

Request for Proposals for Professional Engineering Services Site 31 Landfill Permit Renewal

Proposals Due Wednesday August 7, 2024 by 4:00 pm

Overview

The Onondaga County Resource Recovery Agency (“OCRRA” or “the Agency”) is a State-created public benefit corporation whose primary responsibility is to manage Onondaga County’s solid waste in an environmentally responsible manner. The Agency is governed by a 15-member Board of Directors and managed by an Executive Director. Although the Agency has been given broad powers to accomplish its purpose, its primary focus is on reducing and reusing the community’s solid waste. The recycling component is accomplished by an active, highly regarded program for yard and food waste composting at two locations in the County. Recyclable material recovery is accomplished at privately owned facilities in the County. The remaining waste not recycled is disposed of at a state-of-the-art waste-to-energy (WTE) facility, also located in the County. The Agency owns two public transfer stations where solid waste, as well as construction and demolition debris (C&D), is processed. Waste from the transfer stations that cannot be processed at the WTE Facility and ash residue from the WTE Facility go to a private out of County landfill. Small portions of C&D is disposed of at a landfill operated by a municipality within the County. The Agency also owns a permitted landfill site in the western part of the County which has not been developed to date. This landfill’s permitted name is “OCRRA Landfill” and it is also known as “Site 31.” This landfill is the subject of this Request for Proposal (RFP). More information about OCRRA’s integrated solid waste management system can be found at www.ocrra.org.

With this request OCRRA is seeking professional engineering services for the completion of a permit renewal for the OCRRA Landfill. The unconstructed OCRRA Landfill is located on North Brickyard Road in the Town of VanBuren, New York. OCRRA’s primary objectives are to prepare for permit renewal, due to the New York State Department of Environmental Conservation (NYSDEC) on August 28, 2025. The permit renewal must include all components necessary for a complete submittal to NYSDEC to renew OCRRA’s Solid Waste Management Permit ID 7-3156-00047/00001 (included herein as Attachment B) that expires on February 24, 2026. The permit renewal will not be considered complete until the NYSDEC issues a Notice of Complete Application. The permit renewal must be prepared in strict conformance with NYSDEC Part 360 Regulations.

OCRRA is requesting proposals from engineering firms with substantial experience and expertise in landfill design and permitting. Expertise in stormwater management, solid waste and site permitting, and familiarity with Part 360 regulations, is also required. Services shall only be performed by, or under the direction of, New York State licensed professional engineers. OCRRA will only consider proposals for which the Proposer demonstrates sufficient expertise

and experience, as deemed necessary and appropriate by OCRRA, and submits a cost-efficient proposal for completing the identified work activities.

Included herein are:

- Section 1 – Statement of Purpose/Scope of Work
- Section 2 – Background Information
- Section 3 – Target Dates
- Section 4 – Submission Requirements
- Section 5 – Selection
- Attachment A – Required Forms
- Attachment B – OCRRA’s Solid Waste Management Permit ID 7-3142-00036/00003

Section 1 – Statement of Purpose/Scope of Work

The large majority of the municipal solid waste (MSW) generated in Onondaga County is delivered directly to the Agency’s WTE Facility by waste haulers. Some MSW and C&D generated in the County is managed through OCRRA’s transfer stations. Some organic waste is managed through OCRRA’s compost facilities. This structure maximizes recycling, reuse and recovery in Onondaga County. Additionally, OCRRA is permitted to construct and operate a 52 acre landfill and leachate storage facility located on a 487 acre parcel (known as Site 31) on North Brickyard Road in the Town of VanBuren. The facility is designed for a 25-year capacity of 500 tons per day of MSW bypass and the following solid waste residues: from incineration (ash), C&D, recycling and composting. MSW bypass is MSW that cannot be managed at the WTE Facility because it is non-combustible; has unfavorable combustibility characteristics (i.e., it's non-processible waste); or because the WTE Facility has no capacity.

