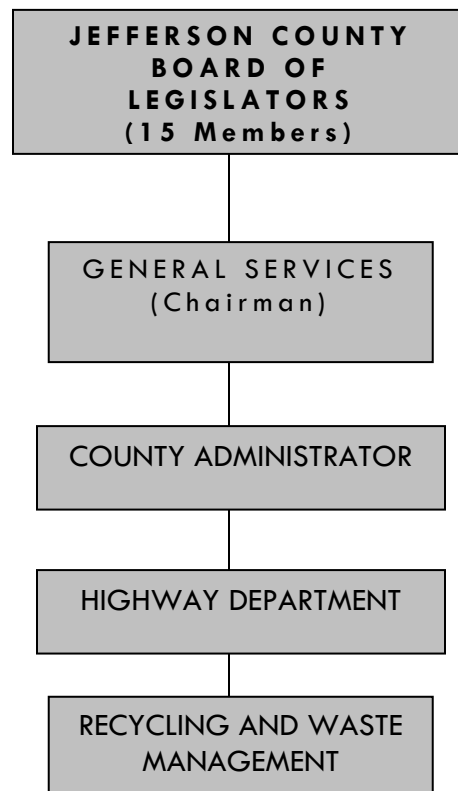


## 11.2 JEFFERSON COUNTY

Jefferson County is governed by a 15-member Board of Legislators. The Board of Legislators develops policy and legislation for the administration and operation of the County, while the administrative staff and operating departments implement the legislature's directives. Policy and legislative development is facilitated through four standing committees: Planning and Development, Health and Human Services, General Services, and Finance and Rules.

Solid waste items are covered by the General Services committee. The Division of Recycling and Waste Management, under the Highway Department, will be responsible for implementation of this LMMP and specifically, the items assigned to Jefferson County (see Figure 11).

**Figure 11: Jefferson County Organization Chart for LMMP**



## 11.3 LEWIS COUNTY

The governing body is the County Board of Legislators, with a representative from each of the ten districts. There are nine standing committees of the Board, addressing a variety of issues. Solid waste items are covered by the Solid Waste committee. The Solid Waste Department will be responsible for implementation of this LMMP and specifically, the items assigned to Lewis County (See Figure 12).

**Figure 12: Lewis County Organization Chart for LMMP**



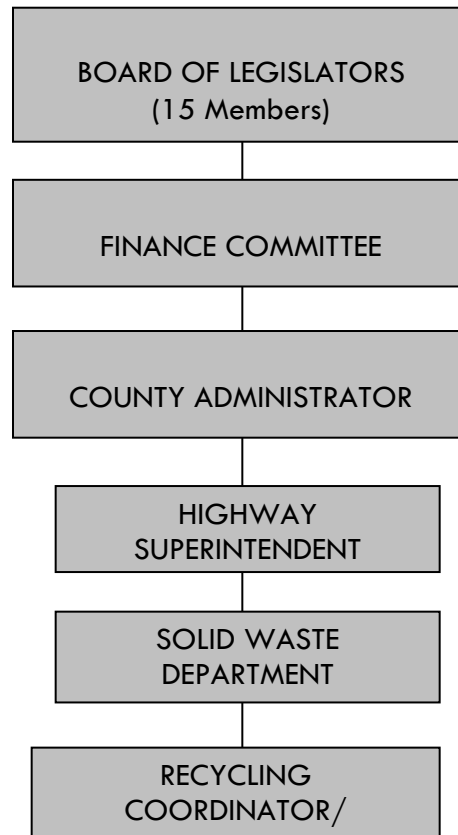


## 11.4 ST. LAWRENCE COUNTY

The Board of Legislators is composed of 15 members who oversee all aspects of County Government. There are three committees of the Board, addressing a variety of issues. Solid waste items are covered by the Finance committee.

The Solid Waste Department will be responsible for implementation of this LMMP and specifically, the items assigned to St. Lawrence County (see Figure 13).

**Figure 13: St. Lawrence Organization Chart for LMMP**



## **12.0 FUTURE ACTIONS TO FURTHER THE SOLID WASTE MANAGEMENT HIERARCHY**

Beyond the action items identified above, the Authority and the Counties have indicated their intent to promote the solid waste management hierarchy through internal actions. Each entity will seek to reduce and recycle its own waste stream to the maximum extent possible. Purchases by each entity will favor items that include recyclable content, whenever practicable.

The Authority and the Counties plan to meet on a continuing basis to discuss solid waste management and means to further the solid waste management hierarchy. Additionally, we will encourage each county to assign staff to become a member in SWANA and NYSAR, and participate in educational programs that these waste industry organizations offer. For example, membership in the New York chapter of SWANA provides members with free webinars on many solid waste management topics that provide up-to-date and timely information. The Authority will also support state-wide product stewardship efforts.

## **13.0 UPDATED INFORMATION AND PROGRESS REPORT**

The initial review draft of this Plan was written using information that was current as of 2010. As we have worked collaboratively with the Counties and NYSDEC staff, enhancements to the original draft (particularly related to format, data presentation, etc.) have been made. However, much of the narrative has remained, as conditions existed in 2010. This Section contains updated pertinent information that will further enhance the utility and adaptive management strategy required to effectively manage the entire Planning Unit and the population that it serves.

In Section 1.7, The Authority states that the electronics waste program provides diversion, compliance and a revenue stream. However, although there was a relatively minor revenue stream provided earlier, waste diversion and regulatory compliance are the primary focal areas for the strategies described in this LMMP.

In Section 3.1.2, The Authority describes Transfer Station information as it existed in 2010. In 2012, the Authority provided a Common Local Law template for use by each of the Counties. The following updated information is provided for each County:

### ***Jefferson County***

Jefferson County Local Law 1 of 2014.

Recyclables are source-separated, including in the City of Watertown. Flow control and a clear bag requirement was not included.

### ***Lewis County***

Lewis County Local Law 3 of 2015.

Single-stream recycling was implemented in 2016..

Clear plastic bags are required for MSW.

Solid Waste Department is no longer under the Highway Department.

### ***St. Lawrence County***

New Local Law is being drafted.

Single-stream recycling is in effect.

## 14.0 WASTE DIVERSION HISTORY

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2009	ACTIONS
1. May 2009	Preliminary recycling meeting with NYSDEC
2. June 2009	Reconvened Solid Waste Committee
3. June 2009	Authority Recycling Coordinator designated
4. June 2009	Agricultural Recycling discussions – Cornell Co-operative Extension
5. July 2009	Lewis County formally requested the Authority take over solid waste transfer facilities
6. September 2009	Revised Community Benefits with Rodman
7. September 2009	Open House focused on 'Reuse, Reduction, Recycling'
8. October 2009	2 <sup>nd</sup> Solid Waste Committee Meeting
9. October 2009	Authority Board adopts Environmental Policy Statement, committing to Reuse, Reduce, Recycle
10. October 2009	Authority Board authorizes \$100,000 for public education campaign and recycling equipment to be shared
11. November 2009	Lewis County Community Digester Committee discussion of potential digester project
12. December 2009	Waste stream recycling screening training on two occasions – waste inspection at landfill

2010	ACTIONS
13. February 2010	New website 'North Country Recycles' authorized
14. February 2010	Lewis County Solid Waste Study
15. March 2010	Regional Recycling <ol style="list-style-type: none"><li>Common list of recyclables</li><li>Consolidation HHW days</li><li>3 County Planning Unit SWMP</li><li>Glass reprocessing facility and</li><li>Unified local law</li></ol>

16. March 2010	Board establishes \$5 million Revolving Loan Fund for Solid Waste Capital Investment
17. March 2010	Carbon credits - \$771,485.00 proceeds of carbon credit sales recommended for recycling funding
18. March 2010	Community Benefits changes – Rodman <ul style="list-style-type: none"> <li>a. Reduce tip fees 75%</li> <li>b. Share IES sales revenues 50/50</li> <li>c. Compliance with recycling standards</li> </ul>
19. March 2010	Authority Budget establishes Recycling Rebate Program – \$175,000
20. April 2010	Full time – Recycling Coordinator position appointment
21. April 2010	'Earth Day' week Launched 'North Country Recycles' website
22. June 2010	Consolidated – HHW contract – 3 Counties – common provider - Authority assumed expense – Authority Board appropriates \$65,000
23. June 2010	Recycling e-waste – 3 counties contract – common provider
24. July 2010	Solid Waste Customer Representatives reorganization
25. July 2010	Resolutions sent to Counties for regional waste planning unit
26. August 2010	Board appropriates \$35,000 for glass processing project
27. September 2010	Board Strategic Planning on solid waste
28. October 2010	All three Counties adopt resolutions for regional planning – SWMP
29. November 2010	Waste Composition Study – 5 days - identified, sorted, and weighed waste
30. November 2010	Convened initial meeting with haulers
31. November 2010	New Solid Waste permit system
32. December 2010	First regional public education campaign for multi-media 'Green TV' educational commercials regarding recycling
33. December 2010	Waste Composition Survey – 70% recyclable – renewed effort

<b>2011</b>	<b>ACTIONS</b>
34. January 2011	Recycling Coordinator visitation to schools – educational outreach
35. February 2011	Recycling Rebate payments authorized – paid to Counties
36. February 2011	Solid Waste Manager established for comprehensive solid waste program rather than landfill only
37. February 2011	Board adopted revised Landfill Rules – enhanced recycling requirements
38. May 2011	Appointment Division Manager and Landfill Superintendent to complete division restructuring and reorganization
39. August 2011	St. Lawrence County requested Authority conduct Solid Waste Study and analysis
40. October 2011	Established rechargeable battery collection at County Transfer Stations
41. November 2011	Standardized Local Law provided to Counties
42. November 2011	Formalized Bi-monthly County Partner Meetings
43. November 2011	First LMMP submitted to Partners
44. December 2011	First LMMP submitted to NYSDEC
45. 2011 Annually	Household Hazardous Waste Collection Reporting Counsel
46. 2011	Held 6 events, served 700 households, facilitated waste and rechargeable batteries recycled at transfer stations

<b>2012</b>	<b>ACTIONS</b>
47. January 2012	Commercial haulers meeting
48. January 2012	Authority initiated education campaign for PAYT increase
49. February 2012	Authority completed St. Lawrence County Waste Study
50. February 2012	Board authorizes Recycling Rebate payments to Counties
51. March 2012	Develop and disseminate education video on solid waste Management

52. April 2012	Authority approved increased PAYT tip fees; anticipated, in advance, notice to Counties
53. May 2012	Contract with Cornell WMI – composting initiatives
54. June 2012	Recycling Educator in partnership with Cornell Co-operative Extension – Jefferson County
55. June 2012	Meeting with Recycle America to explore single stream
56. August 2012	Board authorizes organics recycling with local schools
57. August 2012	NYSDEC granted 5 year operating permit for landfill
58. September 2012	Recycling Direct Mail to 160,000 regional households
59. November 2012	Commercial Haulers meeting
60. 2012	Household Hazardous events – 5 regional, 959 households

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<b>2013</b>	<b>ACTIONS</b>
61. January 2013	School Recycling Program
62. January 2013	First tip fee increase in 20 years - PAYT
63. January 2013	St. Lawrence County adopts Single Stream Recycling
64. February 2013	Recycling Rebates to Counties
65. April 2013	St. Lawrence County and Potsdam – translucent bags
66. April 2013	OGS State Office Building converts to Single Stream
67. April 2013	Common Local Law presentation to Jefferson County Legislature
68. May 2013	Authority participates in 6 Earth Day educational Presentations
69. June 2013	Assumed disposal expense for Jefferson County Sheriff's pharmaceuticals
70. October 2013	Recycling Compliance Officer employed - former NYSDEC Senior Officer
71. November 2013	Lewis County implementation of common scale software system - CompuWeigh
72. 2013 Annually	Prepare annual Planning Unit recycling report

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**2014****ACTIONS**

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- |                      |  |
|----------------------|--|
| 73. January 2014     | Redirect focus of recycling education to commercial and multiple unit housing developments       |
| 74. February 2014    | Recycling Rebate to Counties – 4 <sup>th</sup> and final payment                                 |
| 75. May 2014         | Lewis County adopts Common Local Law   |
| 76. June 2014        | St. Lawrence County implementation of common scale software system CompuWeigh                    |
| 77. June 2014        | Jefferson County approves Common Local Law – absent clear bags and flow control                  |
| 78. July 2014        | Recycling Education – recycling bins at all 3 County Fairs and Cream Cheese Festivals            |
| 79. August 2014      | Textile Recovery Program places collection sheds at Lewis and Jefferson County transfer stations |
| 80. September 2014   | Board retreat on planning and development of solid waste   |
| 81. October 2014     | Recruitment of Technician for Recycling  |
| 82. October 2014     | Partner with NE Recycling Council to host Re-Use Training Workshop                               |
| 83. November 2014    | Authority promotes Textile Recycling with SMART America Recycles Day                             |
| 84. November 2014    | Commercial Haulers Meeting   |
| 85. December 2014    | Authority authorizes CRT Collection Program  |
| 86. 2014 Bi-annually | Complete Local Solid Waste Management Plan Compliance Report                                     |
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**2015****ACTIONS**

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- |                  |  |
|------------------|--|
| 87. January 2015 | Recycling REBOOT! – Renewed Authority focus  |
| 88. January 2015 | Increased hauler awareness and accountability<br>Annual meeting with haulers/customers regarding recycling |
| 89. March 2015   | Establish mercury thermostat collection at Transfer Stations   |



90. April 2015	Recycling Compliance Officer begins transfer station reports
91. June 2015	Recycling Specialist employed
92. June 2015	Recycling education commercials with 3 County Solid Waste Managers
93. June 2015	Commenced an updated Waste Composition Study
94. June 2015	Written notices to region's municipalities requesting greater recycling efforts
95. July 2015	Commenced a regional recycling alternatives analysis
96. July 2015	Authority and Fort Drum recycling published in <u>Biocycle</u>
97. August 2015	Board appropriates \$162,000 for Composition Alternatives Studies
98. September 2015	30 <sup>th</sup> Anniversary Open House – features Waste Diversion Lewis County announces single stream
99. November 2015	Authority shredded (for recycling) 3,300 lbs. of records In accordance with NYS Archives requirements
100. December 2015	Authority authorizes single stream incentive program
101. 2015	Held 5 Household Hazardous Waste events – 815 Households

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## 2016

## ACTIONS

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102. January 2016	Lewis County pharmaceutical collection with Product Stewardship Institute
103. January 2016	Commercial haulers meeting
104. January 2016	Develop informational flyer for Lewis County – One Bin – One Bag
105. January 2016	Regional Waste Composition Study completed
106. February 2016	Regional Recycling Alternatives Analysis completed
107. April 2016	Commercial haulers meeting with NYSDEC Waste haulers meeting to encourage clear bags – greater compliance

- |                |  |
|----------------|--|
| 108. May 2016  | Commenced annual report card for counties; St. Lawrence  |
| 109. May 2016  | Authority establish voluntary clear bag initiative; direct mail to elected officials in their county |
| 110. June 2016 | Appointed Material Management Coordinator  |
| 111. June 2016 | Waste haulers “voluntary use” of clear bags commercial to promote initiative                         |

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- (33) Meeting St. Lawrence County, Thursday, September 16, 2010
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(A) Jefferson County Transfer Station Summary

- (1) Jefferson County Annual Report- Planning Unit Recycling Report 2008
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(B) St. Lawrence County Transfer Station Summary

- (1) Source: 2008/2009 Transfer Station Annual Report for each Transfer station.
- (2) Source: "2008 Waste Received by Haul Account by Material Type", provided by DANC.
- (3) Source:"2010 Waste received by Hauler Account by Material Type", provided by DANC. St. Lawrence County Waste only.
- (4) Recyclables Source: 2010 Tires, Recyclables, Scrap Steel, provided by S. Thornhill via email 1/27/2011

## APPENDICES

## APPENDIX A POPULATION DATA TABLES

### Jefferson County Population: Towns

Town	Population (Census 2010) <sup>(1)</sup>	Area (sq. mi) (Land) <sup>(2)</sup>	Density (people/sq. mi)
Adams	5,143	42.40	121.30
Alexandria	4,061	72.97	55.65
Antwerp	1,846	106.90	17.27
Brownville	6,263	59.30	105.62
Cape Vincent	2,777	56.47	49.18
Champion	4,494	44.30	101.44
Clayton	5,153	82.56	62.42
Ellisburg	3,474	85.26	40.75
Henderson	1,360	41.32	32.91
Hounsfield	3,466	49.26	70.36
LeRay	21,782	73.71	295.51
Lorraine	1,037	39.01	26.58
Lyme	2,185	56.11	38.94
Orleans	2,789	71.11	39.22
Pamelia	3,160	33.96	93.05
Philadelphia	1,947	37.60	51.78
Rodman	1,176	42.24	27.84
Rutland	3,060	45.19	67.71
Theresa	2,905	65.44	44.39
Watertown	4,470	35.99	124.20
Watertown	27,023	8.96	2967.00
Wilna	6,427	78.92	81.44
Worth	231	43.22	5.34
Total	116,229	1272.20	91.36

(1) Source: U.S. Census Bureau, 2010.

(2) Source: U.S. Census Bureau, 2000 Summary File

### Jefferson County Population: Villages

Village/City	Population (Census 2010) <sup>(1)</sup>	Area (sq. mi) (Land) <sup>(2)</sup>	Density (people/sq. mi)
Adams	1,775	1.54	1,152.6
Alexandria Bay	1,078	0.74	1,473.9
Antwerp	686	1.05	682.4
Black River	1,348	0.81	709.8
Brownville	1,119	0.65	1,576.7
Cape Vincent	726	0.73	1,037.5
Carthage	3,747	2.51	1,240.0
Chaumont	624	1.02	592.0
Clayton	1,978	1.62	91.0
Deferiet	294	0.71	309.0
Dexter	1,052	0.41	2,800.0
Ellisburg	244	1.01	269.0
Evans Mills	621	0.79	605.0
Glen Park	502	0.57	487.0
Herrings	90	0.29	430.0
Mannsville	354	0.92	400.0
Philadelphia	1,252	0.9	1,519.0
Sackets Harbor	1,450	2.28	693.0
Theresa	863	1.26	812.0
West Carthage	2,012	1.2	2,102.0
Total	21,815	21.01	1,038

(1) Source: U.S. Census Bureau,  
2010.

(2) Source: U.S. Census Bureau, 2000  
Summary File



## Lewis County Population: Towns

Town	Population (Census 2010) <sup>(1)</sup>	Area (sq. mi) (Land) <sup>(2)</sup>	Density (people/sq. mi)
Croghan	3,093	179.42	17.2
Denmark	2,860	50.60	56.5
Diana	1,709	137.35	12.4
Greig	1,199	92.91	12.9
Harrisburg	437	39.91	10.9
Lewis	854	64.69	13.2
Leyden	1,785	33.32	53.6
Lowville	4,982	37.80	131.8
Lyonsdale	1,227	68.81	17.8
Martinsburg	1,433	75.79	18.9
Montague	78	65.07	1.2
New Bremen	2,706	55.53	48.7
Osceola	229	87.03	2.6
Pinckney	329	41.06	8.0
Turin	761	31.18	24.4
Watson	1,881	112.73	16.7
West Turin	1524	102.21	14.9
Total	27,087	1275.41	21

(1) Source: U.S. Census Bureau,  
2010.

(2) Source: U.S. Census Bureau, 2000  
Summary File

### Lewis County Population: Villages

Village	Population (Census 2010) <sup>(1)</sup>	Area (sq. mi) (Land) <sup>(2)</sup>	Density (people/sq. mi)
Castorland	351	0.28	1,253.6
Constableville	242	1.12	216.1
Copenhagen	801	1.20	667.5
Croghan	618	0.44	1,404.5
Harrisville	628	0.77	815.6
Lowville	3,470	1.90	1,826.3
Lyons Fall	566	0.98	577.6
Port Leyden	672	0.60	1,120.0
Turin	232	1.02	227.5
Total	7,580	8.31	912

(1) Source: U.S. Census Bureau,  
2010.

(2) Source: U.S. Census Bureau, 2000  
Summary File

## St. Lawrence County Population: Towns

Town	Population (Census 2010) (1)	Area (sq. mi) (Land) (2)	Density (people/sq. mi)
Brasher	2,512	91.2	27.5
Canton	10,995	104.8	98.7
Clare	105	101.27	1.2
Clifton	751	135.13	5.9
Colton	1,451	242.09	1,453.0
De Kalb	2,434	82.53	9.0
De Peyster	998	43.06	11.0
Edwards	1,156	50.74	27.0
Fine	1,512	167.12	10.0
Fowler	2,202	59.52	37.0
Gouverneur	7,085	71.54	104.0
Hammond	1,191	62.22	19.0
Hermon	1,108	53.44	20.0
Hopkinton	1,077	185.4	6.0
Lawrence	1,826	47.66	32.0
Lisbon	4,102	108.24	37.0
Louisville	3,145	48.16	66.0
Macomb	906	61.23	14.0
Madrid	1,735	52.93	35.0
Massena	12,883	44.67	294.0
Morristown	1,974	45.87	45.0
Norfolk	4,668	56.9	80.0
Ogdensburg	11,128	5.07	2,194.9
Oswegatchie	4,397	65.84	66.0
Parishville	2,153	98.18	21.0
Piercefield	310	104.3	3.0
Pierrepont	2,589	60.4	44.0
Pitcairn	846	58.96	13.0
Potsdam	16,041	101.46	157.0
Rossie	877	38.08	21.0
Russell	1,856	96.76	19.0
Stockholm	3,665	93.94	38.0
Waddington	2,266	51.55	43.0
Total	111,944	2690.26	42

(1) Source: U.S. Census Bureau, 2010.

(2) Source: U.S. Census Bureau, 2000 Summary file

### **St. Lawrence County Population: Villages**

Village/City	Population (Census 2010) <sup>(1)</sup>	Area (sq. mi) (Land) <sup>(2)</sup>	Density (people/sq. mi)
Canton	6,314	3.24	1,948.8
Edwards	439	0.97	452.6
Gouverneur	3,949	2.13	1,854.0
Hammond	280	0.58	482.8
Hermon	422	0.38	1,110.5
Heuvelton	714	0.77	927.3
Massena	10,936	4.53	2,414.1
Morristown	395	0.98	403.1
Norwood	1,657	2.07	800.5
Potsdam	9,428	4.39	2,147.6
Rensselaer Falls	332	0.29	1,144.8
Richville	323	0.74	436.5
Waddington	972	2.17	447.9
Total	36,161	23.24	1,556

(1) Source: U.S. Census Bureau,  
2010.

(2) Source: U.S. Census Bureau, 2000  
Summary File

## **APPENDIX B RESOLUTIONS**

August 2, 2010

Finance Committee: 7-26-2010

RESOLUTION NO. 263-2010

**AUTHORIZING ST. LAWRENCE COUNTY PARTICIPATION  
AND INCLUSION IN A REGIONAL SOLID WASTE MANAGEMENT PLAN**

By Mr. FitzRandolph, Chair, Finance Committee

**WHEREAS**, the State of New York has issued a new Solid Waste Management Plan for comment and adoption, and

**WHEREAS**, St. Lawrence County, as the current planning unit, will be required to submit a new Solid Waste Management Plan, and

**WHEREAS**, the Development Authority of the North Country (DANC) has recommended the designation of the three County region of Jefferson, Lewis and St. Lawrence as a single planning unit for future plans, and

**WHEREAS**, DANC, in partnership with the three Counties, currently provides a single regional disposal site, and

**WHEREAS**, DANC, in partnership with the three Counties, currently coordinates a regional Waste Reduction, Reuse and Recycling Program, and

**WHEREAS**, DANC, in partnership with the three Counties, has initiated regional coordinated programs for household hazardous waste, and glass processing for alternative beneficial uses, and

**WHEREAS**, DANC has been working cooperatively with the Solid Waste Managers in the three Counties to develop common initiatives and coordinated solutions, and

**WHEREAS**, the development of a coordinated regional Solid Waste Management Plan is the logical extension of these regional efforts,

**NOW, THEREFORE, BE IT RESOLVED** that the Board of Legislators approves participation of St. Lawrence County in the development and submission of a Regional Solid Waste Management Plan, and

**BE IT FURTHER RESOLVED** that the Board of Legislators authorizes DANC to be designated as the required planning unit for the preparation and submission of a three County Solid Waste Management Plan, and

**BE IT FURTHER RESOLVED** that DANC shall be responsible for the costs of the preparation plan, including professional engineering services, waste analysis survey and all related costs and the County's costs would be limited to in-kind costs for existing personnel needed to assist in data collection and information gathering, and

**BE IT FURTHER RESOLVED** that DANC shall continue to work with the Solid Waste Managers of the three Counties to develop a regional consensus for the actions to be

August 2, 2010

reflected in the Plan, and

**BE IT FURTHER RESOLVED** that St. Lawrence County may withdraw from participation at any time and shall not have any resulting obligations other than the requirements of New York State Department of Environmental Conservation regulation or law.

\* \* \*

Mr. FitzRandolph moved to adopt Resolution No. 263-2010, seconded by Mr. Lightfoot, and carried by a voice vote with fourteen (14) yes votes, and one Legislator absent (Girard).

Finance Committee: 7-26-2010

**RESOLUTION NO. 264-2010**

**AUTHORIZING THE TRANSFER OF ANDELA SYSTEM  
EQUIPMENT TO JEFFERSON COUNTY**

By Mr. FitzRandolph, Chair, Finance Committee

**WHEREAS**, on May 3, 1999 the St. Lawrence County Board of Legislators adopted Resolution No. 152-99 which authorized a joint venture agreement with Waste Stream Inc. for the processing and marketing of hard recyclables, and

**WHEREAS**, also on May 3, 1999, the St. Lawrence County Board of Legislators adopted Resolution No. 153-99 which authorized the filing of an application for a state grant-in-aid for Resource Recovery and/or Source Separation/Recycling Equipment for a Municipal Solid Waste Management Project, and

**WHEREAS**, subsequent to the approval of the above referenced resolutions, St. Lawrence County purchased a hard recyclables sorting system from Andela for a price of \$122,682 and was approved for a 50% grant of \$61,341 by the New York State Department of Environmental Conservation in August 2001, and

**WHEREAS**, the Andela System was purchased and installed at the Waste Stream Inc. facility in Parishville (now Casella Waste Services) in August-September 2001 after the County and Waste Stream entered into a joint venture agreement, and

**WHEREAS**, over the years, maintenance and increasing manpower requirements led to the discontinuation of the System in 2006 at which time recyclables processing was moved to another Casella facility for processing leaving the Andela System idle in storage, and

**WHEREAS**, the original joint venture contract with Casella (formerly Waste Stream Inc.) expired in the spring of 2010, and

**WHEREAS**, the Solid Waste Department Staff approached the New York State Department of Environmental Conservation (NYS DEC) in the fall of 2009 regarding closing out the Grant and selling or moving the equipment with the NYS DEC responding that it requested that the equipment be used as intended with several options provided, and



RESOLUTION NO. 325 - 2010

**RESOLUTION AUTHORIZING LEWIS COUNTY'S  
PARTICIPATION AND INCLUSION IN A REGIONAL  
SOLID WASTE MANAGEMENT PLAN**

Introduced by Legislator Patrick Wallace, Chairman of the Solid Waste Committee.

Whereas, the State of New York has issued a new Solid Waste Management Plan for comment and adoption; and

Whereas, Lewis County, as the current planning unit, will be required to submit a new Solid Waste Management Plan; and

Whereas, the Development Authority of the North Country has recommended the designation of the three-County region of Jefferson, Lewis and St. Lawrence as a single planning unit for future plans; and

Whereas, the Development Authority, in partnership with the three counties, currently provides a single regional disposal site; and

Whereas, the Development Authority, in partnership with the three counties, currently coordinates a regional Waste Reduction, Reuse and Recycling Program; and

Whereas, the Development Authority, in partnership with the three Counties, has initiated regional coordinated programs for household hazardous waste and glass processing for alternative beneficial uses; and

Whereas, the Development Authority has been working cooperatively with the Solid Waste Managers in the three Counties to develop common initiatives and coordinate solutions; and

Whereas, the development of a coordinated regional Solid Waste Management Plan is the logical extension of these regional efforts.

Now, Therefore, BE IT RESOLVED as follows:

Section 1. That Lewis County will participate in the development and submission of a regional Solid Waste Management Plan.

Section 2. The Lewis County Board of Legislators hereby authorizes the Development Authority of the North Country to be designated as the required planning unit for the preparation and submission of a three-County Solid Waste Management Plan.



Section 3. The Development Authority of the North Country shall be responsible for the preparation costs of the plan, including professional engineering services, waste analysis, survey and all related costs, and that Lewis County's costs would be limited to in-kind service costs for existing personnel needed to assist in data collection and information gathering.

Section 4. The Development Authority of the North Country shall continue to work with the Solid Waste Managers of the three Counties to develop a regional consensus for the actions to be reflected in the Plan.

Section 5. That Lewis County may withdraw from participation at any time and shall not have any resulting obligations other than the requirements of New York State Department of Environmental Conservation regulation or law.

Section 6. That the within resolution shall take effect immediately.

Moved by Legislator Lucas, seconded by Legislator

Tabolt, and adopted.

**JEFFERSON COUNTY BOARD OF LEGISLATORS**

**Resolution No. 200**

Authorizing Participation and Inclusion in a Regional Solid Waste Management Plan

By Legislator: 

Whereas, The State of New York has issued a new Solid Waste Management Plan for comment and adoption, and

Whereas, Jefferson County as the current planning unit, will be required to submit a new Solid Waste Management Plan, and

Whereas, The Development Authority of the North Country has recommended the designation of the three county region of Jefferson, Lewis and St. Lawrence as a single planning unit for future plans, and

Whereas, The Development Authority, in partnership with the three counties, currently provides a single regional disposal site, and

Whereas, The Development Authority, in partnership with the three counties, currently coordinates a regional Waste Reduction, Reuse and Recycling Program, and

Whereas, The Development Authority, in partnership with the three counties, has initiated regional coordinated programs for household hazardous waste, and glass processing for alternative beneficial uses, and

Whereas, The Development Authority has been working cooperatively with the Solid Waste Managers in the three counties to develop common initiatives and coordinated solutions, and

Whereas, The development of a coordinated regional Solid Waste Management Plan is the logical extension of these regional efforts.

Now, Therefore, Be It Resolved, Jefferson County will participate in the development and submission of a regional Solid Waste Management Plan, and be it further

Resolved, Jefferson County authorizes the Development Authority of the North Country to be designated as the required planning unit for the preparation and submission of a three county Solid Waste Management Plan, and be it further

Resolved, The Development Authority of the North Country shall be responsible for the costs of the preparation plan, including professional engineering services, waste analysis survey and all related costs and Jefferson County's cost would be limited to in-kind costs for existing personnel needed to assist in data collection and information gathering, and be it further

Resolved, The Development Authority shall continue to work with the Solid Waste Managers of the three counties to develop a regional consensus for the actions to be reflected in the Plan, and be it further

Resolved, Jefferson County may withdraw from participation at any time and shall not have any resulting obligations other than the requirements of New York State Department of Environmental Conservation regulation or law.

Seconded by Legislator: Reto Butts

State of New York )  
County of Jefferson ) ss.:

I, the undersigned, Clerk of the Board of Legislators of the County of Jefferson, New York, do hereby certify that I have compared the foregoing copy of Resolution No. 200 of the Board of Legislators of said County of Jefferson with the original thereof on file in my office and duly adopted by said Board at a meeting of said Board on the 5th day of October, 20 10 and that the same is a true and correct copy of such Resolution and the whole thereof.

In testimony whereof, I have hereunto set my hand and affixed the seal of said County this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

\_\_\_\_\_  
Clerk of the Board of Legislators

## **APPENDIX C**

### **LOCAL LAWS**



**LOCAL LAW NO. 1 OF 2014  
COUNTY OF JEFFERSON, STATE OF NEW YORK**

**LOCAL LAW OF THE COUNTY OF JEFFERSON TO PROVIDE A UNIFORM  
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND  
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

Be It Enacted, by the Board of Legislators of the County of Jefferson, State of New York as follows:

**LEGISLATIVE FINDINGS**

The Board of Legislators of the County of Jefferson, upon consideration and in support of the adoption of Local Law No. 1 of 2014, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement on or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with the Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa.
5. The goal of the Regional Solid Waste Management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, as well as from revenues from

the sale of recyclable materials, rather than from tax revenues that are based on the assessed value of properties in the County.

6. The County provides a strong economic incentive to maximize recycling and waste reduction, by only charging a reduced or no fee on non-recyclable waste deliveries. The County does not currently charge for the use of its recycling programs and recycling services. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste delivered to the County's solid waste system is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal is the most effective means of achieving the goals of its Solid Waste Management Plan.

## SECTION I. DEFINITIONS

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the duly elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, educational, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.



6. **County** shall mean Jefferson County, New York, a municipal corporation of the State of New York, with offices at 195 Arsenal St. Watertown, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities. For the purposes of this local law, the Authority Landfill shall be considered a County Facility.
8. **Department** shall mean the County Recycling and Waste Management Department or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360 - 1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulation and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the may be amended from time to time.
13. **Industrial Waste** shall mean industrial waste as defined in 6 NYCRR 360-1.2(b)(88) of the State of New York as the same and may be amended from time to time. Industrial waste may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County Facility.
14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.

15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under any applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incidental non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Regulations** shall mean Regulations promulgated by the Board pursuant to the authority contained in this local law.
22. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
23. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
24. **Solid Waste** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, superseded or replaced.
25. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.



## **SECTION II. ESTABLISHMENT OF THE DEPARTMENT OF RECYCLING AND WASTE MANAGEMENT, AND ADMINISTRATION OF LOCAL LAW**

1. There is hereby established the Jefferson County Department of Recycling and Waste Management which shall operate as the department in County government responsible for oversight, coordination, operation and regulation of all recycling and waste management matters and other such matters as the Board shall direct.
2. The Director shall be appointed by the Board and shall serve at the pleasure of the Board. The Director shall be the administrative head of the Department and shall be responsible for the supervision of the Department's budget, personnel and mission. The Director may appoint such staff as may be authorized by the Board and subject to appropriations being made therefor.
3. The Department may encourage and conduct studies, investigations and research, develop and implement educational programs, and assist municipalities in the studying, implementation and planning of their various actions in effecting Solid Waste management in the County within the confines of appropriations provided therefor by the Board.
4. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
5. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting and/or transporting and disposing of Solid Waste and/or Recyclables at a County Facility. This includes the issuance, renewal, and revocation of all permits described in this local law.
6. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
7. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)a. of this local law, to any person acting in violation of any provision of this local law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department for prosecution pursuant to Section IV hereof.

## **SECTION III. STANDARDS AND REGULATIONS**

1. Commercial Waste Permit Requirements

- a. No Waste Collector shall collect and/or transport and then dispose of Solid Waste and/or Recyclables at a County facility without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee of \$100 and proof of insurance as required by subsection (k), below, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall, unless revoked or suspended pursuant to this local law, remain in effect for one year after it is issued.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of Solid Waste within the County. Use of any vehicle for the collection and subsequent disposal of Solid Waste at a County Facility that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- g. The Commercial Waste Permit holder hereunder shall, when requested by the Department, furnish the Department with a list identifying the municipalities within which collection services are provided with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit



granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.

- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover. The name of the Commercial Waste Permit holder shall be readily visible on all vehicles, and on all containers utilized for the collection of Solid Waste and/or Recyclables generated within the County.
- k. All Commercial Waste Permit holders shall carry insurance with coverages and terms established by regulations of the Board, naming Jefferson County, its officers, agents and employees, as additional insureds on a primary and non contributory basis.
- l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
- m. All Commercial Waste Permit requirements, including but not limited to fees, insurance coverage amounts, and length of permit validity, may be amended from time to time by resolution of the Board of Legislators.

## 2. Disposal of Solid Waste

- a. No Waste Collector shall dispose of Solid Waste at any County Facility without a Commercial Waste Permit. Residents may transport, deliver and dispose of Residential Waste at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- b. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- c. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.

- d. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- e. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.
- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
  - 1. Deliver information about tenants' source separation obligations to all tenants; and
    - a. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
    - b. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
    - c. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
    - d. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside a separate collection for such Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
    - e. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of



sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

4. Promulgation of Regulations

- a. The Board is hereby authorized and directed to adopt and promulgate, amend and repeal such rules and Regulations by resolution as recommended by the Director which in his discretion are necessary or desirable to carry out, interpret and enforce the intent and purposes of this local law. Notwithstanding this power, any failure to adopt and promulgate such rules and Regulations shall not impair the enforceability of this local law in a court of competent jurisdiction.

**SECTION IV. ENFORCEMENT**

1. Administrative Sanctions

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1500.00 for a second offense against the same provision of this law within twelve (12) months of the first offense; and up to \$2500 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of law within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten days of the date of service of notice. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.

- i) If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten-day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- ii) Hearings. Hearings shall be held by a Hearing Officer designated by the Board. In any hearing conducted pursuant to this Section, the following shall apply:
  - (1) A stenographic record shall be kept.
  - (2) The permit holder may be represented by counsel.
  - (3) Witnesses shall be sworn and subject to cross-examination.
  - (4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Hearing Officer deems appropriate, consistent with its reliability.
  - (5) Findings of fact shall be made by a majority of the Hearing Officer, in writing, upon a preponderance of the evidence.
  - (6) Upon a finding that a violation is proved, the Hearing Officer shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- iii) Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50 for the first violation, \$100 for a the 2<sup>nd</sup> violation committed within 12 months of a prior violation, and \$200 for a 3<sup>rd</sup> or subsequent committed within 12 months of a prior violation.
- iv) Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay such penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
- v) Civil Enforcement. The County may enforce the orders and decisions of the Hearing Officer in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.



### 3. Presumptions

There shall be rebuttable presumptions in the enforcement of this local law that:

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. Evidence of Solid Waste in a Container located in the County as described in Section IV(2)(a) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Solid Waste was collected from the Container by the Waste Collector whose name is marked on the Container.

### 4. Enforcement Guidelines

- a. The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

## **SECTION V. EFFECTIVE DATE**

This law shall take effect on March 1, 2014.

## **SECTION VI. REPLACEMENT OF LOCAL LAW NO. 3 of 1991**

This local law will, upon its effective date, repeal and replace Local Law No. 3 of 1991, "Providing for Separation at the Source of Solid Waste Generation into Reusable, Recyclable and Waste Components, and to Provide Regulatory Authority to Assure that said Components are Handled, Transported and Disposed of Properly by Various Permitting and Enforcement Measures", as amended. All Board resolutions pertaining to solid waste adopted under the authority of that local law will remain in effect until superceded by future resolutions. All regulations promulgated by the Department under the authority of that local law will remain in effect until superceded by new regulations promulgated under the authority of this local law.

## **SECTION VII. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the



application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

**RESOLUTION NO. 111 - 2015**  
**RESOLUTION ADOPTING AND OTHERWISE TREATING**  
**LOCAL LAW NO. 3 – 2015, COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 3, 2015, directing that a public hearing be held by said Board on April 7, 2015, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2015, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2015), County of Lewis, being **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”** be and the same hereby is designated as Local Law No. 3 – 2015, County of Lewis.

Section 2. That Local Law No. 3 – 2015, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: Chartrand

ABSENT: Brennan and Pepper

**RESOLUTION NO. 81 - 2015**  
**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**  
**(INTRODUCTORY LOCAL LAW NO. 5 - 2015), COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2015, a proposed Local Law entitled "**LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.**"

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 7, 2015, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 5- 2015)  
COUNTY OF LEWIS, STATE OF NEW YORK**

**A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM  
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND  
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

BE IT ENACTED, by the Board of Legislators of the County of Lewis, State of New York as follows:

**LEGISLATIVE FINDINGS**

The Board of Legislators of the County of Lewis, upon consideration and in support of the adoption of Local Law No. 5 - 2015, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement in or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities. At that time, Lewis County adopted Local law No. 2 of 1986, which provided that all solid waste generated or originated within Lewis County be delivered to the North Country Solid Waste Management Facility. The Local Law was subsequently amended in 1992 and 2008.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa, and a flow control provision directing waste generated within the County to disposal facilities operated by the County or the Authority. Since that time,

legal issues arose as to the validity of municipalities mandating that all solid waste generated or collected within their jurisdiction be disposed of in designated municipal facilities. That issue has recently been resolved in federal court and as a result, the County finds that it is appropriate to review its solid waste management program and amend the same in order to address its current needs.

5. The goal of the Regional Solid Waste management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived primarily from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, rather than from tax revenues that are based on the assessed value of properties in the County. Revenues from the sale of recyclable materials also contribute to system operating costs, however, to a lesser degree.
6. The County provides a strong economic incentive to maximize recycling and waste reduction, by charging a reduced or no fee on recyclable materials. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. Tipping fees on non-recyclable wastes are used to financially support the County's recycling programs which may not generate sufficient revenues to support themselves. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste within the County is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal that directs all of the non-recyclable waste generated in the County to the public facilities established for the system is the most effective means of achieving the goals of its Solid Waste Management Plan. Recent

judicial decisions in the federal courts have determined that municipal governments indeed have the power to direct the flow of waste materials to public facilities. The County remains authorized by the Laws of the State of New York to direct the flow of waste generated in the County to facilities constructed for that purpose. The County hereby declares it to be in the public interest and adopt the annexed legislation amending and restating the local laws requiring that all Solid Waste generated or collected within the County be delivered to a County-owned transfer station or other transfer station as designated by County resolution and/or directly to the Authority Landfill for disposal. The County further finds that including all such recyclable and non-recyclable waste within the integrated system is the best means of providing for the long-term benefit of all participants of the system.

## **SECTION I. DEFINITIONS**

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the fully elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, education, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.
6. **County** shall mean Lewis County, New York a municipal corporation of the State of New York, with offices at 7660 North State Street, Lowville, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities.



8. **Department** shall mean the County Solid Waste Management and Recycling Department (Lewis), (Recycling and Solid Waste Department [Jefferson]) (Solid Waste Department [St. Lawrence]) or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulations and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the same and may be amended from time to time.
13. **Industrial Waste** shall mean that portion of Commercial Waste generated by manufacturing or industrial processes which may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County or Authority Facility. Such waste may include, but is not limited to, the following: electric power generation; fertilizer/agricultural chemicals; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastic and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include oil or gas drilling, production, and water treatment. This term does not include oil or gas drilling, production, and treatment wastes (such as brines, oil, and fluids); or overburden, spoil, or trailing resulting from mining; or solution mining brine and insoluble component wastes.

14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.
15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under an applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incident non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
22. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
23. **Solid Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.

24. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.
25. **Waste generator** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization or educational institution which produces Solid Waste and/or Recyclable Materials requiring disposal.
26. **Hearing Officers** shall mean Solid Waste Department Head and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members) to hear any violation matters.

## **SECTION II. ADMINISTRATION**

1. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
2. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County for disposal at Designated County facilities. This includes the issuance, renewal, and revocation of all Department permits described in this local law.
3. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
4. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)(b) of this Local Law, to any person acting in violation of any provision of this Local Law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department or their designee for prosecution pursuant to Section IV hereof.

### **SECTION III. STANDARDS AND REGULATIONS**

#### **1. Commercial Waste Permit Requirements**

- a. No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee as determined by the Department and proof of insurance as required by the Department, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall remain in effect, unless revoked or suspended pursuant to this local law.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of waste within the County. Use of any vehicle for the collection of waste that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.

- g. The Commercial Waste Permit holder hereunder shall furnish the Department with a list identifying the municipalities within which collection services are provided and with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports. This list shall be updated by the Commercial Waste Permit holder at the request of the Department.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.
- k. All Commercial Waste Permit holders shall carry and shall provide proof of insurance as deemed appropriate by the Department.
- l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.

## 2. Disposal of Solid Waste

- a. All Waste Collectors and other Persons shall deliver all Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste generated within the County, other than Designated Recyclables or other

Recyclables separated at the point of generation for separate collection, to a County Facility, or, to the Authority landfill for disposal.

- b. All solid waste delivered in a plastic bag to a County Facility or to the Authority landfill for disposal shall be delivered in a clear or translucent bag such that the contents of the bag are easily identifiable for inspection of prohibited materials, including recyclable materials.
- c. No Waste Collector shall dispose of Solid Waste and/or recyclable at any County Facility without a Commercial Waste Permit. No Waste Collector shall dispose of Solid Waste at any other facility, excluding the Authority Landfill, without the prior authorization of and/or notification to the Department. Waste generators may transport, deliver and dispose of their own solid waste and/or recyclables at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- d. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- e. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.
- f. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- g. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

### 3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.

- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
  - 1. Deliver information about tenants' source separation obligations to all tenants; and
  - 2. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
  - 3. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
- e. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
- f. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside, collection of those Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
- g. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

#### **SECTION IV. ENFORCEMENT**

##### **1. Administrative Sanctions**

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1,500.00 for a second offense against the same provision of this



law within twelve (12) months of the first offense; and up to \$2,500.00 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of laws within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

## 2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail with certificate/confirmation of mailing sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten (10) days of the date of service of notice. Service by ordinary mail shall be presumed delivered ten (10) days from date mailed. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- b. If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten (10) day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- c. Hearings shall be conducted by the Head of Solid Waste Department, and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members). In any hearing conducted pursuant to this Section, the following shall apply:
  - 1) A stenographic record shall be kept. The cost of same is to be equally borne by the County and Person requesting the hearing.
  - 2) The permit holder may be represented by counsel.
  - 3) Witnesses shall be sworn and subject to cross-examination.
  - 4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence

shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.

- 5) Findings of fact shall be made by the Hearing Officer, in writing, upon a preponderance of the evidence.
  - 6) Upon a finding that a violation is proved, the Hearing Officer, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- d. Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50.00 for the first violation, \$100.00 for a second violation committed within twelve (12) months of a prior violation, and \$200.00 for a third or subsequent violation committed within twelve (12) months of a prior violation.
  - e. Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay each penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
  - f. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

### 3. Presumptions

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. The failure to deliver any Solid Waste to a facility designated by the Department pursuant to Section III (3)(a) within three (3) days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.

#### 4. Enforcement Guidelines

The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

#### **SECTION V. EFFECTIVE DATE**

This Local Law shall be effective one year upon all legal requirements being met.

#### **SECTION VI. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

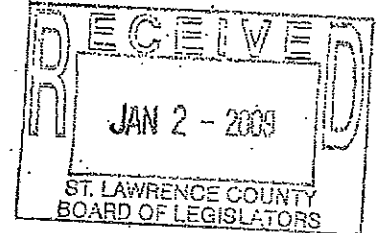


STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

DAVID A. PATERSON  
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ  
SECRETARY OF STATE

December 29, 2008



Suzanne Houmiel  
Deputy Clerk  
Board of Legislators  
48 Court Street, Court House  
Canton NY 13617-1169

**RE: County of St. Lawrence, Local Law No. 3, 2008, filed on December 17, 2008**

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.state.ny.us/corp/misc.html](http://www.dos.state.ny.us/corp/misc.html).

Sincerely,  
Linda Lasch  
Principal Clerk  
State Records and Law Bureau  
(518) 474-2755

December 8, 2008

Operations Committee: 11-10-2008

**RESOLUTION NO. 419-2008**

**ADOPTING PROPOSED LOCAL LAW D (NO.   ) FOR THE YEAR 2008  
PROVIDING AN ORDERLY PROGRAM FOR THE COLLECTION,  
TRANSPORTATION, AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN  
ORDER TO PROMOTE THE SAFETY, HEALTH, WELFARE, AND CONVENIENCE  
OF THE CITIZENS OF ST. LAWRENCE COUNTY**

By Ms. Brothers, Chair, Operations Committee

**BE IT ENACTED**, by the Board of Legislators of the County of St. Lawrence, New York as follows:

**I. LEGISLATIVE FINDINGS**

The Board of Legislators of the County of St. Lawrence, upon consideration and in support of the adoption of Local Law D (No.   ) for the year 2008, hereby finds and declares:

1. The County in its capacity pursuant to Environmental Conservation Law § 27-0107 as the entity responsible for the preparation and implementation of a local solid waste management plan under the laws and rules of the State of New York, has determined that a comprehensive ordinance regulating the collection and disposal of solid waste generated within the County is in the public interest.
2. The safe and proper disposal of the solid wastes generated by the people of St. Lawrence County long been and remains a matter of serious public concern. On August 26, 1993, in order to provide for reliable, economical and environmentally sound long term waste disposal capacity for the County and the region, the County entered into a Solid Waste Management Participation Agreement with the Counties of Lewis and Jefferson, the City of Watertown, the Town of Rodman and the Development Authority of the North Country (DANC), which Agreement incorporated by reference a certain Solid Waste Management Agreement executed on October 1, 1986 by the aforementioned parties, with the exception of St. Lawrence County. The purpose of these agreements was to provide certain publicly owned solid waste disposal facilities by DANC for the use of the participating municipalities. Pursuant to these agreements, the Counties of St. Lawrence, Lewis and Jefferson, together with the City of Watertown, reciprocally pledged to deliver or cause to be delivered, all of the solid waste generated within their respective jurisdictions, subject to the provisions for waste reduction and recycling otherwise provided for by state and local law, to the facilities constructed and operated by DANC for their mutual benefit. The mutual promises by each of the participating municipalities and DANC serve to reduce the per ton costs of solid waste disposal to all citizens of the region.
3. In 1992 St. Lawrence County prepared a Comprehensive Solid Waste Management Plan approved by the New York State Department of Environmental Conservation on April

December 8, 2008

10, 1992. The County hereby reaffirms the objectives set forth in the plan, as amended, to reduce, reuse and recycle so much of the waste stream of St. Lawrence County as is feasible, and to landfill the remainder in an environmentally secure public landfill facility.

4. The County hereby finds that regulation to direct the flow of solid waste to facilities operated by the County is beneficial in several ways. First, such direction aids in planning for the County's future waste management needs by providing an accurate assessment of the type and quantity of waste generated by the people of St. Lawrence County. Second, said direction ensures that waste that is not recycled will be disposed of in an economical and environmentally secure manner at the public facilities provided by DANC. Third, said direction ensures that all persons engaged in the collection of solid waste within the County will be subject to the same uniform rules and fee structures. Fourth, said direction will ensure that the public waste system and facilities constructed to manage the waste of the County of St. Lawrence will receive both the wastes it was designed for and the revenues necessary to support itself from fees charged to users.
5. The County further determines that In order to provide for the safe and effective collection of solid waste and recyclables, it is in the public interest to establish a regulatory system for the granting of permits to collect and transport waste and recyclables within the County.
6. Pursuant to the above findings, the Board hereby adopts a Local Law regulating the disposal of solid waste in St. Lawrence County.

## II. DEFINITIONS

1. **Board of Hearing** shall mean the board described in Section IV of this local law.
2. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
3. **Construction and Demolition Debris** shall mean Solid Waste resulting from construction, remodeling, repair and demolition of structures, roads, buildings and land clearing. Such wastes include, but are not limited to, bricks, concrete and other masonry materials, soil, rock, lumber, road spoils, paving material and tree and bush stumps.
4. **Container** shall mean a container provided by a Waste Collector for use in the collection of Solid Waste and/or Recyclables within the County.
5. **County** shall mean St. Lawrence County, New York, a municipal corporation of the State of New York, with offices at Canton, New York.
6. **County Facility** shall mean any transfer station or other facility for the receipt of solid waste and recyclables owned and operated, or caused to be operated, by the County.
7. **Department** shall mean the St. Lawrence County Solid Waste Department, its successors and assigns.
8. **Development Authority of the North Country (DANC)** shall mean the public Authority created by § 2703 of the Public Authorities Law of the State of New York with offices located in Watertown N.Y.

December 8, 2008

9. **Designated Recyclables** shall mean recyclable materials, as specifically designated by the Board of Legislators by resolution and which shall be separated from the Solid Waste stream and accepted at County Facilities.
10. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulation and/or statute.
11. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.
12. **Municipality** shall mean a County, Town, City or Village.
13. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality or any other entity.
14. **Processor** shall mean a primary user of the particular material such as Recyclables, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials.
15. **Prohibited Materials** shall mean materials which shall not be accepted at a County Facility. The list of Prohibited Materials may be established and modified from time to time by resolution of the Board of Legislators.
16. **Recyclables** shall mean such material which under any applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
17. **Refuse** shall mean putrescible and incidental non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
18. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
19. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multifamily dwellings in the County.
20. **Solid Waste** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, superseded or replaced.
21. **State** shall mean the State of New York.
22. **Transfer Station** shall mean a facility used for the consolidation of deliveries of Solid Waste by any Person in order to prepare such Solid Waste material for transport to a disposal facility.
23. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, or any other Person engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables for a fee.

### III. ADMINISTRATION

1. The Department, or its successor, shall be primarily responsible for all ministerial and administrative duties described or reasonably required by the terms of this local law.



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2. The Department, or its successor, shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County. This includes the issuance, renewal, and revocation of all permits described in this local law.
3. The Department, or its successor, shall promulgate rules and regulations in connection with the operation of the County Landfill or any other Facility.
4. The Department, or its successors, shall issue warning notices and initiate proceedings pursuant to Section IV of this local law to prosecute violations of this local law.
5. The Department, or its successor, may encourage and conduct studies, investigations and research relating to various aspects of Solid Waste management as it deems necessary or as requested by the Board of Legislators or Committee.

#### **IV. STANDARDS AND REGULATIONS**

1. Commercial Waste Permit Requirements
  - a) No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the County. Each day during which a Waste Collector collects, transports or disposes of Solid Waste or Recyclables generated within the County without a Commercial Waste Permit shall be considered a separate violation of this Section.
  - b) All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list that identifies all vehicles, that the applicant intends to utilize for the collection or transportation of Solid Waste and/or Recyclables in the County, along with the cubic yard capacity for each vehicle. The Department will assign an identification number for each vehicle, which may be the same number issued to the vehicle by DANC for use at DANC facilities. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department. The applicant shall pay the required permit fee as set forth in this local law.
  - c) Each applicant other than a Municipality shall be required to pay a Commercial Waste Permit fee in an amount set by resolution of the Board of Legislators and amended as necessary from time to time. Municipalities shall not be required to pay permit fees identified in this Section III, but shall be required to comply with all other requirements of this Local Law.
  - d) Upon receipt of the application and the payment of the Commercial Waste Permit fee, the Department shall thereupon issue the applicant a Commercial Waste Permit and vehicle decal so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall expire on the next December 31 following the date of issue. Upon issuance of the Commercial Waste Permit the permit holder shall affix the vehicle decal to the inside rear bottom corner of the driver's window in each and every vehicle, on which shall be set forth clearly the official number of such Commercial Waste Permit and/or the license plate number of the vehicle to which the decal is affixed.

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- e) Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department or the Board of Legislators.
- f) Whenever satisfactory proof, such as by means of an affidavit, is submitted to the Department that a Commercial Waste Permit or decal issued for the purpose set forth in this local law has been lost or destroyed, the Department shall, upon payment by the applicant of a fee set by resolution of the Board of Legislators and amended as necessary from time to time, issue a new Commercial Waste Permit in lieu of the one that has been lost or destroyed.
- g) No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- h) Commercial Waste Permit holders who distribute waste containers or roll-off containers to customers in the County shall cause such containers to be clearly labeled, in letters not less than 4 inches in height, with the name and telephone number of the permit holder.
- i) The Department, pursuant to Section IV of this local law, shall have the power to suspend or revoke a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- j) All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- k) All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition the name of the Commercial Waste Permit holder shall be readily visible on all vehicles. Operation of vehicles shall be done in such a manner as to prevent spilling or loss of contents.
- l) Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Board of Legislators, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
- m) All such Commercial Waste Permit requirements specified herein, including, but not limited to, Commercial Waste Permit fees may be amended or adjusted from time to time by resolution of the Board of Legislators.

2. Disposal of Solid Waste

- a) All Waste Collectors and other Persons shall deliver all Solid Waste and Construction and Demolition Debris generated within the County, other than Designated Recyclables or Recyclables separated at the point of generation for separate collection, to any of the following designated facilities:

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- i) County Facility at Ogdensburg (Arnold-Wagner Road);
- ii) County Facility at Massena (Dump Road off Route 420 toward Winthrop);
- iii) County Facility at Gouverneur (US Route 11);
- iv) County Facility at Star Lake (Route 3);
- v) Town of Parishville Facility
- vi) Town of Colton Facility
- vii) DANC Landfill, Rodman, New York

Commercial Waste Permit holders shall not dispose of any such Solid Waste at any other facility located within or outside of the County unless designated and permitted by the Department.

- b) Solid Waste generated outside the County will not be accepted at County Facilities except pursuant to approval by the Board of Legislators.
- c) Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- d) All Commercial Waste Permit holders may dispose of Solid Waste at County Facilities.
- e) Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at a County Facility.
- f) No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.
- g) Tipping fees at County Facilities shall be set by resolution of the Board of Legislators and amended as necessary from time to time.

## V. ENFORCEMENT

### I. Presumptions

There shall be rebuttable presumptions in the enforcement of this local law that:

- a) The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b) Evidence of Solid Waste in a Container located in the County as described in Section IV(1)(a) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Solid Waste was collected from the Container by the Waste Collector whose name is marked on the Container.
- c) The failure to deliver any Solid Waste to a facility designated by the department pursuant to Section III(3)(a) within three days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.

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2. Administrative Sanctions

- a) Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law. Civil penalties shall be assessed in an amount sufficient to compensate the County for any injury suffered, or any costs incurred by the County as a result of the violation. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.
- b) Notice. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail sent to the holder of any permit issued pursuant to this local law, at the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend, and/or impose a civil penalty upon the permit holder. Any holder of a Commercial Waste Permit may demand a hearing as allowed by Section IV.2.a of this local law, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten days of the date of service of notice. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- c) If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (b) above fails to demand a hearing within the ten-day notice period provided for in Section IV.2.b, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- d) Hearings. Hearings pursuant to this Section IV(2) shall be conducted by a Board of Hearing. The Board of Hearing shall consist of three persons designated by the Board of Legislators. In any hearing conducted pursuant to this Section, the following shall apply:
  - i) A stenographic record shall be kept.
  - ii) The permit holder may be represented by counsel.
  - iii) Witnesses shall be sworn and subject to cross-examination.
  - iv) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.
  - v) Findings of fact shall be made by a majority of the Board of Hearing, in writing, upon a preponderance of the evidence.
  - vi) Upon a finding that a violation is proved, the Board of Hearing, by majority vote, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Board of Hearing shall be final, and shall be subject to judicial review.

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- e) Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay such penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Board of Hearing.

3. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

4. Enforcement Guidelines

The Department may establish and modify from time to time enforcement guidelines that have been adopted, and that may be amended from time to time, by resolution of the Board of Legislators with regard to any provision of this local law.

**VI. EFFECTIVE DATE**

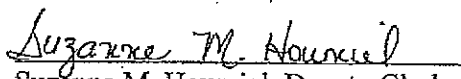
This article is effective upon passage by the St. Lawrence County Board of Legislators and filing with the Department of State pursuant to the Municipal Home Rule Law.

**VII. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF ST. LAWRENCE    )

I, Suzanne M. Houmiel, Deputy Clerk to the St. Lawrence County Board of Legislators, **DO HEREBY CERTIFY**, that I have compared this copy of Resolution No. 419-2008 "Adopting Proposed Local Law D (No. ) for the Year 2008 Providing an Orderly Program for the Collection, Transportation, and Disposal of Solid Waste and Recyclables In Order to Promote the Safety, Health, Welfare, and Convenience of the Citizens of St. Lawrence County" adopted December 8, 2008, with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

  
Suzanne M. Houmiel, Deputy Clerk  
St. Lawrence County Board of Legislators  
February 3, 2009

## **APPENDIX C**

### **LOCAL LAWS**

**LOCAL LAW NO. 1 OF 2014  
COUNTY OF JEFFERSON, STATE OF NEW YORK**

**LOCAL LAW OF THE COUNTY OF JEFFERSON TO PROVIDE A UNIFORM  
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND  
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

Be It Enacted, by the Board of Legislators of the County of Jefferson, State of New York as follows:

**LEGISLATIVE FINDINGS**

The Board of Legislators of the County of Jefferson, upon consideration and in support of the adoption of Local Law No. 1 of 2014, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement on or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with the Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa.
5. The goal of the Regional Solid Waste Management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, as well as from revenues from



the sale of recyclable materials, rather than from tax revenues that are based on the assessed value of properties in the County.

6. The County provides a strong economic incentive to maximize recycling and waste reduction, by only charging a reduced or no fee on non-recyclable waste deliveries. The County does not currently charge for the use of its recycling programs and recycling services. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste delivered to the County's solid waste system is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal is the most effective means of achieving the goals of its Solid Waste Management Plan.

## SECTION I. DEFINITIONS

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the duly elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, educational, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.

6. **County** shall mean Jefferson County, New York, a municipal corporation of the State of New York, with offices at 195 Arsenal St. Watertown, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities. For the purposes of this local law, the Authority Landfill shall be considered a County Facility.
8. **Department** shall mean the County Recycling and Waste Management Department or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360 - 1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulation and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the may be amended from time to time.
13. **Industrial Waste** shall mean industrial waste as defined in 6 NYCRR 360-1.2(b)(88) of the State of New York as the same and may be amended from time to time. Industrial waste may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County Facility.
14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.



15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under any applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incidental non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Regulations** shall mean Regulations promulgated by the Board pursuant to the authority contained in this local law.
22. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
23. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
24. **Solid Waste** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, superseded or replaced.
25. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.

## **SECTION II. ESTABLISHMENT OF THE DEPARTMENT OF RECYCLING AND WASTE MANAGEMENT, AND ADMINISTRATION OF LOCAL LAW**

1. There is hereby established the Jefferson County Department of Recycling and Waste Management which shall operate as the department in County government responsible for oversight, coordination, operation and regulation of all recycling and waste management matters and other such matters as the Board shall direct.
2. The Director shall be appointed by the Board and shall serve at the pleasure of the Board. The Director shall be the administrative head of the Department and shall be responsible for the supervision of the Department's budget, personnel and mission. The Director may appoint such staff as may be authorized by the Board and subject to appropriations being made therefor.
3. The Department may encourage and conduct studies, investigations and research, develop and implement educational programs, and assist municipalities in the studying, implementation and planning of their various actions in effecting Solid Waste management in the County within the confines of appropriations provided therefor by the Board.
4. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
5. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting and/or transporting and disposing of Solid Waste and/or Recyclables at a County Facility. This includes the issuance, renewal, and revocation of all permits described in this local law.
6. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
7. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)a. of this local law, to any person acting in violation of any provision of this local law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department for prosecution pursuant to Section IV hereof.

## **SECTION III. STANDARDS AND REGULATIONS**

1. Commercial Waste Permit Requirements



- a. No Waste Collector shall collect and/or transport and then dispose of Solid Waste and/or Recyclables at a County facility without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee of \$100 and proof of insurance as required by subsection (k), below, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall, unless revoked or suspended pursuant to this local law, remain in effect for one year after it is issued.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of Solid Waste within the County. Use of any vehicle for the collection and subsequent disposal of Solid Waste at a County Facility that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- g. The Commercial Waste Permit holder hereunder shall, when requested by the Department, furnish the Department with a list identifying the municipalities within which collection services are provided with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit

granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.

- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
  - j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover. The name of the Commercial Waste Permit holder shall be readily visible on all vehicles, and on all containers utilized for the collection of Solid Waste and/or Recyclables generated within the County.
  - k. All Commercial Waste Permit holders shall carry insurance with coverages and terms established by regulations of the Board, naming Jefferson County, its officers, agents and employees, as additional insureds on a primary and non contributory basis.
  - l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
  - m. All Commercial Waste Permit requirements, including but not limited to fees, insurance coverage amounts, and length of permit validity, may be amended from time to time by resolution of the Board of Legislators.
2. Disposal of Solid Waste
- a. No Waste Collector shall dispose of Solid Waste at any County Facility without a Commercial Waste Permit. Residents may transport, deliver and dispose of Residential Waste at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
  - b. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
  - c. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.



- d. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- e. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.
- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
  - 1. Deliver information about tenants' source separation obligations to all tenants; and
    - a. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
    - b. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
    - c. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
    - d. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside a separate collection for such Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
    - e. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of



sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

4. Promulgation of Regulations

- a. The Board is hereby authorized and directed to adopt and promulgate, amend and repeal such rules and Regulations by resolution as recommended by the Director which in his discretion are necessary or desirable to carry out, interpret and enforce the intent and purposes of this local law. Notwithstanding this power, any failure to adopt and promulgate such rules and Regulations shall not impair the enforceability of this local law in a court of competent jurisdiction.

**SECTION IV. ENFORCEMENT**

1. Administrative Sanctions

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1500.00 for a second offense against the same provision of this law within twelve (12) months of the first offense; and up to \$2500 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of law within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten days of the date of service of notice. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.

- i) If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten-day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- ii) Hearings. Hearings shall be held by a Hearing Officer designated by the Board. In any hearing conducted pursuant to this Section, the following shall apply:
  - (1) A stenographic record shall be kept.
  - (2) The permit holder may be represented by counsel.
  - (3) Witnesses shall be sworn and subject to cross-examination.
  - (4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Hearing Officer deems appropriate, consistent with its reliability.
  - (5) Findings of fact shall be made by a majority of the Hearing Officer, in writing, upon a preponderance of the evidence.
  - (6) Upon a finding that a violation is proved, the Hearing Officer shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- iii) Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50 for the first violation, \$100 for a the 2<sup>nd</sup> violation committed within 12 months of a prior violation, and \$200 for a 3<sup>rd</sup> or subsequent committed within 12 months of a prior violation.
- iv) Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay such penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
- v) Civil Enforcement. The County may enforce the orders and decisions of the Hearing Officer in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.



### 3. Presumptions

There shall be rebuttable presumptions in the enforcement of this local law that:

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. Evidence of Solid Waste in a Container located in the County as described in Section IV(2)(a) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Solid Waste was collected from the Container by the Waste Collector whose name is marked on the Container.

### 4. Enforcement Guidelines

- a. The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

## **SECTION V. EFFECTIVE DATE**

This law shall take effect on March 1, 2014.

## **SECTION VI. REPLACEMENT OF LOCAL LAW NO. 3 of 1991**

This local law will, upon its effective date, repeal and replace Local Law No. 3 of 1991, "Providing for Separation at the Source of Solid Waste Generation into Reusable, Recyclable and Waste Components, and to Provide Regulatory Authority to Assure that said Components are Handled, Transported and Disposed of Properly by Various Permitting and Enforcement Measures", as amended. All Board resolutions pertaining to solid waste adopted under the authority of that local law will remain in effect until superceded by future resolutions. All regulations promulgated by the Department under the authority of that local law will remain in effect until superceded by new regulations promulgated under the authority of this local law.

## **SECTION VII. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the

application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

**RESOLUTION NO. 111 - 2015**  
**RESOLUTION ADOPTING AND OTHERWISE TREATING**  
**LOCAL LAW NO. 3 – 2015, COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 3, 2015, directing that a public hearing be held by said Board on April 7, 2015, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2015, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2015), County of Lewis, being **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”** be and the same hereby is designated as Local Law No. 3 – 2015, County of Lewis.

Section 2. That Local Law No. 3 – 2015, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: Chartrand

ABSENT: Brennan and Pepper

**RESOLUTION NO. 81 - 2015**  
**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**  
**(INTRODUCTORY LOCAL LAW NO. 5 - 2015), COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2015, a proposed Local Law entitled "**LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.**"

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 7, 2015, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.



**LOCAL LAW (INTRODUCTORY NO. 5- 2015)  
COUNTY OF LEWIS, STATE OF NEW YORK**

**A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM  
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND  
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

BE IT ENACTED, by the Board of Legislators of the County of Lewis, State of New York as follows:

**LEGISLATIVE FINDINGS**

The Board of Legislators of the County of Lewis, upon consideration and in support of the adoption of Local Law No. 5 - 2015, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement in or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities. At that time, Lewis County adopted Local law No. 2 of 1986, which provided that all solid waste generated or originated within Lewis County be delivered to the North Country Solid Waste Management Facility. The Local Law was subsequently amended in 1992 and 2008.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa, and a flow control provision directing waste generated within the County to disposal facilities operated by the County or the Authority. Since that time,

legal issues arose as to the validity of municipalities mandating that all solid waste generated or collected within their jurisdiction be disposed of in designated municipal facilities. That issue has recently been resolved in federal court and as a result, the County finds that it is appropriate to review its solid waste management program and amend the same in order to address its current needs.

5. The goal of the Regional Solid Waste management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived primarily from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, rather than from tax revenues that are based on the assessed value of properties in the County. Revenues from the sale of recyclable materials also contribute to system operating costs, however, to a lesser degree.
6. The County provides a strong economic incentive to maximize recycling and waste reduction, by charging a reduced or no fee on recyclable materials. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. Tipping fees on non-recyclable wastes are used to financially support the County's recycling programs which may not generate sufficient revenues to support themselves. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste within the County is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal that directs all of the non-recyclable waste generated in the County to the public facilities established for the system is the most effective means of achieving the goals of its Solid Waste Management Plan. Recent

judicial decisions in the federal courts have determined that municipal governments indeed have the power to direct the flow of waste materials to public facilities. The County remains authorized by the Laws of the State of New York to direct the flow of waste generated in the County to facilities constructed for that purpose. The County hereby declares it to be in the public interest and adopt the annexed legislation amending and restating the local laws requiring that all Solid Waste generated or collected within the County be delivered to a County-owned transfer station or other transfer station as designated by County resolution and/or directly to the Authority Landfill for disposal. The County further finds that including all such recyclable and non-recyclable waste within the integrated system is the best means of providing for the long-term benefit of all participants of the system.

## **SECTION I. DEFINITIONS**

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the fully elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, education, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.
6. **County** shall mean Lewis County, New York a municipal corporation of the State of New York, with offices at 7660 North State Street, Lowville, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities.

8. **Department** shall mean the County Solid Waste Management and Recycling Department (Lewis), (Recycling and Solid Waste Department [Jefferson]) (Solid Waste Department [St. Lawrence]) or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulations and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the same and may be amended from time to time.
13. **Industrial Waste** shall mean that portion of Commercial Waste generated by manufacturing or industrial processes which may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County or Authority Facility. Such waste may include, but is not limited to, the following: electric power generation; fertilizer/agricultural chemicals; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastic and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include oil or gas drilling, production, and water treatment. This term does not include oil or gas drilling, production, and treatment wastes (such as brines, oil, and fluids); or overburden, spoil, or trailing resulting from mining; or solution mining brine and insoluble component wastes.

14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.
15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under an applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incident non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
22. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
23. **Solid Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.

24. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.
25. **Waste generator** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization or educational institution which produces Solid Waste and/or Recyclable Materials requiring disposal.
26. **Hearing Officers** shall mean Solid Waste Department Head and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members) to hear any violation matters.

## **SECTION II. ADMINISTRATION**

1. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
2. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County for disposal at Designated County facilities. This includes the issuance, renewal, and revocation of all Department permits described in this local law.
3. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
4. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)(b) of this Local Law, to any person acting in violation of any provision of this Local Law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department or their designee for prosecution pursuant to Section IV hereof.



### **SECTION III. STANDARDS AND REGULATIONS**

#### **1. Commercial Waste Permit Requirements**

- a. No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee as determined by the Department and proof of insurance as required by the Department, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall remain in effect, unless revoked or suspended pursuant to this local law.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of waste within the County. Use of any vehicle for the collection of waste that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.

- g. The Commercial Waste Permit holder hereunder shall furnish the Department with a list identifying the municipalities within which collection services are provided and with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports. This list shall be updated by the Commercial Waste Permit holder at the request of the Department.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.
- k. All Commercial Waste Permit holders shall carry and shall provide proof of insurance as deemed appropriate by the Department.
- l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.

## 2. Disposal of Solid Waste

- a. All Waste Collectors and other Persons shall deliver all Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste generated within the County, other than Designated Recyclables or other

Recyclables separated at the point of generation for separate collection, to a County Facility, or, to the Authority landfill for disposal.

- b. All solid waste delivered in a plastic bag to a County Facility or to the Authority landfill for disposal shall be delivered in a clear or translucent bag such that the contents of the bag are easily identifiable for inspection of prohibited materials, including recyclable materials.
- c. No Waste Collector shall dispose of Solid Waste and/or recyclable at any County Facility without a Commercial Waste Permit. No Waste Collector shall dispose of Solid Waste at any other facility, excluding the Authority Landfill, without the prior authorization of and/or notification to the Department. Waste generators may transport, deliver and dispose of their own solid waste and/or recyclables at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- d. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- e. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.
- f. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- g. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

### 3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.

- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
  - 1. Deliver information about tenants' source separation obligations to all tenants; and
  - 2. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
  - 3. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
- e. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
- f. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside, collection of those Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
- g. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

#### **SECTION IV. ENFORCEMENT**

##### **1. Administrative Sanctions**

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1,500.00 for a second offense against the same provision of this

law within twelve (12) months of the first offense; and up to \$2,500.00 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of laws within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

## 2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail with certificate/confirmation of mailing sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten (10) days of the date of service of notice. Service by ordinary mail shall be presumed delivered ten (10) days from date mailed. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- b. If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten (10) day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- c. Hearings shall be conducted by the Head of Solid Waste Department, and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members). In any hearing conducted pursuant to this Section, the following shall apply:
  - 1) A stenographic record shall be kept. The cost of same is to be equally borne by the County and Person requesting the hearing.
  - 2) The permit holder may be represented by counsel.
  - 3) Witnesses shall be sworn and subject to cross-examination.
  - 4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence

shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.

- 5) Findings of fact shall be made by the Hearing Officer, in writing, upon a preponderance of the evidence.
  - 6) Upon a finding that a violation is proved, the Hearing Officer, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- d. Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50.00 for the first violation, \$100.00 for a second violation committed within twelve (12) months of a prior violation, and \$200.00 for a third or subsequent violation committed within twelve (12) months of a prior violation.
  - e. Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay each penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
  - f. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

### 3. Presumptions

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. The failure to deliver any Solid Waste to a facility designated by the Department pursuant to Section III (3)(a) within three (3) days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.



#### 4. Enforcement Guidelines

The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

#### **SECTION V. EFFECTIVE DATE**

This Local Law shall be effective one year upon all legal requirements being met.

#### **SECTION VI. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

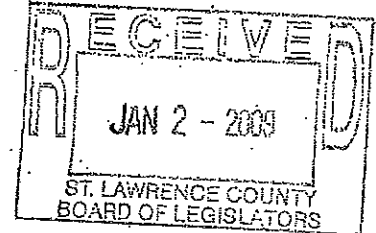


STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

DAVID A. PATERSON  
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ  
SECRETARY OF STATE

December 29, 2008



Suzanne Houmiel  
Deputy Clerk  
Board of Legislators  
48 Court Street, Court House  
Canton NY 13617-1169

**RE: County of St. Lawrence, Local Law No. 3, 2008, filed on December 17, 2008**

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.state.ny.us/corp/misc.html](http://www.dos.state.ny.us/corp/misc.html).

Sincerely,  
Linda Lasch  
Principal Clerk  
State Records and Law Bureau  
(518) 474-2755

December 8, 2008

Operations Committee: 11-10-2008

**RESOLUTION NO. 419-2008**

**ADOPTING PROPOSED LOCAL LAW D (NO.   ) FOR THE YEAR 2008  
PROVIDING AN ORDERLY PROGRAM FOR THE COLLECTION,  
TRANSPORTATION, AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN  
ORDER TO PROMOTE THE SAFETY, HEALTH, WELFARE, AND CONVENIENCE  
OF THE CITIZENS OF ST. LAWRENCE COUNTY**

By Ms. Brothers, Chair, Operations Committee

**BE IT ENACTED**, by the Board of Legislators of the County of St. Lawrence, New York as follows:

**I. LEGISLATIVE FINDINGS**

The Board of Legislators of the County of St. Lawrence, upon consideration and in support of the adoption of Local Law D (No.   ) for the year 2008, hereby finds and declares:

1. The County in its capacity pursuant to Environmental Conservation Law § 27-0107 as the entity responsible for the preparation and implementation of a local solid waste management plan under the laws and rules of the State of New York, has determined that a comprehensive ordinance regulating the collection and disposal of solid waste generated within the County is in the public interest.
2. The safe and proper disposal of the solid wastes generated by the people of St. Lawrence County long been and remains a matter of serious public concern. On August 26, 1993, in order to provide for reliable, economical and environmentally sound long term waste disposal capacity for the County and the region, the County entered into a Solid Waste Management Participation Agreement with the Counties of Lewis and Jefferson, the City of Watertown, the Town of Rodman and the Development Authority of the North Country (DANC), which Agreement incorporated by reference a certain Solid Waste Management Agreement executed on October 1, 1986 by the aforementioned parties, with the exception of St. Lawrence County. The purpose of these agreements was to provide certain publicly owned solid waste disposal facilities by DANC for the use of the participating municipalities. Pursuant to these agreements, the Counties of St. Lawrence, Lewis and Jefferson, together with the City of Watertown, reciprocally pledged to deliver or cause to be delivered, all of the solid waste generated within their respective jurisdictions, subject to the provisions for waste reduction and recycling otherwise provided for by state and local law, to the facilities constructed and operated by DANC for their mutual benefit. The mutual promises by each of the participating municipalities and DANC serve to reduce the per ton costs of solid waste disposal to all citizens of the region.
3. In 1992 St. Lawrence County prepared a Comprehensive Solid Waste Management Plan approved by the New York State Department of Environmental Conservation on April

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10, 1992. The County hereby reaffirms the objectives set forth in the plan, as amended, to reduce, reuse and recycle so much of the waste stream of St. Lawrence County as is feasible, and to landfill the remainder in an environmentally secure public landfill facility.

4. The County hereby finds that regulation to direct the flow of solid waste to facilities operated by the County is beneficial in several ways. First, such direction aids in planning for the County's future waste management needs by providing an accurate assessment of the type and quantity of waste generated by the people of St. Lawrence County. Second, said direction ensures that waste that is not recycled will be disposed of in an economical and environmentally secure manner at the public facilities provided by DANC. Third, said direction ensures that all persons engaged in the collection of solid waste within the County will be subject to the same uniform rules and fee structures. Fourth, said direction will ensure that the public waste system and facilities constructed to manage the waste of the County of St. Lawrence will receive both the wastes it was designed for and the revenues necessary to support itself from fees charged to users.
5. The County further determines that In order to provide for the safe and effective collection of solid waste and recyclables, it is in the public interest to establish a regulatory system for the granting of permits to collect and transport waste and recyclables within the County.
6. Pursuant to the above findings, the Board hereby adopts a Local Law regulating the disposal of solid waste in St. Lawrence County.

## II. DEFINITIONS

1. **Board of Hearing** shall mean the board described in Section IV of this local law.
2. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
3. **Construction and Demolition Debris** shall mean Solid Waste resulting from construction, remodeling, repair and demolition of structures, roads, buildings and land clearing. Such wastes include, but are not limited to, bricks, concrete and other masonry materials, soil, rock, lumber, road spoils, paving material and tree and bush stumps.
4. **Container** shall mean a container provided by a Waste Collector for use in the collection of Solid Waste and/or Recyclables within the County.
5. **County** shall mean St. Lawrence County, New York, a municipal corporation of the State of New York, with offices at Canton, New York.
6. **County Facility** shall mean any transfer station or other facility for the receipt of solid waste and recyclables owned and operated, or caused to be operated, by the County.
7. **Department** shall mean the St. Lawrence County Solid Waste Department, its successors and assigns.
8. **Development Authority of the North Country (DANC)** shall mean the public Authority created by § 2703 of the Public Authorities Law of the State of New York with offices located in Watertown N.Y.

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9. **Designated Recyclables** shall mean recyclable materials, as specifically designated by the Board of Legislators by resolution and which shall be separated from the Solid Waste stream and accepted at County Facilities.
10. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulation and/or statute.
11. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.
12. **Municipality** shall mean a County, Town, City or Village.
13. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality or any other entity.
14. **Processor** shall mean a primary user of the particular material such as Recyclables, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials.
15. **Prohibited Materials** shall mean materials which shall not be accepted at a County Facility. The list of Prohibited Materials may be established and modified from time to time by resolution of the Board of Legislators.
16. **Recyclables** shall mean such material which under any applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
17. **Refuse** shall mean putrescible and incidental non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
18. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
19. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multifamily dwellings in the County.
20. **Solid Waste** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, superseded or replaced.
21. **State** shall mean the State of New York.
22. **Transfer Station** shall mean a facility used for the consolidation of deliveries of Solid Waste by any Person in order to prepare such Solid Waste material for transport to a disposal facility.
23. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, or any other Person engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables for a fee.

### III. ADMINISTRATION

1. The Department, or its successor, shall be primarily responsible for all ministerial and administrative duties described or reasonably required by the terms of this local law.

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2. The Department, or its successor, shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County. This includes the issuance, renewal, and revocation of all permits described in this local law.
3. The Department, or its successor, shall promulgate rules and regulations in connection with the operation of the County Landfill or any other Facility.
4. The Department, or its successors, shall issue warning notices and initiate proceedings pursuant to Section IV of this local law to prosecute violations of this local law.
5. The Department, or its successor, may encourage and conduct studies, investigations and research relating to various aspects of Solid Waste management as it deems necessary or as requested by the Board of Legislators or Committee.

#### **IV. STANDARDS AND REGULATIONS**

1. Commercial Waste Permit Requirements
  - a) No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the County. Each day during which a Waste Collector collects, transports or disposes of Solid Waste or Recyclables generated within the County without a Commercial Waste Permit shall be considered a separate violation of this Section.
  - b) All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list that identifies all vehicles, that the applicant intends to utilize for the collection or transportation of Solid Waste and/or Recyclables in the County, along with the cubic yard capacity for each vehicle. The Department will assign an identification number for each vehicle, which may be the same number issued to the vehicle by DANC for use at DANC facilities. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department. The applicant shall pay the required permit fee as set forth in this local law.
  - c) Each applicant other than a Municipality shall be required to pay a Commercial Waste Permit fee in an amount set by resolution of the Board of Legislators and amended as necessary from time to time. Municipalities shall not be required to pay permit fees identified in this Section III, but shall be required to comply with all other requirements of this Local Law.
  - d) Upon receipt of the application and the payment of the Commercial Waste Permit fee, the Department shall thereupon issue the applicant a Commercial Waste Permit and vehicle decal so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall expire on the next December 31 following the date of issue. Upon issuance of the Commercial Waste Permit the permit holder shall affix the vehicle decal to the inside rear bottom corner of the driver's window in each and every vehicle, on which shall be set forth clearly the official number of such Commercial Waste Permit and/or the license plate number of the vehicle to which the decal is affixed.

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- e) Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department or the Board of Legislators.
- f) Whenever satisfactory proof, such as by means of an affidavit, is submitted to the Department that a Commercial Waste Permit or decal issued for the purpose set forth in this local law has been lost or destroyed, the Department shall, upon payment by the applicant of a fee set by resolution of the Board of Legislators and amended as necessary from time to time, issue a new Commercial Waste Permit in lieu of the one that has been lost or destroyed.
- g) No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- h) Commercial Waste Permit holders who distribute waste containers or roll-off containers to customers in the County shall cause such containers to be clearly labeled, in letters not less than 4 inches in height, with the name and telephone number of the permit holder.
- i) The Department, pursuant to Section IV of this local law, shall have the power to suspend or revoke a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- j) All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- k) All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition the name of the Commercial Waste Permit holder shall be readily visible on all vehicles. Operation of vehicles shall be done in such a manner as to prevent spilling or loss of contents.
- l) Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Board of Legislators, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
- m) All such Commercial Waste Permit requirements specified herein, including, but not limited to, Commercial Waste Permit fees may be amended or adjusted from time to time by resolution of the Board of Legislators.

2. Disposal of Solid Waste

- a) All Waste Collectors and other Persons shall deliver all Solid Waste and Construction and Demolition Debris generated within the County, other than Designated Recyclables or Recyclables separated at the point of generation for separate collection, to any of the following designated facilities:



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- i) County Facility at Ogdensburg (Arnold-Wagner Road);
- ii) County Facility at Massena (Dump Road off Route 420 toward Winthrop);
- iii) County Facility at Gouverneur (US Route 11);
- iv) County Facility at Star Lake (Route 3);
- v) Town of Parishville Facility
- vi) Town of Colton Facility
- vii) DANC Landfill, Rodman, New York

Commercial Waste Permit holders shall not dispose of any such Solid Waste at any other facility located within or outside of the County unless designated and permitted by the Department.

- b) Solid Waste generated outside the County will not be accepted at County Facilities except pursuant to approval by the Board of Legislators.
- c) Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- d) All Commercial Waste Permit holders may dispose of Solid Waste at County Facilities.
- e) Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at a County Facility.
- f) No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.
- g) Tipping fees at County Facilities shall be set by resolution of the Board of Legislators and amended as necessary from time to time.

## V. ENFORCEMENT

### I. Presumptions

There shall be rebuttable presumptions in the enforcement of this local law that:

- a) The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b) Evidence of Solid Waste in a Container located in the County as described in Section IV(1)(a) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Solid Waste was collected from the Container by the Waste Collector whose name is marked on the Container.
- c) The failure to deliver any Solid Waste to a facility designated by the department pursuant to Section III(3)(a) within three days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.

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2. Administrative Sanctions

- a) Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law. Civil penalties shall be assessed in an amount sufficient to compensate the County for any injury suffered, or any costs incurred by the County as a result of the violation. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.
- b) Notice. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail sent to the holder of any permit issued pursuant to this local law, at the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend, and/or impose a civil penalty upon the permit holder. Any holder of a Commercial Waste Permit may demand a hearing as allowed by Section IV.2.a of this local law, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten days of the date of service of notice. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- c) If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (b) above fails to demand a hearing within the ten-day notice period provided for in Section IV.2.b, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- d) Hearings. Hearings pursuant to this Section IV(2) shall be conducted by a Board of Hearing. The Board of Hearing shall consist of three persons designated by the Board of Legislators. In any hearing conducted pursuant to this Section, the following shall apply:
  - i) A stenographic record shall be kept.
  - ii) The permit holder may be represented by counsel.
  - iii) Witnesses shall be sworn and subject to cross-examination.
  - iv) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.
  - v) Findings of fact shall be made by a majority of the Board of Hearing, in writing, upon a preponderance of the evidence.
  - vi) Upon a finding that a violation is proved, the Board of Hearing, by majority vote, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Board of Hearing shall be final, and shall be subject to judicial review.

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- e) Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay such penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Board of Hearing.

3. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

4. Enforcement Guidelines

The Department may establish and modify from time to time enforcement guidelines that have been adopted, and that may be amended from time to time, by resolution of the Board of Legislators with regard to any provision of this local law.

**VI. EFFECTIVE DATE**

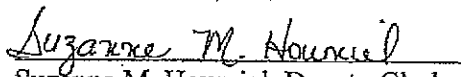
This article is effective upon passage by the St. Lawrence County Board of Legislators and filing with the Department of State pursuant to the Municipal Home Rule Law.

**VII. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF ST. LAWRENCE    )

I, Suzanne M. Houmiel, Deputy Clerk to the St. Lawrence County Board of Legislators, **DO HEREBY CERTIFY**, that I have compared this copy of Resolution No. 419-2008 "Adopting Proposed Local Law D (No. ) for the Year 2008 Providing an Orderly Program for the Collection, Transportation, and Disposal of Solid Waste and Recyclables In Order to Promote the Safety, Health, Welfare, and Convenience of the Citizens of St. Lawrence County" adopted December 8, 2008, with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

  
Suzanne M. Houmiel, Deputy Clerk  
St. Lawrence County Board of Legislators  
February 3, 2009

## **APPENDIX C**

### **LOCAL LAWS**

**LOCAL LAW NO. 1 OF 2014  
COUNTY OF JEFFERSON, STATE OF NEW YORK**

**LOCAL LAW OF THE COUNTY OF JEFFERSON TO PROVIDE A UNIFORM  
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND  
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

Be It Enacted, by the Board of Legislators of the County of Jefferson, State of New York as follows:

**LEGISLATIVE FINDINGS**

The Board of Legislators of the County of Jefferson, upon consideration and in support of the adoption of Local Law No. 1 of 2014, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement on or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with the Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa.
5. The goal of the Regional Solid Waste Management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, as well as from revenues from



the sale of recyclable materials, rather than from tax revenues that are based on the assessed value of properties in the County.

6. The County provides a strong economic incentive to maximize recycling and waste reduction, by only charging a reduced or no fee on non-recyclable waste deliveries. The County does not currently charge for the use of its recycling programs and recycling services. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste delivered to the County's solid waste system is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal is the most effective means of achieving the goals of its Solid Waste Management Plan.

## SECTION I. DEFINITIONS

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the duly elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, educational, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.

6. **County** shall mean Jefferson County, New York, a municipal corporation of the State of New York, with offices at 195 Arsenal St. Watertown, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities. For the purposes of this local law, the Authority Landfill shall be considered a County Facility.
8. **Department** shall mean the County Recycling and Waste Management Department or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360 - 1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulation and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the may be amended from time to time.
13. **Industrial Waste** shall mean industrial waste as defined in 6 NYCRR 360-1.2(b)(88) of the State of New York as the same and may be amended from time to time. Industrial waste may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County Facility.
14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.



15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under any applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incidental non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Regulations** shall mean Regulations promulgated by the Board pursuant to the authority contained in this local law.
22. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
23. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
24. **Solid Waste** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, superseded or replaced.
25. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.

## **SECTION II. ESTABLISHMENT OF THE DEPARTMENT OF RECYCLING AND WASTE MANAGEMENT, AND ADMINISTRATION OF LOCAL LAW**

1. There is hereby established the Jefferson County Department of Recycling and Waste Management which shall operate as the department in County government responsible for oversight, coordination, operation and regulation of all recycling and waste management matters and other such matters as the Board shall direct.
2. The Director shall be appointed by the Board and shall serve at the pleasure of the Board. The Director shall be the administrative head of the Department and shall be responsible for the supervision of the Department's budget, personnel and mission. The Director may appoint such staff as may be authorized by the Board and subject to appropriations being made therefor.
3. The Department may encourage and conduct studies, investigations and research, develop and implement educational programs, and assist municipalities in the studying, implementation and planning of their various actions in effecting Solid Waste management in the County within the confines of appropriations provided therefor by the Board.
4. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
5. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting and/or transporting and disposing of Solid Waste and/or Recyclables at a County Facility. This includes the issuance, renewal, and revocation of all permits described in this local law.
6. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
7. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)a. of this local law, to any person acting in violation of any provision of this local law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department for prosecution pursuant to Section IV hereof.

## **SECTION III. STANDARDS AND REGULATIONS**

1. Commercial Waste Permit Requirements



- a. No Waste Collector shall collect and/or transport and then dispose of Solid Waste and/or Recyclables at a County facility without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee of \$100 and proof of insurance as required by subsection (k), below, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall, unless revoked or suspended pursuant to this local law, remain in effect for one year after it is issued.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of Solid Waste within the County. Use of any vehicle for the collection and subsequent disposal of Solid Waste at a County Facility that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- g. The Commercial Waste Permit holder hereunder shall, when requested by the Department, furnish the Department with a list identifying the municipalities within which collection services are provided with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit

granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.

- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover. The name of the Commercial Waste Permit holder shall be readily visible on all vehicles, and on all containers utilized for the collection of Solid Waste and/or Recyclables generated within the County.
- k. All Commercial Waste Permit holders shall carry insurance with coverages and terms established by regulations of the Board, naming Jefferson County, its officers, agents and employees, as additional insureds on a primary and non contributory basis.
- l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
- m. All Commercial Waste Permit requirements, including but not limited to fees, insurance coverage amounts, and length of permit validity, may be amended from time to time by resolution of the Board of Legislators.

## 2. Disposal of Solid Waste

- a. No Waste Collector shall dispose of Solid Waste at any County Facility without a Commercial Waste Permit. Residents may transport, deliver and dispose of Residential Waste at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- b. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- c. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.



- d. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- e. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.
- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
  - 1. Deliver information about tenants' source separation obligations to all tenants; and
    - a. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
    - b. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
    - c. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
    - d. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside a separate collection for such Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
    - e. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of

sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

4. Promulgation of Regulations

- a. The Board is hereby authorized and directed to adopt and promulgate, amend and repeal such rules and Regulations by resolution as recommended by the Director which in his discretion are necessary or desirable to carry out, interpret and enforce the intent and purposes of this local law. Notwithstanding this power, any failure to adopt and promulgate such rules and Regulations shall not impair the enforceability of this local law in a court of competent jurisdiction.

**SECTION IV. ENFORCEMENT**

1. Administrative Sanctions

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1500.00 for a second offense against the same provision of this law within twelve (12) months of the first offense; and up to \$2500 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of law within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten days of the date of service of notice. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.



- i) If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten-day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- ii) Hearings. Hearings shall be held by a Hearing Officer designated by the Board. In any hearing conducted pursuant to this Section, the following shall apply:
  - (1) A stenographic record shall be kept.
  - (2) The permit holder may be represented by counsel.
  - (3) Witnesses shall be sworn and subject to cross-examination.
  - (4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Hearing Officer deems appropriate, consistent with its reliability.
  - (5) Findings of fact shall be made by a majority of the Hearing Officer, in writing, upon a preponderance of the evidence.
  - (6) Upon a finding that a violation is proved, the Hearing Officer shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- iii) Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50 for the first violation, \$100 for a the 2<sup>nd</sup> violation committed within 12 months of a prior violation, and \$200 for a 3<sup>rd</sup> or subsequent committed within 12 months of a prior violation.
- iv) Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay such penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
- v) Civil Enforcement. The County may enforce the orders and decisions of the Hearing Officer in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.



### 3. Presumptions

There shall be rebuttable presumptions in the enforcement of this local law that:

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. Evidence of Solid Waste in a Container located in the County as described in Section IV(2)(a) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Solid Waste was collected from the Container by the Waste Collector whose name is marked on the Container.

### 4. Enforcement Guidelines

- a. The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

## **SECTION V. EFFECTIVE DATE**

This law shall take effect on March 1, 2014.

## **SECTION VI. REPLACEMENT OF LOCAL LAW NO. 3 of 1991**

This local law will, upon its effective date, repeal and replace Local Law No. 3 of 1991, "Providing for Separation at the Source of Solid Waste Generation into Reusable, Recyclable and Waste Components, and to Provide Regulatory Authority to Assure that said Components are Handled, Transported and Disposed of Properly by Various Permitting and Enforcement Measures", as amended. All Board resolutions pertaining to solid waste adopted under the authority of that local law will remain in effect until superceded by future resolutions. All regulations promulgated by the Department under the authority of that local law will remain in effect until superceded by new regulations promulgated under the authority of this local law.

## **SECTION VII. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the

application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

**RESOLUTION NO. 111 - 2015**  
**RESOLUTION ADOPTING AND OTHERWISE TREATING**  
**LOCAL LAW NO. 3 – 2015, COUNTY OF LEWIS**

Introduced by Legislator Michael A. Tabolt, Chairman of the Board of Legislators.

WHEREAS, a resolution was duly adopted by the Board of Legislators on March 3, 2015, directing that a public hearing be held by said Board on April 7, 2015, from 5:00 p.m. to 5:30 p.m. at the Second Floor Board Room of the Courthouse, 7660 North State Street, Lowville, New York 13367, to hear all interested parties on a proposed Local Law entitled, **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”**; and

WHEREAS, notice of said public hearing was duly advertised in the *Watertown Daily Times*, the official newspaper designated by the County, on April 1, 2015, and posted on the bulletin board of the Lewis County Courthouse, 7660 North State Street, Lowville, New York, at least five (5) days prior to such public hearing; and

WHEREAS, said public hearing was duly held at such location at such time and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof; and

WHEREAS, the Board of Legislators wishes to make certain determinations based upon the information heretofore submitted to the Board as well as received during the public hearing;

BE IT FURTHER RESOLVED, as follows:

Section 1. This Local Law (Introductory No. 5 – 2015), County of Lewis, being **“LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.”** be and the same hereby is designated as Local Law No. 3 – 2015, County of Lewis.

Section 2. That Local Law No. 3 – 2015, County of Lewis, with designation stated above, be and the same is hereby enacted, waiving any and all defects and informalities in the adoption thereof and shall take effect immediately upon filing with the Secretary of State.

Moved by Legislator Moser, seconded by Legislator Dolhof, and adopted pursuant to the following roll call vote:

YEAS: Dolhof, Hathway, King, Kulzer, Moroughan, Moser, and Tabolt

NAYS: Chartrand

ABSENT: Brennan and Pepper

**RESOLUTION NO. 81 - 2015**  
**FIXING DATE OF PUBLIC HEARING ON LOCAL LAW**  
**(INTRODUCTORY LOCAL LAW NO. 5 - 2015), COUNTY OF LEWIS**

Introduced by Legislator Craig Brennan, Chairman of the Solid Waste Committee.

WHEREAS, there will be presented and introduced at a meeting of this Board of Legislators to be held on March 3, 2015, a proposed Local Law entitled "**LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND DISPOSAL OF SOLID WASTE AND RECYCLABLES.**"

Now, therefore, BE IT RESOLVED as follows:

Section 1. That a public hearing will be held on April 7, 2015, from 5:00 p.m. to 5:30 p.m., before the Lewis County Board of Legislators on the Second Floor Board Room at the Lewis County Courthouse, New York, 7660 North State Street, Lowville, New York.

Section 2. That at least five (5) days notice of such hearing shall be given by the Clerk of this Board by the due posting thereof upon the bulletin board of the Lewis County Court House, Lowville, New York, and by publishing such notice at least once in the official newspaper of the County.

Moved by Legislator Brennan, seconded by Legislator Dolhof, and adopted.

**LOCAL LAW (INTRODUCTORY NO. 5- 2015)  
COUNTY OF LEWIS, STATE OF NEW YORK**

**A LOCAL LAW OF THE COUNTY OF LEWIS TO PROVIDE A UNIFORM  
SYSTEM FOR MANAGING THE COLLECTION, TRANSPORTATION AND  
DISPOSAL OF SOLID WASTE AND RECYCLABLES**

BE IT ENACTED, by the Board of Legislators of the County of Lewis, State of New York as follows:

**LEGISLATIVE FINDINGS**

The Board of Legislators of the County of Lewis, upon consideration and in support of the adoption of Local Law No. 5 - 2015, hereby finds and declares:

1. The safe and proper disposal of the solid wastes generated by the people of the County has been and remains a matter of serious public concern. Having a solid waste management system that is environmentally sound and financially self-sufficient benefits all of the residents of the County in that it provides a safe, sanitary and efficient means for the collecting, transporting and disposing of solid wastes.
2. To that end, the County entered into an inter-municipal agreement in or about 1986 with the Development Authority of the North Country ("Authority"), to develop, construct and install a sanitary landfill located in the Town of Rodman (the "Authority landfill") for the purpose of disposing of solid waste materials that are produced or collected within the participating communities. At that time, Lewis County adopted Local law No. 2 of 1986, which provided that all solid waste generated or originated within Lewis County be delivered to the North Country Solid Waste Management Facility. The Local Law was subsequently amended in 1992 and 2008.
3. The Authority landfill has therefore become an integral component of the County's solid waste management system. Additionally, the professional resources of the Authority in the field of solid waste management are a valuable component of the County solid waste management system.
4. Following the adoption of the inter-municipal agreement with Authority, the County adopted local laws and regulations governing the management of solid waste, including provisions governing collection, source separation of recyclables pursuant to General Municipal Law 120-aa, and a flow control provision directing waste generated within the County to disposal facilities operated by the County or the Authority. Since that time,

legal issues arose as to the validity of municipalities mandating that all solid waste generated or collected within their jurisdiction be disposed of in designated municipal facilities. That issue has recently been resolved in federal court and as a result, the County finds that it is appropriate to review its solid waste management program and amend the same in order to address its current needs.

5. The goal of the Regional Solid Waste management Plan is to create a system of solid waste collection, transportation and disposal that is financially self-supporting, without the use of tax money to subsidize the waste management and recycling program costs. The County finds that designing an integrated solid waste management system that is financially supported by a user fee system is more equitable than one funded by taxes. Revenues needed to pay for the County's solid waste system are derived primarily from user fees that are based on the amount of non-recyclable waste delivered to the County's facilities, rather than from tax revenues that are based on the assessed value of properties in the County. Revenues from the sale of recyclable materials also contribute to system operating costs, however, to a lesser degree.
6. The County provides a strong economic incentive to maximize recycling and waste reduction, by charging a reduced or no fee on recyclable materials. Thus, both those who generate waste and those having a commercial waste hauling permit have an incentive to reduce their disposal costs by increasing their recyclables. Tipping fees on non-recyclable wastes are used to financially support the County's recycling programs which may not generate sufficient revenues to support themselves. This user fee system encourages recycling and other waste reduction activities and therefore maximizes environmental benefits. All classes of waste generators are equitably served when all classes deliver their wastes to the County's system. However, fiscal inequity results when some classes of generators or a significant number of waste generators or haulers do not participate in the system. In addition, waste reduction and recycling benefits are lost when recyclable materials are commingled with non-recyclable waste for disposal at out-of-system facilities.
7. Furthermore, establishing a regulatory scheme, including the granting of permits to collect and transport recyclables and waste within the County is both a sound governmental function and provides a safe and effective means of controlling the collection, transportation and disposal of solid waste and recyclables.
8. The County finds and declares that establishing an integrated system of solid waste collection, transportation and disposal that directs all of the non-recyclable waste generated in the County to the public facilities established for the system is the most effective means of achieving the goals of its Solid Waste Management Plan. Recent



judicial decisions in the federal courts have determined that municipal governments indeed have the power to direct the flow of waste materials to public facilities. The County remains authorized by the Laws of the State of New York to direct the flow of waste generated in the County to facilities constructed for that purpose. The County hereby declares it to be in the public interest and adopt the annexed legislation amending and restating the local laws requiring that all Solid Waste generated or collected within the County be delivered to a County-owned transfer station or other transfer station as designated by County resolution and/or directly to the Authority Landfill for disposal. The County further finds that including all such recyclable and non-recyclable waste within the integrated system is the best means of providing for the long-term benefit of all participants of the system.

## **SECTION I. DEFINITIONS**

1. **Authority Landfill** shall mean the Landfill owned and operated by the Authority and located at 23400 State Route 177, Town of Rodman, State of New York.
2. **Board of Legislators** or Board shall mean the fully elected County Board of Legislators.
3. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
4. **Commercial Waste** shall mean Solid Waste generated from commercial, business, institutional, education, or other non-residential sources in the County.
5. **Construction and Demolition Debris** shall have the meaning set forth in 6 NYCRR 360-1.2 as amended from time to time.
6. **County** shall mean Lewis County, New York a municipal corporation of the State of New York, with offices at 7660 North State Street, Lowville, New York and all of its political subdivisions.
7. **County Facility** shall mean any Solid Waste management facility or facilities owned and/or operated, or caused to be operated by the County, a municipality, or more than one municipality jointly, or public authority, or privately owned facility designated by the County, located within or out of the County that accepts or disposes of Solid Waste and/or Recyclables pursuant to agreement with the County, including but not limited to landfills, transfer stations, materials recovery facilities, drop off centers, and resource recovery facilities.

8. **Department** shall mean the County Solid Waste Management and Recycling Department (Lewis), (Recycling and Solid Waste Department [Jefferson]) (Solid Waste Department [St. Lawrence]) or its successor. The designated head of that Department is authorized to act on behalf of the Department and the County as authorized herein.
9. **Designated Recyclables** shall mean the materials, as established and described by the Department which shall be separated from the Solid Waste stream for collection and/or delivery to a materials recovery facility or other recycling facility or market. The list of Designated Recyclables may be modified from time to time by regulation promulgated by the Department.
10. **Farm** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, suspended or replaced.
11. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulations and/or statute.
12. **Household Hazardous Waste** shall mean household hazardous waste as defined in 6 NYCRR Part 360 of the State of New York as the same and may be amended from time to time.
13. **Industrial Waste** shall mean that portion of Commercial Waste generated by manufacturing or industrial processes which may have characteristics requiring special handling or treatment in order to qualify for acceptance at a County or Authority Facility. Such waste may include, but is not limited to, the following: electric power generation; fertilizer/agricultural chemicals; inorganic chemicals; iron and steel manufacturing; leather and leather products; nonferrous metals manufacturing/foundries; organic chemicals; plastic and resins manufacturing; pulp and paper industry; rubber and miscellaneous plastic products; stone, glass, clay and concrete products; textile manufacturing; transportation equipment; and water treatment. This term does not include oil or gas drilling, production, and water treatment. This term does not include oil or gas drilling, production, and treatment wastes (such as brines, oil, and fluids); or overburden, spoil, or trailing resulting from mining; or solution mining brine and insoluble component wastes.

14. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended from time to time.
15. **Market** shall mean a primary user of a particular Designated Recyclable, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials not including the County.
16. **Open Dump** shall mean a Solid Waste disposal area which is not authorized to be operated under applicable Federal and State laws and regulations.
17. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality, or any other entity.
18. **Prohibited Materials** shall mean materials which are not authorized to be accepted at a County Facility or the Authority Landfill under the permit for such Facility, together with such other materials posing a hazard or which the Facility is unable to accommodate as may be determined from time to time by the Department.
19. **Recyclables** shall mean such material from Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste sources, including but not limited to "Designated Recyclables", which under an applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
20. **Refuse** shall mean putrescible and incident non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
21. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
22. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multi-family dwellings in the County.
23. **Solid Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.

24. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, municipality, educational institution or any other Person so deemed by the Department engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables.
25. **Waste generator** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization or educational institution which produces Solid Waste and/or Recyclable Materials requiring disposal.
26. **Hearing Officers** shall mean Solid Waste Department Head and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members) to hear any violation matters.

## **SECTION II. ADMINISTRATION**

1. The Department shall be primarily responsible for the administration and enforcement of the terms of this local law, and for the promulgation of such rules and regulations as may be reasonably required in connection with the administration of this local law or the operation of any County Facility.
2. The Department shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County for disposal at Designated County facilities. This includes the issuance, renewal, and revocation of all Department permits described in this local law.
3. The Authority shall be responsible for the administration of the Authority Landfill and for promulgating such rules and regulations as the Authority, in its sole discretion, may deem to be reasonably necessary.
4. In addition to authorized representatives of the County, the administrators and personnel of the Development Authority of the North Country (Authority) shall be authorized, upon personal knowledge and/or information and belief, to issue notices of violation on behalf of the Department and pursuant to Section IV (2)(b) of this Local Law, to any person acting in violation of any provision of this Local Law. All such notices issued pursuant to this authorization shall be in a form approved by the Department and shall be returnable to the Department or their designee for prosecution pursuant to Section IV hereof.

### **SECTION III. STANDARDS AND REGULATIONS**

#### **1. Commercial Waste Permit Requirements**

- a. No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the Department.
- b. All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list of all vehicles (including registration and vehicle license numbers) the applicant intends to utilize for the collection of Solid Waste and/or Recyclables in the County. The list shall also describe the cubic yard capacity for each vehicle. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department.
- c. Upon receipt of a complete application, together with an application fee as determined by the Department and proof of insurance as required by the Department, the Department shall thereupon issue the applicant a Commercial Waste Permit so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall remain in effect, unless revoked or suspended pursuant to this local law.
- d. Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department.
- e. The Department shall issue to a Permit Holder a decal or other identifying mark, to be displayed on each collection vehicle registered with the Department and used by the Permit Holder for collection of waste within the County. Use of any vehicle for the collection of waste that is not registered with the Department and identified as such shall be a violation of this Local Law.
- f. No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.

- g. The Commercial Waste Permit holder hereunder shall furnish the Department with a list identifying the municipalities within which collection services are provided and with as much detail as the Department may require to comply with the reporting requirements of the NYS Department of Environmental Conservation's Annual Transfer Station and/or Planning Unit Reports. This list shall be updated by the Commercial Waste Permit holder at the request of the Department.
- h. The Department, pursuant to Section IV of this local law, shall have the power to impose a civil penalty or suspend, revoke or condition a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- i. All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- j. All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition and shall be constructed as to prevent leakage in transit. The body of the vehicle shall be wholly enclosed or shall at all times be kept covered with an adequate cover.
- k. All Commercial Waste Permit holders shall carry and shall provide proof of insurance as deemed appropriate by the Department.
- l. Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Department, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.

## 2. Disposal of Solid Waste

- a. All Waste Collectors and other Persons shall deliver all Commercial Waste, Industrial Waste, Construction and Demolition Debris, and Residential Waste generated within the County, other than Designated Recyclables or other



Recyclables separated at the point of generation for separate collection, to a County Facility, or, to the Authority landfill for disposal.

- b. All solid waste delivered in a plastic bag to a County Facility or to the Authority landfill for disposal shall be delivered in a clear or translucent bag such that the contents of the bag are easily identifiable for inspection of prohibited materials, including recyclable materials.
- c. No Waste Collector shall dispose of Solid Waste and/or recyclable at any County Facility without a Commercial Waste Permit. No Waste Collector shall dispose of Solid Waste at any other facility, excluding the Authority Landfill, without the prior authorization of and/or notification to the Department. Waste generators may transport, deliver and dispose of their own solid waste and/or recyclables at the County Facilities without the necessity of obtaining a permit, provided that the applicable tipping fees are paid.
- d. Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- e. Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at any County Facility.
- f. The Department may, from time to time, provide alternative disposal means at the Authority Landfill or other County Facilities for selected Prohibited Materials.
- g. No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.

### 3. Disposal of Recyclables

- a. Nothing in this local law shall be construed to prohibit any Person generating Recyclables within the County from separating such recyclables from other wastes and making arrangements for the separate collection or delivery and sale of such materials under such terms as such Person may choose.
- b. No Person shall commingle Designated Recyclables with other Solid Waste and set such commingled Designated Recyclables and Solid Waste at curbside for collection by a Waste Collector.

- c. Owners of facilities open to the public and all organizers of public events are required to provide for the separate recovery, collection, and disposal of Recyclable Materials at the sites and/or events under their sponsorship.
- d. All landlords shall:
  - 1. Deliver information about tenants' source separation obligations to all tenants; and
  - 2. Incorporate in tenants' lease arrangements a condition that tenants must source separate Recyclable Materials in accordance with the provisions contained in this Law.
  - 3. For rental properties at which landlords maintain the responsibility for waste disposal, all landlords shall also provide, and pay for the costs of, adequate access to on-site recycling facilities and systems.
- e. No Waste Collector shall collect Designated Recyclables commingled with other Solid Wastes from any customer in the County.
- f. All Waste Collectors shall provide customers that place separated Designated Recyclables at curbside, collection of those Designated Recyclables, and shall not commingle such Designated Recyclables with other solid wastes.
- g. Designated Recyclables collected at curbside by a Waste Collector may be delivered to a County Facility or to another facility capable of sorting and marketing said material, provided that such facility is permitted or registered with the State, or approved by the Department.

#### **SECTION IV. ENFORCEMENT**

##### **1. Administrative Sanctions**

- a. Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend, condition or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law.
- b. Civil penalties shall be assessed in an amount not to exceed \$500.00 for a first offense; up to \$1,500.00 for a second offense against the same provision of this

law within twelve (12) months of the first offense; and up to \$2,500.00 and/or suspension or revocation of any permit issued pursuant to the local law for a third offense against the same provision of laws within eighteen (18) months of the first offense. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.

## 2. Notice and Hearing

- a. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail with certificate/confirmation of mailing sent to the residence of the offender, or in the case of a holder of any permit issued pursuant to this local law, to the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend any permit, and/or impose a civil penalty upon the person charged. Any Person so notified may demand a hearing as allowed by this Section, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten (10) days of the date of service of notice. Service by ordinary mail shall be presumed delivered ten (10) days from date mailed. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- b. If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (a) above fails to demand a hearing within the ten (10) day notice period provided for in Section IV.2.a, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- c. Hearings shall be conducted by the Head of Solid Waste Department, and two (2) of the three (3) Board of Legislators who sit on the Solid Waste Committee; (determination of which committee members will serve to be decided among the three (3) legislative committee members). In any hearing conducted pursuant to this Section, the following shall apply:
  - 1) A stenographic record shall be kept. The cost of same is to be equally borne by the County and Person requesting the hearing.
  - 2) The permit holder may be represented by counsel.
  - 3) Witnesses shall be sworn and subject to cross-examination.
  - 4) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence

shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.

- 5) Findings of fact shall be made by the Hearing Officer, in writing, upon a preponderance of the evidence.
  - 6) Upon a finding that a violation is proved, the Hearing Officer, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Hearing Officer shall be final, and shall be subject to judicial review.
- d. Any person who shall set Designated Recyclables commingled with other solid waste out for collection shall be liable for a civil penalty of up to \$50.00 for the first violation, \$100.00 for a second violation committed within twelve (12) months of a prior violation, and \$200.00 for a third or subsequent violation committed within twelve (12) months of a prior violation.
  - e. Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay each penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Hearing Officer.
  - f. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

### 3. Presumptions

- a. The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b. The failure to deliver any Solid Waste to a facility designated by the Department pursuant to Section III (3)(a) within three (3) days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.

#### 4. Enforcement Guidelines

The Department shall notify in writing each Waste Collector presently collecting, transporting and/or delivering Solid Waste generated or collected in the County of the adoption of the within local law and the effective date thereof. Such notice shall be delivered by first class mail at the last known address or business address or in person. Any such Waste Collector or Contractor so notified shall have sixty (60) days from the date of such notice to comply with the rules, regulations and requirements set forth herein. Thereafter, the Department shall implement the enforcement provisions of this local law as set forth herein.

#### **SECTION V. EFFECTIVE DATE**

This Local Law shall be effective one year upon all legal requirements being met.

#### **SECTION VI. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

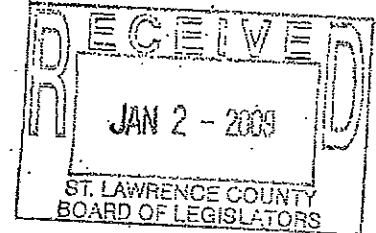


STATE OF NEW YORK  
**DEPARTMENT OF STATE**  
ONE COMMERCE PLAZA  
99 WASHINGTON AVENUE  
ALBANY, NY 12231-0001

DAVID A. PATERSON  
GOVERNOR

LORRAINE A. CORTÉS-VÁZQUEZ  
SECRETARY OF STATE

December 29, 2008



Suzanne Houmiel  
Deputy Clerk  
Board of Legislators  
48 Court Street, Court House  
Canton NY 13617-1169

**RE: County of St. Lawrence, Local Law No. 3, 2008, filed on December 17, 2008**

Dear Sir/Madam:

The above referenced material was received and filed by this office as indicated. Additional local law filing forms can be obtained from our website, [www.dos.state.ny.us/corp/misc.html](http://www.dos.state.ny.us/corp/misc.html).

Sincerely,  
Linda Lasch  
Principal Clerk  
State Records and Law Bureau  
(518) 474-2755



December 8, 2008

Operations Committee: 11-10-2008

**RESOLUTION NO. 419-2008**

**ADOPTING PROPOSED LOCAL LAW D (NO.   ) FOR THE YEAR 2008  
PROVIDING AN ORDERLY PROGRAM FOR THE COLLECTION,  
TRANSPORTATION, AND DISPOSAL OF SOLID WASTE AND RECYCLABLES IN  
ORDER TO PROMOTE THE SAFETY, HEALTH, WELFARE, AND CONVENIENCE  
OF THE CITIZENS OF ST. LAWRENCE COUNTY**

By Ms. Brothers, Chair, Operations Committee

**BE IT ENACTED**, by the Board of Legislators of the County of St. Lawrence, New York as follows:

**I. LEGISLATIVE FINDINGS**

The Board of Legislators of the County of St. Lawrence, upon consideration and in support of the adoption of Local Law D (No.   ) for the year 2008, hereby finds and declares:

1. The County in its capacity pursuant to Environmental Conservation Law § 27-0107 as the entity responsible for the preparation and implementation of a local solid waste management plan under the laws and rules of the State of New York, has determined that a comprehensive ordinance regulating the collection and disposal of solid waste generated within the County is in the public interest.
2. The safe and proper disposal of the solid wastes generated by the people of St. Lawrence County long been and remains a matter of serious public concern. On August 26, 1993, in order to provide for reliable, economical and environmentally sound long term waste disposal capacity for the County and the region, the County entered into a Solid Waste Management Participation Agreement with the Counties of Lewis and Jefferson, the City of Watertown, the Town of Rodman and the Development Authority of the North Country (DANC), which Agreement incorporated by reference a certain Solid Waste Management Agreement executed on October 1, 1986 by the aforementioned parties, with the exception of St. Lawrence County. The purpose of these agreements was to provide certain publicly owned solid waste disposal facilities by DANC for the use of the participating municipalities. Pursuant to these agreements, the Counties of St. Lawrence, Lewis and Jefferson, together with the City of Watertown, reciprocally pledged to deliver or cause to be delivered, all of the solid waste generated within their respective jurisdictions, subject to the provisions for waste reduction and recycling otherwise provided for by state and local law, to the facilities constructed and operated by DANC for their mutual benefit. The mutual promises by each of the participating municipalities and DANC serve to reduce the per ton costs of solid waste disposal to all citizens of the region.
3. In 1992 St. Lawrence County prepared a Comprehensive Solid Waste Management Plan approved by the New York State Department of Environmental Conservation on April

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10, 1992. The County hereby reaffirms the objectives set forth in the plan, as amended, to reduce, reuse and recycle so much of the waste stream of St. Lawrence County as is feasible, and to landfill the remainder in an environmentally secure public landfill facility.

4. The County hereby finds that regulation to direct the flow of solid waste to facilities operated by the County is beneficial in several ways. First, such direction aids in planning for the County's future waste management needs by providing an accurate assessment of the type and quantity of waste generated by the people of St. Lawrence County. Second, said direction ensures that waste that is not recycled will be disposed of in an economical and environmentally secure manner at the public facilities provided by DANC. Third, said direction ensures that all persons engaged in the collection of solid waste within the County will be subject to the same uniform rules and fee structures. Fourth, said direction will ensure that the public waste system and facilities constructed to manage the waste of the County of St. Lawrence will receive both the wastes it was designed for and the revenues necessary to support itself from fees charged to users.
5. The County further determines that In order to provide for the safe and effective collection of solid waste and recyclables, it is in the public interest to establish a regulatory system for the granting of permits to collect and transport waste and recyclables within the County.
6. Pursuant to the above findings, the Board hereby adopts a Local Law regulating the disposal of solid waste in St. Lawrence County.

## II. DEFINITIONS

1. **Board of Hearing** shall mean the board described in Section IV of this local law.
2. **Commercial Waste Permit** shall mean the permit issued pursuant to Section III.1 of this local law.
3. **Construction and Demolition Debris** shall mean Solid Waste resulting from construction, remodeling, repair and demolition of structures, roads, buildings and land clearing. Such wastes include, but are not limited to, bricks, concrete and other masonry materials, soil, rock, lumber, road spoils, paving material and tree and bush stumps.
4. **Container** shall mean a container provided by a Waste Collector for use in the collection of Solid Waste and/or Recyclables within the County.
5. **County** shall mean St. Lawrence County, New York, a municipal corporation of the State of New York, with offices at Canton, New York.
6. **County Facility** shall mean any transfer station or other facility for the receipt of solid waste and recyclables owned and operated, or caused to be operated, by the County.
7. **Department** shall mean the St. Lawrence County Solid Waste Department, its successors and assigns.
8. **Development Authority of the North Country (DANC)** shall mean the public Authority created by § 2703 of the Public Authorities Law of the State of New York with offices located in Watertown N.Y.

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9. **Designated Recyclables** shall mean recyclable materials, as specifically designated by the Board of Legislators by resolution and which shall be separated from the Solid Waste stream and accepted at County Facilities.
10. **Hazardous Waste** shall mean those materials, substances, or wastes including, but not limited to, pesticides and containers used for pesticides, other waste which appears on the list or satisfies characteristics of hazardous waste promulgated by the New York State Commissioner of the Department of Environmental Conservation, and any other material, determined now or in the future, to be hazardous by State or Federal rule, regulation and/or statute.
11. **Infectious Waste** shall have the meaning specified in 6 NYCRR 360-1.2 as the same may be amended, superseded or replaced.
12. **Municipality** shall mean a County, Town, City or Village.
13. **Person or Persons** shall mean any individual, company, partnership, association, firm, corporation, municipality or any other entity.
14. **Processor** shall mean a primary user of the particular material such as Recyclables, including but not limited to glass factories, de-tinners, plastic recovery facilities, paper mills or consolidators of such materials.
15. **Prohibited Materials** shall mean materials which shall not be accepted at a County Facility. The list of Prohibited Materials may be established and modified from time to time by resolution of the Board of Legislators.
16. **Recyclables** shall mean such material which under any applicable law or regulation, is not Hazardous Waste and which can be reasonably separated from the Solid Waste stream and held for its material recycling or reuse value.
17. **Refuse** shall mean putrescible and incidental non-putrescible Solid Waste including, but not limited to, animal, vegetable and paper waste. Refuse originates primarily in homes, businesses and restaurants, and has characteristics similar to that of Solid Waste collected and disposed of as part of normal residential and commercial collections in the County.
18. **Resident** shall mean any individual who is a legal resident of the County or any individual who is a temporary resident of the County.
19. **Residential Waste** shall mean Solid Waste generated from all houses, apartments and other residential dwellings, including, but not limited to, all single family dwellings and multifamily dwellings in the County.
20. **Solid Waste** shall have the meaning specified in 6 NYCRR Part 360-1.2 as the same may be amended, superseded or replaced.
21. **State** shall mean the State of New York.
22. **Transfer Station** shall mean a facility used for the consolidation of deliveries of Solid Waste by any Person in order to prepare such Solid Waste material for transport to a disposal facility.
23. **Waste Collector** shall mean any individual, association, partnership, firm, corporation, not-for-profit organization, or any other Person engaged in the business of collection, pickup, transfer, removal and/or disposal of Solid Waste and/or Recyclables for a fee.

### III. ADMINISTRATION

1. The Department, or its successor, shall be primarily responsible for all ministerial and administrative duties described or reasonably required by the terms of this local law.

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2. The Department, or its successor, shall administer the program of registering and permitting all Waste Collectors and other Persons collecting, transporting or disposing of Solid Waste and/or Recyclables generated within the County. This includes the issuance, renewal, and revocation of all permits described in this local law.
3. The Department, or its successor, shall promulgate rules and regulations in connection with the operation of the County Landfill or any other Facility.
4. The Department, or its successors, shall issue warning notices and initiate proceedings pursuant to Section IV of this local law to prosecute violations of this local law.
5. The Department, or its successor, may encourage and conduct studies, investigations and research relating to various aspects of Solid Waste management as it deems necessary or as requested by the Board of Legislators or Committee.

#### **IV. STANDARDS AND REGULATIONS**

1. Commercial Waste Permit Requirements
  - a) No Waste Collector shall collect, transport or dispose of Solid Waste and/or Recyclables generated within the County without obtaining a Commercial Waste Permit issued by the County. Each day during which a Waste Collector collects, transports or disposes of Solid Waste or Recyclables generated within the County without a Commercial Waste Permit shall be considered a separate violation of this Section.
  - b) All applications for Commercial Waste Permits shall be in writing and shall contain such information as requested by the Department, but at a minimum, as set forth in this local law. Such applications shall include a list that identifies all vehicles, that the applicant intends to utilize for the collection or transportation of Solid Waste and/or Recyclables in the County, along with the cubic yard capacity for each vehicle. The Department will assign an identification number for each vehicle, which may be the same number issued to the vehicle by DANC for use at DANC facilities. All Commercial Waste Permit information shall be verified by the applicant as required by this local law and the Department. The applicant shall pay the required permit fee as set forth in this local law.
  - c) Each applicant other than a Municipality shall be required to pay a Commercial Waste Permit fee in an amount set by resolution of the Board of Legislators and amended as necessary from time to time. Municipalities shall not be required to pay permit fees identified in this Section III, but shall be required to comply with all other requirements of this Local Law.
  - d) Upon receipt of the application and the payment of the Commercial Waste Permit fee, the Department shall thereupon issue the applicant a Commercial Waste Permit and vehicle decal so long as the applicant is otherwise deemed by the Department to be in compliance with this local law and related requirements of the Department. A Commercial Waste Permit shall expire on the next December 31 following the date of issue. Upon issuance of the Commercial Waste Permit the permit holder shall affix the vehicle decal to the inside rear bottom corner of the driver's window in each and every vehicle, on which shall be set forth clearly the official number of such Commercial Waste Permit and/or the license plate number of the vehicle to which the decal is affixed.

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- e) Renewal of Commercial Waste Permits shall be in the same manner and subject to the same conditions as original Commercial Waste Permits, and also shall be subject to any additional requirements in effect at the time of application for renewal as specified by the Department or the Board of Legislators.
- f) Whenever satisfactory proof, such as by means of an affidavit, is submitted to the Department that a Commercial Waste Permit or decal issued for the purpose set forth in this local law has been lost or destroyed, the Department shall, upon payment by the applicant of a fee set by resolution of the Board of Legislators and amended as necessary from time to time, issue a new Commercial Waste Permit in lieu of the one that has been lost or destroyed.
- g) No Commercial Waste Permit issued pursuant to the provisions of this local law shall be transferable.
- h) Commercial Waste Permit holders who distribute waste containers or roll-off containers to customers in the County shall cause such containers to be clearly labeled, in letters not less than 4 inches in height, with the name and telephone number of the permit holder.
- i) The Department, pursuant to Section IV of this local law, shall have the power to suspend or revoke a Commercial Waste Permit granted or renewed pursuant to this local law for any violation of any provision of this local law or any applicable rule, regulation, code or ordinance relating to the collection, handling, hauling or disposal of Solid Waste and/or Recyclables including, but not limited to, those promulgated by the Department.
- j) All collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be in strict conformance with the rules and regulations prescribed in this local law and as such rules and regulations may hereafter be amended or supplemented by the Department.
- k) All vehicles used in the collection, transportation and/or disposal of Solid Waste and/or Recyclables shall be maintained in a sanitary condition the name of the Commercial Waste Permit holder shall be readily visible on all vehicles. Operation of vehicles shall be done in such a manner as to prevent spilling or loss of contents.
- l) Any Commercial Waste Permit issued pursuant to this local law shall be in the nature of a privilege subject to the terms and conditions set forth in this local law and as amended or supplemented by the Board of Legislators, and shall not be deemed to create a property interest with respect to the Commercial Waste Permit in the holder.
- m) All such Commercial Waste Permit requirements specified herein, including, but not limited to, Commercial Waste Permit fees may be amended or adjusted from time to time by resolution of the Board of Legislators.

2. Disposal of Solid Waste

- a) All Waste Collectors and other Persons shall deliver all Solid Waste and Construction and Demolition Debris generated within the County, other than Designated Recyclables or Recyclables separated at the point of generation for separate collection, to any of the following designated facilities:

December 8, 2008

- i) County Facility at Ogdensburg (Arnold-Wagner Road);
- ii) County Facility at Massena (Dump Road off Route 420 toward Winthrop);
- iii) County Facility at Gouverneur (US Route 11);
- iv) County Facility at Star Lake (Route 3);
- v) Town of Parishville Facility
- vi) Town of Colton Facility
- vii) DANC Landfill, Rodman, New York

Commercial Waste Permit holders shall not dispose of any such Solid Waste at any other facility located within or outside of the County unless designated and permitted by the Department.

- b) Solid Waste generated outside the County will not be accepted at County Facilities except pursuant to approval by the Board of Legislators.
- c) Anyone entering a County Facility to dispose of Solid Waste must adhere to the rules and regulations as posted and must follow the instructions of the attendant on duty.
- d) All Commercial Waste Permit holders may dispose of Solid Waste at County Facilities.
- e) Nothing within this local law shall be construed at any time to restrict the ability of the Department to refuse to accept Hazardous Waste or other Prohibited Materials at a County Facility.
- f) No Waste Collector or other Person shall dispose of Solid Waste at a County Facility unless such Person or entity shall pay the applicable tipping fee.
- g) Tipping fees at County Facilities shall be set by resolution of the Board of Legislators and amended as necessary from time to time.

## V. ENFORCEMENT

### I. Presumptions

There shall be rebuttable presumptions in the enforcement of this local law that:

- a) The placement of any Container which is marked or identified with the name of any Waste Collector, at any location within the County, shall be presumptive evidence that said Waste Collector is providing solid waste collection services at said location within the County as of the date of said placement.
- b) Evidence of Solid Waste in a Container located in the County as described in Section IV(1)(a) above, and subsequent observation of the same Container empty, shall be presumptive evidence that Solid Waste was collected from the Container by the Waste Collector whose name is marked on the Container.
- c) The failure to deliver any Solid Waste to a facility designated by the department pursuant to Section III(3)(a) within three days of the collection of Solid Waste from any location within the County shall be presumptive evidence of a violation of Section III (3)(a) of this local law.



December 8, 2008

2. Administrative Sanctions

- a) Penalties and License Suspension/Revocation. The Department shall have the right to impose a civil penalty and/or suspend or revoke any Commercial Waste Permit if the holder of such permit violates any of the provisions of this local law or any rules, regulations or requirements of the Department that may be adopted and modified from time to time in accordance with this local law. Civil penalties shall be assessed in an amount sufficient to compensate the County for any injury suffered, or any costs incurred by the County as a result of the violation. Civil penalties, or suspension or revocation of a Commercial Waste Permit may be imposed only after service of a written notice of violation upon the permit holder and, if demanded, a hearing as provided for in this local law.
- b) Notice. Upon any violation of the provisions of this local law or any applicable rules, regulations or requirements of the Department, the Department may serve notice in person or by ordinary mail sent to the holder of any permit issued pursuant to this local law, at the address set forth in the permit application on file with the Department. Such notice shall state the Department's intent to revoke or suspend, and/or impose a civil penalty upon the permit holder. Any holder of a Commercial Waste Permit may demand a hearing as allowed by Section IV.2.a of this local law, by serving upon the Department a written request for a hearing; such request must be received by the Department within ten days of the date of service of notice. Upon receipt of such demand, a hearing shall be scheduled and held at the offices of the Department.
- c) If the holder of a Commercial Waste Permit served with Notice pursuant to subsection (b) above fails to demand a hearing within the ten-day notice period provided for in Section IV.2.b, the revocation, suspension and/or surcharge provided for in the notice, shall be effective.
- d) Hearings. Hearings pursuant to this Section IV(2) shall be conducted by a Board of Hearing. The Board of Hearing shall consist of three persons designated by the Board of Legislators. In any hearing conducted pursuant to this Section, the following shall apply:
  - i) A stenographic record shall be kept.
  - ii) The permit holder may be represented by counsel.
  - iii) Witnesses shall be sworn and subject to cross-examination.
  - iv) Evidence submitted shall be relevant and may include evidence as to the past performance of the permit holder. Hearsay evidence shall be admissible, but shall be accorded such weight as the Board of Hearing deems appropriate, consistent with its reliability.
  - v) Findings of fact shall be made by a majority of the Board of Hearing, in writing, upon a preponderance of the evidence.
  - vi) Upon a finding that a violation is proved, the Board of Hearing, by majority vote, shall impose such civil penalty, or order such suspension or revocation of the Commercial Waste Permit, as it deems appropriate. The determination of the Board of Hearing shall be final, and shall be subject to judicial review.

December 8, 2008

- e) Any Person who is ordered to pay a civil penalty for a violation of the provisions of this local law shall pay such penalty in full before any permit issued pursuant to this local law can be renewed or reinstated, unless otherwise ordered by the Board of Hearing.

3. Civil Enforcement. The County may enforce the orders and decisions of the Board of Hearing in a civil court of competent jurisdiction of the State of New York, including, but not limited to actions for declaratory and injunctive relief.

4. Enforcement Guidelines

The Department may establish and modify from time to time enforcement guidelines that have been adopted, and that may be amended from time to time, by resolution of the Board of Legislators with regard to any provision of this local law.

**VI. EFFECTIVE DATE**

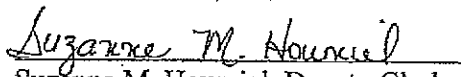
This article is effective upon passage by the St. Lawrence County Board of Legislators and filing with the Department of State pursuant to the Municipal Home Rule Law.

**VII. SEVERABILITY**

If any part of this local law, as originally enacted or as amended from time to time, is found to be illegal, or its application to any Person or circumstance is held invalid, the remainder and the application of its provisions to Persons or circumstances other than those to which it is held invalid, shall not be affected thereby and shall remain in full force and effect.

STATE OF NEW YORK            )  
  ) ss:  
COUNTY OF ST. LAWRENCE    )

I, Suzanne M. Houmiel, Deputy Clerk to the St. Lawrence County Board of Legislators, **DO HEREBY CERTIFY**, that I have compared this copy of Resolution No. 419-2008 "Adopting Proposed Local Law D (No. ) for the Year 2008 Providing an Orderly Program for the Collection, Transportation, and Disposal of Solid Waste and Recyclables In Order to Promote the Safety, Health, Welfare, and Convenience of the Citizens of St. Lawrence County" adopted December 8, 2008, with the original record in this office and that the same is a correct transcript thereof and of the whole of said original record.

  
Suzanne M. Houmiel, Deputy Clerk  
St. Lawrence County Board of Legislators  
February 3, 2009

## **ATTACHMENT A – PUBLIC COMMENT SUMMARY**

## **PUBLIC NOTICE**

### **NOTICE OF PUBLIC COMMENT PERIOD**

**PLEASE TAKE NOTICE** that the Development Authority of the North Country (the "Authority") will accept written comments until 5:00 p.m. on September 28, 2016, on the Authority's draft local solid waste management plan, entitled the Local Materials Management Plan for the Development Authority of the North Country ("LMMP"), which covers Jefferson, Lewis, and St. Lawrence Counties. The LMMP is an instrument that evaluates the current solid waste management practices in the covered area, assess the options and alternatives available for future solid waste management, and sets out steps to follow over a 10-year period to implement the plan. Part of the goal is to reduce waste and increase reuse and recycling methods. The Authority prepared its LMMP in accordance with requirements of the New York State Environmental Conservation Law and the implementing regulations set forth at 6 NYCRR Subpart 360-15. The LMMP addresses current and future needs of the covered region and the 2010 State Solid Waste Management Plan prepared by New York State Department of Environmental Conservation, as applicable. A copy of the draft LMMP is available for public review during normal business hours at each Planning Office for Jefferson, Lewis, and St. Lawrence Counties, and the Planning Office of the Town of Rodman. A copy of the draft LMMP is also available for public review on the Authority's website ([www.danc.org](http://www.danc.org)). All comments must be received by September 28, 2016 and addressed as follows:

Local Materials Management Plan  
Attn: Mr. Richard LeClerc  
Development Authority of the North Country  
23400 NYS Route 177  
Rodman, New York 13682.

James W. Wright, Executive Director  
Development Authority of the North Country

***No public comments were received during the comment period as established and advertised above.***

## **ATTACHMENT B – SEQR**

# @CW Materials Management Plan

Development Authority of the North Country

## Full Environmental Assessment Form Part 1

**LEAD AGENCY:**

Development Authority of the North Country  
317 Washington Street  
Watertown, NY 13601  
315-661-3200

**PREPARED BY:**

CC Environment & Planning  
23 Jackson Street  
Batavia, NY 14020  
585-219-4030

August 2016

**Full Environmental Assessment Form**  
**Part 1 - Project and Setting**

**Instructions for Completing Part 1**

**Part 1 is to be completed by the applicant or project sponsor.** Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the project sponsor to verify that the information contained in Part 1 is accurate and complete.

**A. Project and Sponsor Information.**

Name of Action or Project: ADOPTION OF LOCAL MATERIALS MANAGEMENT PLAN		
Project Location (describe, and attach a general location map): Jefferson, Lewis, and St. Lawrence Counties		
Brief Description of Proposed Action (include purpose or need): The Development Authority of the North Country (the Authority) has prepared a local solid waste management plan pursuant to NY Environmental Conservation Law section 27-0107, titled the Local Materials Management Plan for the Development Authority of the North Country ("LMMP"). The LMMP covers the area of Jefferson, Lewis, and St. Lawrence Counties. The Authority, as the designated planning unit, is responsible for adopting and implementing the LMMP, which evaluates the current and future solid waste management practices in the covered region, discusses available alternatives, and sets out steps to implement the plan over a ten-year period. The LMMP addresses all solid waste within the three counties and proposes methods for waste reduction and increased reuse, recycling, and composting. The LMMP was prepared consistent with the State's solid waste management policy, emphasizing a waste management hierarchy that identifies landfill disposal as the last option for dealing with waste materials after all reduction, reuse, and recycling measures have been implemented.		
Name of Applicant/Sponsor: Development Authority of the North Country	Telephone: (315) 661-3200	
	E-Mail:	
Address: Dulles State Office Building, 317 Washington Street		
City/PO: Watertown	State: NY	Zip Code: 13601
Project Contact (if not same as sponsor; give name and title/role): James W. Wright, Executive Director, Development Authority of the North Country	Telephone: (315) 661-3200	
	E-Mail: jwright@danc.org	
Address: Dulles State Office Building, 317 Washington Street		
City/PO: Watertown	State: NY	Zip Code: 13601
Property Owner (if not same as sponsor):	Telephone:	
	E-Mail:	
Address:		
City/PO:	State:	Zip Code:



## B. Government Approvals

**B. Government Approvals, Funding, or Sponsorship.** (“Funding” includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Council, Town Board, <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No or Village Board of Trustees		
b. City, Town or Village <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Planning Board or Commission		
c. City Council, Town or <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Village Zoning Board of Appeals		
d. Other local agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
e. County agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
f. Regional agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Development Authority of the North Country - approval of final LMMP	October 2016 (anticipated)
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	New York State Department of Environmental Conservation - approval of final LMMP	October 2016 (anticipated)
h. Federal agencies <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
i. Coastal Resources. i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No  ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No iii. Is the project site within a Coastal Erosion Hazard Area? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		

## C. Planning and Zoning

### C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☒ Yes ☐ No

- If Yes, complete sections C, F and G.
- If No, proceed to question C.2 and complete all remaining sections and questions in Part 1

### C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? Comprehensive plans exist in covered region (e.g. Lewis County, various municipal plans). ☒ Yes ☐ No  
If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☐ Yes ☒ No  
Project applies to 3-county region generally; not site-specific.

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☒ Yes ☐ No  
If Yes, identify the plan(s): Project is LSWMP covering three counties (Jefferson, Lewis and St. Lawrence) not specific site.  
Various municipal plans exist in the 3-county region: Ogdensburg Waterfront BOA (St. Lawrence County); Lyons Falls BOA (Lewis County); Waterfront Revitalization Plans for municipalities in Jefferson County (Cape Vincent, Clayton, Dexter) and municipalities in St. Lawrence County (Morristown, Ogdensburg, Sackets Harbor, Waddington); Great South Woods of the Wilderness Critical Environmental Area (St. Lawrence County)

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☒ Yes ☐ No  
If Yes, identify the plan(s):  
Jefferson County Agricultural and Farmland Protection Plan  
St. Lawrence County Agricultural Development Plan

### C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. N/A ☐ Yes ☐ No  
If Yes, what is the zoning classification(s) including any applicable overlay district?

N/A

b. Is the use permitted or allowed by a special or conditional use permit? N/A ☐ Yes ☐ No

c. Is a zoning change requested as part of the proposed action? ☐ Yes ☒ No

If Yes,

i. What is the proposed new zoning for the site? \_\_\_\_\_

### C.4. Existing community services.

a. In what school district is the project site located? N/A

b. What police or other public protection forces serve the project site?

N/A

c. Which fire protection and emergency medical services serve the project site?

N/A

d. What parks serve the project site?

N/A

### D. Project Details

**Section D is not applicable.**

#### D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)?

b. a. Total acreage of the site of the proposed action? \_\_\_\_\_ acres  
b. Total acreage to be physically disturbed? \_\_\_\_\_ acres  
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? \_\_\_\_\_ acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☐ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % \_\_\_\_\_ Units: \_\_\_\_\_

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☐ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? \_\_\_\_\_

iv. Minimum and maximum proposed lot sizes? Minimum \_\_\_\_\_ Maximum \_\_\_\_\_

e. Will proposed action be constructed in multiple phases? ☐ Yes ☐ No

i. If No, anticipated period of construction: \_\_\_\_\_ months

ii. If Yes:

- Total number of phases anticipated \_\_\_\_\_
- Anticipated commencement date of phase 1 (including demolition) \_\_\_\_\_ month \_\_\_\_\_ year
- Anticipated completion date of final phase \_\_\_\_\_ month \_\_\_\_\_ year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: \_\_\_\_\_

f. Does the project include new residential uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, show numbers of units proposed.				
	<u>One Family</u>	<u>Two Family</u>	<u>Three Family</u>	<u>Multiple Family (four or more)</u>
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Total number of structures _____ ii. Dimensions (in feet) of largest proposed structure: _____ height; _____ width; and _____ length iii. Approximate extent of building space to be heated or cooled: _____ square feet	

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes,	
i. Purpose of the impoundment: _____ ii. If a water impoundment, the principal source of the water: <span style="float: right;"><input type="checkbox"/> Ground water <input type="checkbox"/> Surface water streams <input type="checkbox"/> Other specify:</span> _____ iii. If other than water, identify the type of impounded/contained liquids and their source. _____ iv. Approximate size of the proposed impoundment. Volume: _____ million gallons; surface area: _____ acres v. Dimensions of the proposed dam or impounding structure: _____ height; _____ length vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____	

**D.2. Project Operations**

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> (Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite) If Yes:	
i. What is the purpose of the excavation or dredging? _____ ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site? • Volume (specify tons or cubic yards): _____ • Over what duration of time? _____ iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. _____ _____ iv. Will there be onsite dewatering or processing of excavated materials? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, describe. _____ _____ v. What is the total area to be dredged or excavated? _____ acres vi. What is the maximum area to be worked at any one time? _____ acres vii. What would be the maximum depth of excavation or dredging? _____ feet viii. Will the excavation require blasting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> ix. Summarize site reclamation goals and plan: _____ _____ _____	

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes:	
i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): _____ _____	

*ii.* Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

*iii.* Will proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☐ No  
If Yes, describe: \_\_\_\_\_

*iv.* Will proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☐ No  
If Yes:

- acres of aquatic vegetation proposed to be removed: \_\_\_\_\_
- expected acreage of aquatic vegetation remaining after project completion: \_\_\_\_\_
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): \_\_\_\_\_
- proposed method of plant removal: \_\_\_\_\_
- if chemical/herbicide treatment will be used, specify product(s): \_\_\_\_\_

*v.* Describe any proposed reclamation/mitigation following disturbance: \_\_\_\_\_

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*c.* Will the proposed action use, or create a new demand for water? ☐ Yes ☐ No  
If Yes:

*i.* Total anticipated water usage/demand per day: \_\_\_\_\_ gallons/day

*ii.* Will the proposed action obtain water from an existing public water supply? ☐ Yes ☐ No  
If Yes:

- Name of district or service area: \_\_\_\_\_
- Does the existing public water supply have capacity to serve the proposal? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No
- Do existing lines serve the project site? ☐ Yes ☐ No

*iii.* Will line extension within an existing district be necessary to supply the project? ☐ Yes ☐ No  
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: \_\_\_\_\_
- Source(s) of supply for the district: \_\_\_\_\_

*iv.* Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☐ No  
If Yes:

- Applicant/sponsor for new district: \_\_\_\_\_
- Date application submitted or anticipated: \_\_\_\_\_
- Proposed source(s) of supply for new district: \_\_\_\_\_

*v.* If a public water supply will not be used, describe plans to provide water supply for the project: \_\_\_\_\_

*vi.* If water supply will be from wells (public or private), maximum pumping capacity: \_\_\_\_\_ gallons/minute.

---

*d.* Will the proposed action generate liquid wastes? ☐ Yes ☐ No  
If Yes:

*i.* Total anticipated liquid waste generation per day: \_\_\_\_\_ gallons/day

*ii.* Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each): \_\_\_\_\_

\_\_\_\_\_

*iii.* Will the proposed action use any existing public wastewater treatment facilities? ☐ Yes ☐ No  
If Yes:

- Name of wastewater treatment plant to be used: \_\_\_\_\_
- Name of district: \_\_\_\_\_
- Does the existing wastewater treatment plant have capacity to serve the project? ☐ Yes ☐ No
- Is the project site in the existing district? ☐ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☐ No

<ul style="list-style-type: none"> <li>• Do existing sewer lines serve the project site? _____</li> <li>• Will line extension within an existing district be necessary to serve the project? _____</li> </ul> <p>If Yes:</p> <ul style="list-style-type: none"> <li>• Describe extensions or capacity expansions proposed to serve this project: _____</li> </ul>	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No
iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? _____	
If Yes: <ul style="list-style-type: none"> <li>• Applicant/sponsor for new district: _____</li> <li>• Date application submitted or anticipated: _____</li> <li>• What is the receiving water for the wastewater discharge? _____</li> </ul>	
v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge, or describe subsurface disposal plans): _____	
vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____	
e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? _____	
If Yes: <ul style="list-style-type: none"> <li>i. How much impervious surface will the project create in relation to total size of project parcel?             <div style="margin-left: 20px;">               _____ Square feet or _____ acres (impervious surface)                _____ Square feet or _____ acres (parcel size)             </div> </li> <li>ii. Describe types of new point sources. _____</li> <li>iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)? _____</li> </ul>	
<ul style="list-style-type: none"> <li>• If to surface waters, identify receiving water bodies or wetlands: _____</li> <li>• Will stormwater runoff flow to adjacent properties? _____</li> </ul>	
iv. Does proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? _____	
f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? _____	
If Yes, identify: <ul style="list-style-type: none"> <li>i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles) _____</li> <li>ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers) _____</li> <li>iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation) _____</li> </ul>	
g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? _____	
If Yes: <ul style="list-style-type: none"> <li>i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) _____</li> <li>ii. In addition to emissions as calculated in the application, the project will generate:             <ul style="list-style-type: none"> <li>• _____ Tons/year (short tons) of Carbon Dioxide (CO<sub>2</sub>)</li> <li>• _____ Tons/year (short tons) of Nitrous Oxide (N<sub>2</sub>O)</li> <li>• _____ Tons/year (short tons) of Perfluorocarbons (PFCs)</li> <li>• _____ Tons/year (short tons) of Sulfur Hexafluoride (SF<sub>6</sub>)</li> <li>• _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)</li> <li>• _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)</li> </ul> </li> </ul>	

<p>h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate methane generation in tons/year (metric): _____</p> <p>ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____</p>			
<p>i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust): _____</p>			
<p>j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. When is the peak traffic expected (Check all that apply): <input type="checkbox"/> Morning <input type="checkbox"/> Evening <input type="checkbox"/> Weekend  <input type="checkbox"/> Randomly between hours of _____ to _____.</p> <p>ii. For commercial activities only, projected number of semi-trailer truck trips/day: _____</p> <p>iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____</p> <p>iv. Does the proposed action include any shared use parking? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe: _____</p> <p>vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Estimate annual electricity demand during operation of the proposed action: _____</p> <p>ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other): _____</p> <p>iii. Will the proposed action require a new, or an upgrade to, an existing substation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>			
<p>l. Hours of operation. Answer all items which apply.</p> <table style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> <td style="width: 50%; vertical-align: top;"> <p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul> </td> </tr> </table>		<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>
<p>i. During Construction:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>	<p>ii. During Operations:</p> <ul style="list-style-type: none"> <li>• Monday - Friday: _____</li> <li>• Saturday: _____</li> <li>• Sunday: _____</li> <li>• Holidays: _____</li> </ul>		

<p>m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Provide details including sources, time of day and duration:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a noise barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>n.. Will the proposed action have outdoor lighting? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes:</p> <p>i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:</p> <p>_____</p> <p>_____</p>	
<p>ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>Describe: _____</p> <p>_____</p>	
<p>o. Does the proposed action have the potential to produce odors for more than one hour per day? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____</p> <p>_____</p> <p>_____</p>	
<p>p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Product(s) to be stored _____</p> <p>ii. Volume(s) _____ per unit time _____ (e.g., month, year)</p> <p>iii. Generally describe proposed storage facilities: _____</p> <p>_____</p>	
<p>q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe proposed treatment(s):</p> <p>_____</p> <p>_____</p> <p>_____</p>	
<p>ii. Will the proposed action use Integrated Pest Management Practices? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p>i. Describe any solid waste(s) to be generated during construction or operation of the facility:</p> <ul style="list-style-type: none"> <li>• Construction: _____ tons per _____ (unit of time)</li> <li>• Operation : _____ tons per _____ (unit of time)</li> </ul> <p>ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul> <p>iii. Proposed disposal methods/facilities for solid waste generated on-site:</p> <ul style="list-style-type: none"> <li>• Construction: _____</li> <li>_____</li> <li>• Operation: _____</li> <li>_____</li> </ul>	



s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☐ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): \_\_\_\_\_

ii. Anticipated rate of disposal/processing:

- \_\_\_\_\_ Tons/month, if transfer or other non-combustion/thermal treatment, or
- \_\_\_\_\_ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: \_\_\_\_\_ years

t. Will proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☐ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: \_\_\_\_\_

ii. Generally describe processes or activities involving hazardous wastes or constituents: \_\_\_\_\_

iii. Specify amount to be handled or generated \_\_\_\_\_ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: \_\_\_\_\_

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: \_\_\_\_\_

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility: \_\_\_\_\_

**E. Site and Setting of Proposed Action      Section E is not applicable.**

<b>E.1. Land uses on and surrounding the project site</b>																																							
<p>a. Existing land uses.</p> <p>i. Check all uses that occur on, adjoining and near the project site.</p> <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input type="checkbox"/> Urban</div> <div style="margin-right: 10px;"><input type="checkbox"/> Industrial</div> <div style="margin-right: 10px;"><input type="checkbox"/> Commercial</div> <div style="margin-right: 10px;"><input type="checkbox"/> Residential (suburban)</div> <div style="margin-right: 10px;"><input type="checkbox"/> Rural (non-farm)</div> <div style="margin-right: 10px;"><input type="checkbox"/> Forest</div> <div style="margin-right: 10px;"><input type="checkbox"/> Agriculture</div> <div style="margin-right: 10px;"><input type="checkbox"/> Aquatic</div> <div><input type="checkbox"/> Other (specify): _____</div> </div> <p>ii. If mix of uses, generally describe: _____</p>																																							
<p>b. Land uses and covertypes on the project site.</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 40%;">Land use or Covertypes</th> <th style="width: 15%;">Current Acreage</th> <th style="width: 25%;">Acreage After Project Completion</th> <th style="width: 20%;">Change (Acres +/-)</th> </tr> </thead> <tbody> <tr> <td>• Roads, buildings, and other paved or impervious surfaces</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Forested</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Agricultural (includes active orchards, field, greenhouse etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Surface water features (lakes, ponds, streams, rivers, etc.)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Wetlands (freshwater or tidal)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Non-vegetated (bare rock, earth or fill)</td> <td></td> <td></td> <td></td> </tr> <tr> <td>• Other Describe: _____</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>				Land use or Covertypes	Current Acreage	Acreage After Project Completion	Change (Acres +/-)	• Roads, buildings, and other paved or impervious surfaces				• Forested				• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)				• Agricultural (includes active orchards, field, greenhouse etc.)				• Surface water features (lakes, ponds, streams, rivers, etc.)				• Wetlands (freshwater or tidal)				• Non-vegetated (bare rock, earth or fill)				• Other Describe: _____			
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c. Is the project site presently used by members of the community for public recreation? <i>i.</i> If Yes: explain: _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? If Yes, <i>i.</i> Identify Facilities: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
e. Does the project site contain an existing dam? If Yes: <i>i.</i> Dimensions of the dam and impoundment: • Dam height: _____ feet • Dam length: _____ feet • Surface area: _____ acres • Volume impounded: _____ gallons OR acre-feet <i>ii.</i> Dam's existing hazard classification: _____ <i>iii.</i> Provide date and summarize results of last inspection: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? If Yes: <i>i.</i> Has the facility been formally closed? _____ • If yes, cite sources/documentation: _____ <i>ii.</i> Describe the location of the project site relative to the boundaries of the solid waste management facility: _____ _____ <i>iii.</i> Describe any development constraints due to the prior solid waste activities: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? If Yes: <i>i.</i> Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No
h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? If Yes: <i>i.</i> Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: <input type="checkbox"/> Yes – Spills Incidents database      Provide DEC ID number(s): _____ <input type="checkbox"/> Yes – Environmental Site Remediation database      Provide DEC ID number(s): _____ <input type="checkbox"/> Neither database <i>ii.</i> If site has been subject of RCRA corrective activities, describe control measures: _____ _____ <i>iii.</i> Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? If yes, provide DEC ID number(s): _____ <i>iv.</i> If yes to (i), (ii) or (iii) above, describe current status of site(s): _____ _____	<input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No  <input type="checkbox"/> Yes <input type="checkbox"/> No

v. Is the project site subject to an institutional control limiting property uses? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> <ul style="list-style-type: none"> <li>If yes, DEC site ID number: _____</li> <li>Describe the type of institutional control (e.g., deed restriction or easement): _____</li> <li>Describe any use limitations: _____</li> <li>Describe any engineering controls: _____</li> <li>Will the project affect the institutional or engineering controls in place? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>Explain: _____  _____</li> </ul>	
<b>E.2. Natural Resources On or Near Project Site</b>	
a. What is the average depth to bedrock on the project site? _____ feet	
b. Are there bedrock outcroppings on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ %	
c. Predominant soil type(s) present on project site: _____ % _____ % _____ %	
d. What is the average depth to the water table on the project site? Average: _____ feet	
e. Drainage status of project site soils: <input type="checkbox"/> Well Drained: _____ % of site <input type="checkbox"/> Moderately Well Drained: _____ % of site <input type="checkbox"/> Poorly Drained: _____ % of site	
f. Approximate proportion of proposed action site with slopes: <input type="checkbox"/> 0-10%: _____ % of site <input type="checkbox"/> 10-15%: _____ % of site <input type="checkbox"/> 15% or greater: _____ % of site	
g. Are there any unique geologic features on the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes, describe: _____ _____	
h. Surface water features. <ul style="list-style-type: none"> <li>i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>ii. Do any wetlands or other waterbodies adjoin the project site? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul> If Yes to either <i>i</i> or <i>ii</i> , continue. If No, skip to E.2.i. <ul style="list-style-type: none"> <li>iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> <li>iv. For each identified regulated wetland and waterbody on the project site, provide the following information: <ul style="list-style-type: none"> <li>Streams: Name _____ Classification _____</li> <li>Lakes or Ponds: Name _____ Classification _____</li> <li>Wetlands: Name _____ Approximate Size _____</li> <li>Wetland No. (if regulated by DEC) _____</li> </ul> </li> </ul>	
v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If yes, name of impaired water body/bodies and basis for listing as impaired: _____ _____	
i. Is the project site in a designated Floodway? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
j. Is the project site in the 100 year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
k. Is the project site in the 500 year Floodplain? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span>	
l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span> If Yes: <ul style="list-style-type: none"> <li>i. Name of aquifer: _____</li> </ul>	

<p>m. Identify the predominant wildlife species that occupy or use the project site: _____</p> <p>_____</p> <p>_____</p>	
<p>n. Does the project site contain a designated significant natural community? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Describe the habitat/community (composition, function, and basis for designation): _____</p> <p style="margin-left: 20px;">_____</p> <p style="margin-left: 20px;">ii. Source(s) of description or evaluation: _____</p> <p style="margin-left: 20px;">iii. Extent of community/habitat:</p> <ul style="list-style-type: none"> <li>• Currently: _____ acres</li> <li>• Following completion of project as proposed: _____ acres</li> <li>• Gain or loss (indicate + or -): _____ acres</li> </ul>	
<p>o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p>	
<p>q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If yes, give a brief description of how the proposed action may affect that use: _____</p> <p>_____</p>	
<p><b>E.3. Designated Public Resources On or Near Project Site</b></p>	
<p>a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes, provide county plus district name/number: _____</p>	
<p>b. Are agricultural lands consisting of highly productive soils present? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p style="margin-left: 20px;">i. If Yes: acreage(s) on project site? _____</p> <p style="margin-left: 20px;">ii. Source(s) of soil rating(s): _____</p>	
<p>c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. Nature of the natural landmark: <input type="checkbox"/> Biological Community <input type="checkbox"/> Geological Feature</p> <p style="margin-left: 20px;">ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____</p> <p>_____</p> <p>_____</p>	
<p>d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></p> <p>If Yes:</p> <p style="margin-left: 20px;">i. CEA name: _____</p> <p style="margin-left: 20px;">ii. Basis for designation: _____</p> <p style="margin-left: 20px;">iii. Designating agency and date: _____</p>	

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on, or has been nominated by the NYS Board of Historic Preservation for inclusion on, the State or National Register of Historic Places?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Nature of historic/archaeological resource: <input type="checkbox"/> Archaeological Site      <input type="checkbox"/> Historic Building or District</li> <li>ii. Name: _____</li> <li>iii. Brief description of attributes on which listing is based: _____</li> </ul>	
f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory?	<input type="checkbox"/> Yes <input type="checkbox"/> No
g. Have additional archaeological or historic site(s) or resources been identified on the project site? <ul style="list-style-type: none"> <li>i. Describe possible resource(s): _____</li> <li>ii. Basis for identification: _____</li> </ul>	
h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify resource: _____</li> <li>ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____</li> <li>iii. Distance between project and resource: _____ miles.</li> </ul>	
i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666?	<input type="checkbox"/> Yes <input type="checkbox"/> No
If Yes: <ul style="list-style-type: none"> <li>i. Identify the name of the river and its designation: _____</li> <li>ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? <span style="float: right;"><input type="checkbox"/> Yes <input type="checkbox"/> No</span></li> </ul>	

#### F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

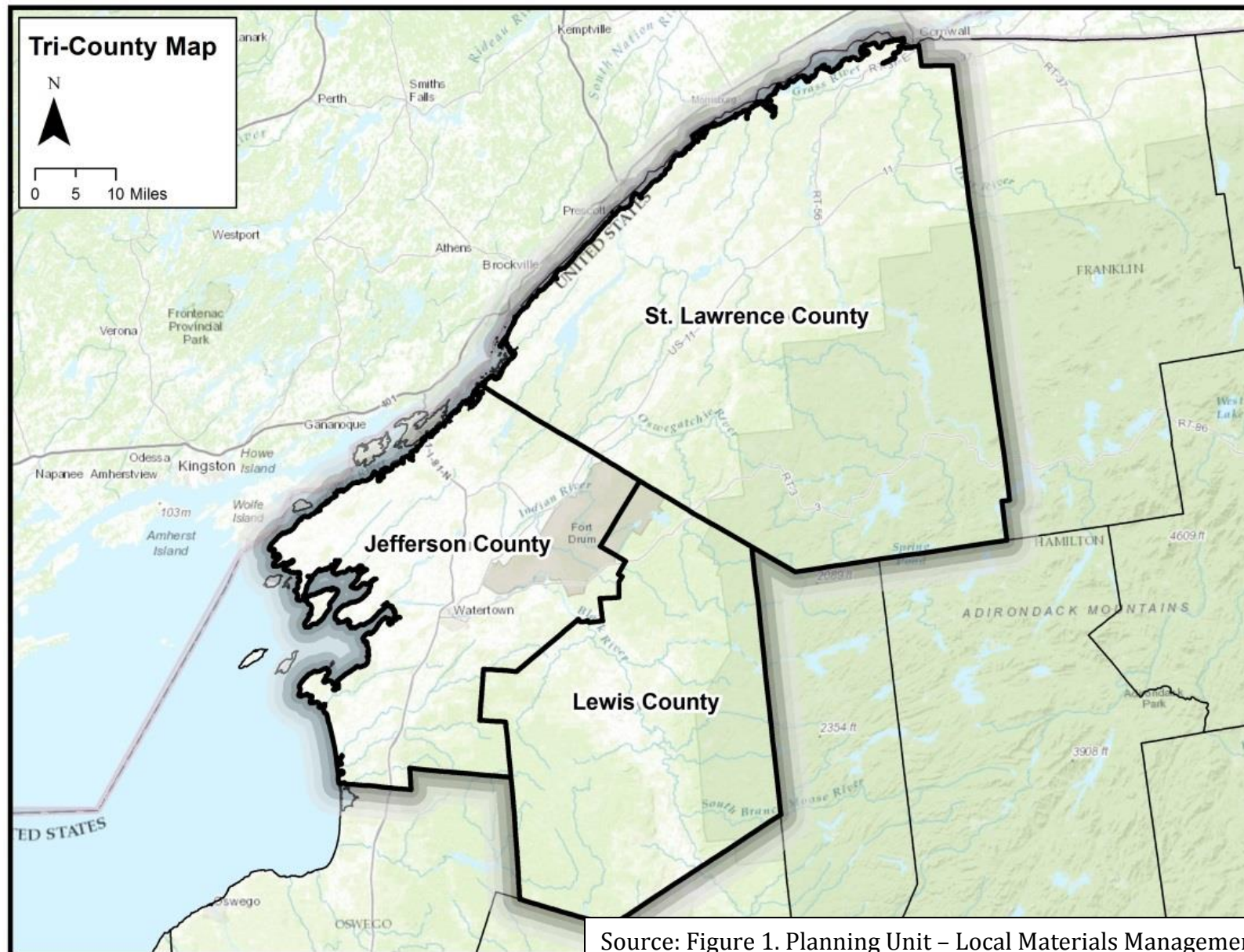
#### G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Development Authority of the North Country Date August 25, , 2016

Signature  Title Executive Director





Source: Figure 1. Planning Unit – Local Materials Management Plan  
Final Draft Aug 2016 – Development Authority of the North Country.

**Figure 1. North Country Regional LMMP - Planning Unit Project Area/Location Map**

# Local Materials Management Plan

Development Authority of the North Country  
North Country Regional Plan

## Full Environmental Assessment Form Parts 2 and 3

**LEAD AGENCY:**

Development Authority of the North Country  
317 Washington Street  
Watertown, NY 13601  
315-661-3200

**PREPARED BY:**

CC Environment & Planning

October 2016



**Full Environmental Assessment Form**  
**Part 2 - Identification of Potential Project Impacts**

Project :

Date :

**Part 2 is to be completed by the lead agency.** Part 2 is designed to help the lead agency inventory all potential resources that could be affected by a proposed project or action. We recognize that the lead agency's reviewer(s) will not necessarily be environmental professionals. So, the questions are designed to walk a reviewer through the assessment process by providing a series of questions that can be answered using the information found in Part 1. To further assist the lead agency in completing Part 2, the form identifies the most relevant questions in Part 1 that will provide the information needed to answer the Part 2 question. When Part 2 is completed, the lead agency will have identified the relevant environmental areas that may be impacted by the proposed activity.

If the lead agency is a state agency **and** the action is in any Coastal Area, complete the Coastal Assessment Form before proceeding with this assessment.

**Tips for completing Part 2:**

- Review all of the information provided in Part 1.
- Review any application, maps, supporting materials and the Full EAF Workbook.
- Answer each of the 18 questions in Part 2.
- If you answer “**Yes**” to a numbered question, please complete all the questions that follow in that section.
- If you answer “**No**” to a numbered question, move on to the next numbered question.
- Check appropriate column to indicate the anticipated size of the impact.
- Proposed projects that would exceed a numeric threshold contained in a question should result in the reviewing agency checking the box “Moderate to large impact may occur.”
- The reviewer is not expected to be an expert in environmental analysis.
- If you are not sure or undecided about the size of an impact, it may help to review the sub-questions for the general question and consult the workbook.
- When answering a question consider all components of the proposed activity, that is, the “whole action”.
- Consider the possibility for long-term and cumulative impacts as well as direct impacts.
- Answer the question in a reasonable manner considering the scale and context of the project.

<b>1. Impact on Land</b> Proposed action may involve construction on, or physical alteration of, the land surface of the proposed site. (See Part 1. D.1) <i>If “Yes”, answer questions a - j. If “No”, move on to Section 2.</i>				<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur		
a. The proposed action may involve construction on land where depth to water table is less than 3 feet.	E2d	<input type="checkbox"/>	<input type="checkbox"/>		
b. The proposed action may involve construction on slopes of 15% or greater.	E2f	<input type="checkbox"/>	<input type="checkbox"/>		
c. The proposed action may involve construction on land where bedrock is exposed, or generally within 5 feet of existing ground surface.	E2a	<input type="checkbox"/>	<input type="checkbox"/>		
d. The proposed action may involve the excavation and removal of more than 1,000 tons of natural material.	D2a	<input type="checkbox"/>	<input type="checkbox"/>		
e. The proposed action may involve construction that continues for more than one year or in multiple phases.	D1e	<input type="checkbox"/>	<input type="checkbox"/>		
f. The proposed action may result in increased erosion, whether from physical disturbance or vegetation removal (including from treatment by herbicides).	D2e, D2q	<input type="checkbox"/>	<input type="checkbox"/>		
g. The proposed action is, or may be, located within a Coastal Erosion hazard area.	B1i	<input type="checkbox"/>	<input type="checkbox"/>		
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>		

<b>2. Impact on Geological Features</b> The proposed action may result in the modification or destruction of, or inhibit access to, any unique or unusual land forms on the site (e.g., cliffs, dunes, minerals, fossils, caves). (See Part 1. E.2.g) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - c. If "No", move on to Section 3.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. Identify the specific land form(s) attached: _____	E2g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may affect or is adjacent to a geological feature listed as a registered National Natural Landmark. Specific feature: _____	E3c	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>3. Impacts on Surface Water</b> The proposed action may affect one or more wetlands or other surface water bodies (e.g., streams, rivers, ponds or lakes). (See Part 1. D.2, E.2.h) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - l. If "No", move on to Section 4.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may create a new water body.	D2b, D1h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in an increase or decrease of over 10% or more than a 10 acre increase or decrease in the surface area of any body of water.	D2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may involve dredging more than 100 cubic yards of material from a wetland or water body.	D2a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve construction within or adjoining a freshwater or tidal wetland, or in the bed or banks of any other water body.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may create turbidity in a waterbody, either from upland erosion, runoff or by disturbing bottom sediments.	D2a, D2h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may include construction of one or more intake(s) for withdrawal of water from surface water.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may include construction of one or more outfall(s) for discharge of wastewater to surface water(s).	D2d	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may cause soil erosion, or otherwise create a source of stormwater discharge that may lead to siltation or other degradation of receiving water bodies.	D2e	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may affect the water quality of any water bodies within or downstream of the site of the proposed action.	E2h	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may involve the application of pesticides or herbicides in or around any water body.	D2q, E2h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may require the construction of new, or expansion of existing, wastewater treatment facilities.	D1a, D2d	<input type="checkbox"/>	<input type="checkbox"/>

I. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>4. Impact on groundwater</b> The proposed action may result in new or additional use of ground water, or may have the potential to introduce contaminants to ground water or an aquifer. (See Part 1. D.2.a, D.2.c, D.2.d, D.2.p, D.2.q, D.2.t) <i>If “Yes”, answer questions a - h. If “No”, move on to Section 5.</i>			
	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may require new water supply wells, or create additional demand on supplies from existing water supply wells.	D2c	<input type="checkbox"/>	<input type="checkbox"/>
b. Water supply demand from the proposed action may exceed safe and sustainable withdrawal capacity rate of the local supply or aquifer. Cite Source: _____	D2c	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may allow or result in residential uses in areas without water and sewer services.	D1a, D2c	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may include or require wastewater discharged to groundwater.	D2d, E2l	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the construction of water supply wells in locations where groundwater is, or is suspected to be, contaminated.	D2c, E1f, E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may require the bulk storage of petroleum or chemical products over ground water or an aquifer.	D2p, E2l	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may involve the commercial application of pesticides within 100 feet of potable drinking water or irrigation sources.	E2h, D2q, E2l, D2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>5. Impact on Flooding</b> The proposed action may result in development on lands subject to flooding. (See Part 1. E.2) <i>If “Yes”, answer questions a - g. If “No”, move on to Section 6.</i>			
	<input type="checkbox"/> NO	<input type="checkbox"/> YES	
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may result in development in a designated floodway.	E2i	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in development within a 100 year floodplain.	E2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in development within a 500 year floodplain.	E2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in, or require, modification of existing drainage patterns.	D2b, D2e	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may change flood water flows that contribute to flooding.	D2b, E2i, E2j, E2k	<input type="checkbox"/>	<input type="checkbox"/>
f. If there is a dam located on the site of the proposed action, is the dam in need of repair, or upgrade?	E1e	<input type="checkbox"/>	<input type="checkbox"/>

g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
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<b>6. Impacts on Air</b> The proposed action may include a state regulated air emission source. <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> (See Part 1. D.2.f., D.2.h, D.2.g) <i>If "Yes", answer questions a - f. If "No", move on to Section 7.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. If the proposed action requires federal or state air emission permits, the action may also emit one or more greenhouse gases at or above the following levels: i. More than 1000 tons/year of carbon dioxide (CO <sub>2</sub> ) ii. More than 3.5 tons/year of nitrous oxide (N <sub>2</sub> O) iii. More than 1000 tons/year of carbon equivalent of perfluorocarbons (PFCs) iv. More than .045 tons/year of sulfur hexafluoride (SF <sub>6</sub> ) v. More than 1000 tons/year of carbon dioxide equivalent of hydrochloroflourocarbons (HFCs) emissions vi. 43 tons/year or more of methane	D2g D2g D2g D2g D2g D2h	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>
b. The proposed action may generate 10 tons/year or more of any one designated hazardous air pollutant, or 25 tons/year or more of any combination of such hazardous air pollutants.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may require a state air registration, or may produce an emissions rate of total contaminants that may exceed 5 lbs. per hour, or may include a heat source capable of producing more than 10 million BTU's per hour.	D2f, D2g	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may reach 50% of any of the thresholds in "a" through "c", above.	D2g	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in the combustion or thermal treatment of more than 1 ton of refuse per hour.	D2s	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>7. Impact on Plants and Animals</b> The proposed action may result in a loss of flora or fauna. (See Part 1. E.2. m.-q.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - j. If "No", move on to Section 8.</i>			
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may cause reduction in population or loss of individuals of any threatened or endangered species, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction or degradation of any habitat used by any rare, threatened or endangered species, as listed by New York State or the federal government.	E2o	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may cause reduction in population, or loss of individuals, of any species of special concern or conservation need, as listed by New York State or the Federal government, that use the site, or are found on, over, or near the site.	E2p	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in a reduction or degradation of any habitat used by any species of special concern and conservation need, as listed by New York State or the Federal government.	E2p	<input type="checkbox"/>	<input type="checkbox"/>

e. The proposed action may diminish the capacity of a registered National Natural Landmark to support the biological community it was established to protect.	E3c	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result in the removal of, or ground disturbance in, any portion of a designated significant natural community. Source: _____	E2n	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may substantially interfere with nesting/breeding, foraging, or over-wintering habitat for the predominant species that occupy or use the project site.	E2m	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action requires the conversion of more than 10 acres of forest, grassland or any other regionally or locally important habitat. Habitat type & information source: _____	E1b	<input type="checkbox"/>	<input type="checkbox"/>
i. Proposed action (commercial, industrial or recreational projects, only) involves use of herbicides or pesticides.	D2q	<input type="checkbox"/>	<input type="checkbox"/>
j. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>8. Impact on Agricultural Resources</b> The proposed action may impact agricultural resources. (See Part 1. E.3.a. and b.) <span style="float: right;"><input type="checkbox"/> NO <input type="checkbox"/> YES</span> <i>If "Yes", answer questions a - h. If "No", move on to Section 9.</i>			
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may impact soil classified within soil group 1 through 4 of the NYS Land Classification System.	E2c, E3b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may sever, cross or otherwise limit access to agricultural land (includes cropland, hayfields, pasture, vineyard, orchard, etc).	E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in the excavation or compaction of the soil profile of active agricultural land.	E3b	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may irreversibly convert agricultural land to non-agricultural uses, either more than 2.5 acres if located in an Agricultural District, or more than 10 acres if not within an Agricultural District.	E1b, E3a	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may disrupt or prevent installation of an agricultural land management system.	E1 a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action may result, directly or indirectly, in increased development potential or pressure on farmland.	C2c, C3, D2c, D2d	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed project is not consistent with the adopted municipal Farmland Protection Plan.	C2c	<input type="checkbox"/>	<input type="checkbox"/>
h. Other impacts: _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>9. Impact on Aesthetic Resources</b> The land use of the proposed action are obviously different from, or are in sharp contrast to, current land use patterns between the proposed project and a scenic or aesthetic resource. (Part 1. E.1.a, E.1.b, E.3.h.) <i>If "Yes", answer questions a - g. If "No", go to Section 10.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Proposed action may be visible from any officially designated federal, state, or local scenic or aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the obstruction, elimination or significant screening of one or more officially designated scenic views.	E3h, C2b	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may be visible from publicly accessible vantage points: i. Seasonally (e.g., screened by summer foliage, but visible during other seasons) ii. Year round	E3h	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
d. The situation or activity in which viewers are engaged while viewing the proposed action is: i. Routine travel by residents, including travel to and from work ii. Recreational or tourism based activities	E3h E2q, E1c	<input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/>
e. The proposed action may cause a diminishment of the public enjoyment and appreciation of the designated aesthetic resource.	E3h	<input type="checkbox"/>	<input type="checkbox"/>
f. There are similar projects visible within the following distance of the proposed project: 0-1/2 mile 1/2 -3 mile 3-5 mile 5+ mile	D1a, E1a, D1f, D1g	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>10. Impact on Historic and Archeological Resources</b> The proposed action may occur in or adjacent to a historic or archaeological resource. (Part 1. E.3.e, f. and g.) <i>If "Yes", answer questions a - e. If "No", go to Section 11.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may occur wholly or partially within, or substantially contiguous to, any buildings, archaeological site or district which is listed on or has been nominated by the NYS Board of Historic Preservation for inclusion on the State or National Register of Historic Places.	E3e	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may occur wholly or partially within, or substantially contiguous to, an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory.	E3f	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may occur wholly or partially within, or substantially contiguous to, an archaeological site not included on the NY SHPO inventory. Source: _____	E3g	<input type="checkbox"/>	<input type="checkbox"/>

d. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>
e. If any of the above (a-d) are answered “Yes”, continue with the following questions to help support conclusions in Part 3:			
i. The proposed action may result in the destruction or alteration of all or part of the site or property.	E3e, E3g, E3f	<input type="checkbox"/>	<input type="checkbox"/>
ii. The proposed action may result in the alteration of the property’s setting or integrity.	E3e, E3f, E3g, E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
iii. The proposed action may result in the introduction of visual elements which are out of character with the site or property, or may alter its setting.	E3e, E3f, E3g, E3h, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>

<b>11. Impact on Open Space and Recreation</b> The proposed action may result in a loss of recreational opportunities or a reduction of an open space resource as designated in any adopted municipal open space plan. (See Part 1. C.2.c, E.1.c., E.2.q.) <i>If “Yes”, answer questions a - e. If “No”, go to Section 12.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in an impairment of natural functions, or “ecosystem services”, provided by an undeveloped area, including but not limited to stormwater storage, nutrient cycling, wildlife habitat.	D2e, E1b E2h, E2m, E2o, E2n, E2p	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the loss of a current or future recreational resource.	C2a, E1c, C2c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may eliminate open space or recreational resource in an area with few such resources.	C2a, C2c E1c, E2q	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may result in loss of an area now used informally by the community as an open space resource.	C2c, E1c	<input type="checkbox"/>	<input type="checkbox"/>
e. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>12. Impact on Critical Environmental Areas</b> The proposed action may be located within or adjacent to a critical environmental area (CEA). (See Part 1. E.3.d) <i>If “Yes”, answer questions a - c. If “No”, go to Section 13.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	<b>Relevant Part I Question(s)</b>	<b>No, or small impact may occur</b>	<b>Moderate to large impact may occur</b>
a. The proposed action may result in a reduction in the quantity of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in a reduction in the quality of the resource or characteristic which was the basis for designation of the CEA.	E3d	<input type="checkbox"/>	<input type="checkbox"/>
c. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>



**13. Impact on Transportation**

The proposed action may result in a change to existing transportation systems.

☐ NO

☐ YES

(See Part 1. D.2.j)

*If “Yes”, answer questions a - g. If “No”, go to Section 14.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. Projected traffic increase may exceed capacity of existing road network.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in the construction of paved parking area for 500 or more vehicles.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action will degrade existing transit access.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action will degrade existing pedestrian or bicycle accommodations.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may alter the present pattern of movement of people or goods.	D2j	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

**14. Impact on Energy**

The proposed action may cause an increase in the use of any form of energy.

☐ NO

☐ YES

(See Part 1. D.2.k)

*If “Yes”, answer questions a - e. If “No”, go to Section 15.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action will require a new, or an upgrade to an existing, substation.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two-family residences or to serve a commercial or industrial use.	D1f, D1q, D2k	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may utilize more than 2,500 MWhrs per year of electricity.	D2k	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may involve heating and/or cooling of more than 100,000 square feet of building area when completed.	D1g	<input type="checkbox"/>	<input type="checkbox"/>
e. Other Impacts: _____ _____			

**15. Impact on Noise, Odor, and Light**

The proposed action may result in an increase in noise, odors, or outdoor lighting.

☐ NO

☐ YES

(See Part 1. D.2.m., n., and o.)

*If “Yes”, answer questions a - f. If “No”, go to Section 16.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may produce sound above noise levels established by local regulation.	D2m	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may result in blasting within 1,500 feet of any residence, hospital, school, licensed day care center, or nursing home.	D2m, E1d	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may result in routine odors for more than one hour per day.	D2o	<input type="checkbox"/>	<input type="checkbox"/>

d. The proposed action may result in light shining onto adjoining properties.	D2n	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may result in lighting creating sky-glow brighter than existing area conditions.	D2n, E1a	<input type="checkbox"/>	<input type="checkbox"/>
f. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

#### 16. Impact on Human Health

The proposed action may have an impact on human health from exposure to new or existing sources of contaminants. (See Part 1.D.2.q., E.1. d. f. g. and h.)

☐ NO

☐ YES

*If "Yes", answer questions a - m. If "No", go to Section 17.*

	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action is located within 1500 feet of a school, hospital, licensed day care center, group home, nursing home or retirement community.	E1d	<input type="checkbox"/>	<input type="checkbox"/>
b. The site of the proposed action is currently undergoing remediation.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
c. There is a completed emergency spill remediation, or a completed environmental site remediation on, or adjacent to, the site of the proposed action.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
d. The site of the action is subject to an institutional control limiting the use of the property (e.g., easement or deed restriction).	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may affect institutional control measures that were put in place to ensure that the site remains protective of the environment and human health.	E1g, E1h	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action has adequate control measures in place to ensure that future generation, treatment and/or disposal of hazardous wastes will be protective of the environment and human health.	D2t	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action involves construction or modification of a solid waste management facility.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
h. The proposed action may result in the unearthing of solid or hazardous waste.	D2q, E1f	<input type="checkbox"/>	<input type="checkbox"/>
i. The proposed action may result in an increase in the rate of disposal, or processing, of solid waste.	D2r, D2s	<input type="checkbox"/>	<input type="checkbox"/>
j. The proposed action may result in excavation or other disturbance within 2000 feet of a site used for the disposal of solid or hazardous waste.	E1f, E1g E1h	<input type="checkbox"/>	<input type="checkbox"/>
k. The proposed action may result in the migration of explosive gases from a landfill site to adjacent off site structures.	E1f, E1g	<input type="checkbox"/>	<input type="checkbox"/>
l. The proposed action may result in the release of contaminated leachate from the project site.	D2s, E1f, D2r	<input type="checkbox"/>	<input type="checkbox"/>
m. Other impacts: _____ _____			

<b>17. Consistency with Community Plans</b> The proposed action is not consistent with adopted land use plans. (See Part 1. C.1, C.2. and C.3.) <i>If “Yes”, answer questions a - h. If “No”, go to Section 18.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action’s land use components may be different from, or in sharp contrast to, current surrounding land use pattern(s).	C2, C3, D1a E1a, E1b	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action will cause the permanent population of the city, town or village in which the project is located to grow by more than 5%.	C2	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action is inconsistent with local land use plans or zoning regulations.	C2, C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action is inconsistent with any County plans, or other regional land use plans.	C2, C2	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action may cause a change in the density of development that is not supported by existing infrastructure or is distant from existing infrastructure.	C3, D1c, D1d, D1f, D1d, E1b	<input type="checkbox"/>	<input type="checkbox"/>
f. The proposed action is located in an area characterized by low density development that will require new or expanded public infrastructure.	C4, D2c, D2d D2j	<input type="checkbox"/>	<input type="checkbox"/>
g. The proposed action may induce secondary development impacts (e.g., residential or commercial development not included in the proposed action)	C2a	<input type="checkbox"/>	<input type="checkbox"/>
h. Other: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

<b>18. Consistency with Community Character</b> The proposed project is inconsistent with the existing community character. (See Part 1. C.2, C.3, D.2, E.3) <i>If “Yes”, answer questions a - g. If “No”, proceed to Part 3.</i>			
		<input type="checkbox"/> NO	<input type="checkbox"/> YES
	Relevant Part I Question(s)	No, or small impact may occur	Moderate to large impact may occur
a. The proposed action may replace or eliminate existing facilities, structures, or areas of historic importance to the community.	E3e, E3f, E3g	<input type="checkbox"/>	<input type="checkbox"/>
b. The proposed action may create a demand for additional community services (e.g. schools, police and fire)	C4	<input type="checkbox"/>	<input type="checkbox"/>
c. The proposed action may displace affordable or low-income housing in an area where there is a shortage of such housing.	C2, C3, D1f D1g, E1a	<input type="checkbox"/>	<input type="checkbox"/>
d. The proposed action may interfere with the use or enjoyment of officially recognized or designated public resources.	C2, E3	<input type="checkbox"/>	<input type="checkbox"/>
e. The proposed action is inconsistent with the predominant architectural scale and character.	C2, C3	<input type="checkbox"/>	<input type="checkbox"/>
f. Proposed action is inconsistent with the character of the existing natural landscape.	C2, C3 E1a, E1b E2g, E2h	<input type="checkbox"/>	<input type="checkbox"/>
g. Other impacts: _____ _____		<input type="checkbox"/>	<input type="checkbox"/>

Project :

Date :

***Full Environmental Assessment Form***  
***Part 3 - Evaluation of the Magnitude and Importance of Project Impacts***  
***and***  
***Determination of Significance***

Part 3 provides the reasons in support of the determination of significance. The lead agency must complete Part 3 for every question in Part 2 where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.

Based on the analysis in Part 3, the lead agency must decide whether to require an environmental impact statement to further assess the proposed action or whether available information is sufficient for the lead agency to conclude that the proposed action will not have a significant adverse environmental impact. By completing the certification on the next page, the lead agency can complete its determination of significance.

**Reasons Supporting This Determination:**

To complete this section:

- Identify the impact based on the Part 2 responses and describe its magnitude. Magnitude considers factors such as severity, size or extent of an impact.
- Assess the importance of the impact. Importance relates to the geographic scope, duration, probability of the impact occurring, number of people affected by the impact and any additional environmental consequences if the impact were to occur.
- The assessment should take into consideration any design element or project changes.
- Repeat this process for each Part 2 question where the impact has been identified as potentially moderate to large or where there is a need to explain why a particular element of the proposed action will not, or may, result in a significant adverse environmental impact.
- Provide the reason(s) why the impact may, or will not, result in a significant adverse environmental impact
- For Conditional Negative Declarations identify the specific condition(s) imposed that will modify the proposed action so that no significant adverse environmental impacts will result.
- Attach additional sheets, as needed.

**Determination of Significance - Type 1 and Unlisted Actions**

SEQR Status: ☐ Type 1 ☐ Unlisted

Identify portions of EAF completed for this Project: ☐ Part 1 ☐ Part 2 ☐ Part 3

Upon review of the information recorded on this EAF, as noted, plus this additional support information

and considering both the magnitude and importance of each identified potential impact, it is the conclusion of the \_\_\_\_\_ as lead agency that:

☐ A. This project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement need not be prepared. Accordingly, this negative declaration is issued.

☐ B. Although this project could have a significant adverse impact on the environment, that impact will be avoided or substantially mitigated because of the following conditions which will be required by the lead agency:

There will, therefore, be no significant adverse impacts from the project as conditioned, and, therefore, this conditioned negative declaration is issued. A conditioned negative declaration may be used only for UNLISTED actions (see 6 NYCRR 617.d).

☐ C. This Project may result in one or more significant adverse impacts on the environment, and an environmental impact statement must be prepared to further assess the impact(s) and possible mitigation and to explore alternatives to avoid or reduce those impacts. Accordingly, this positive declaration is issued.

Name of Action:

Name of Lead Agency:

Name of Responsible Officer in Lead Agency:

Title of Responsible Officer:

Signature of Responsible Officer in Lead Agency:

Date:

Signature of Preparer (if different from Responsible Officer)

Date:

**For Further Information:**

Contact Person:

Address:

Telephone Number:

E-mail:

**For Type 1 Actions and Conditioned Negative Declarations, a copy of this Notice is sent to:**

Chief Executive Officer of the political subdivision in which the action will be principally located (e.g., Town / City / Village of)  
Other involved agencies (if any)

Applicant (if any)

Environmental Notice Bulletin: <http://www.dec.ny.gov/enb/enb.html>