OCRRA’s primary objectives are to remain consistent within existing permit conditions and submit a complete application for renewal at least 180 days before the existing permit expires in order to be considered timely for the purposes of the State Administrative Procedure Act. The permit renewal must include all components necessary for a complete submittal to NYSDEC to renew OCRRA’s Solid Waste Management Permit ID 7-3156-00047/0001 (included herein at Attachment B). The permit renewal will not be considered complete until the NYSDEC issues a Notice of Complete Application. The permit renewal must be prepared in strict conformance with New York Codes, Rules and Regulations (NYCRR) Title 6 NYSDEC Part 360 and Part 363 Regulations.

The entity preparing a response to this RFP should outline the various components that will be included in the permit renewal such as drawings, studies, reports, applications, manuals, plans, letters and any other contents necessary to obtain a Notice of Complete Application from NYSDEC.

Section 2 – Background Information

With this RFP, the Agency is requesting renewal of a solid waste permit issued by the NYSDEC. The solid waste permit was issued on February 25, 2016 and expires on February 24, 2026 (included herein as Attachment B). The permit was issued in strict compliance with the permit

application, plans and materials prepared by William F. Cosulich Associates, PC on May 1994. OCRRA’s record of this application, plans and materials can be found here:

[OCRRA Engineering Dropbox/Site 31](#)

Site 31 is located in the Town of VanBuren, bordered by Turner Road to the North, Canton Street to the West and North Brickyard Road to the east. The current land use is primarily agricultural with some surrounding residential structures. OCRRA has no current plans to develop the landfill at Site 31. The total site is 487 acres, however the landfill is approximately 52 acres. The operational site life of 25 years is accommodated by 4.11 million cubic yards (or 3.45 million tons) of waste capacity. The previously designed liner system was comprised of a double composite lining system with two 60 mil geomembranes, 3.5 feet of low permeability soil, 3 feet of high permeability soil, a leachate collection system and groundwater suppression system. OCRRA recognizes that all design elements prepared in 1994 and approved for the 2016 permit may need to be reevaluated in accordance with new regulations. Changes to the 1994 applications, plans and materials used for permitting purposes should be minimized, and only revised if necessary to receive a renewed permit due to changes in regulations.

Section 3 – Target Dates

The following schedule shows the target dates for this RFP and performance of the work:

<u>EVENT</u>	<u>DATE</u>
Issuance of RFP /Advertisement	Thursday June 13, 2024
Deadline for site visits/questions regarding the RFP	Wednesday July 17, 2024 by 4pm
Addendum #1 Issued at https://ocrra.org/about-ocrra/information/procurements/	Wednesday July 24, 2024
Proposals Due	Wednesday August 7, 2024 by 4pm
Anticipated Board Approval	September 2024
Permit Renewal Deadline	August 28, 2025

Section 4 – Submission Requirements

Designated Contact Person

All inquiries and contacts during the procurement period shall be directed to the Designated Contact Person, Mr. Jack Connery, via email at jconnery@ocrra.org. Interested parties and their agents and representatives are directed not to contact or lobby members of the Board of Directors of OCRRA or any other OCRRA staff members regarding this RFP. Please reference the

document entitled “State Finance Law Procurement Compliance Form,” found in Attachment A, for all contact information provisions.

Submittal

The proposal shall be emailed to Mr. Jack Connery, via email at jconnery@ocrra.org with “Proposal: Site 31 Permit Renewal” in the subject line.

Deadline

Receipt of Proposals must be no later than 4:00 PM Eastern Standard Time on Wednesday August 7, 2024.

Inquiries

All inquiries shall be directed to Mr. Jack Connery, via email at jconnery@ocrra.org no later than Wednesday, July 17, 2024. OCRRA will post responses on its website at <https://ocrra.org/about-ocrra/information/procurements/> on Wednesday, July 24, 2024.

Costs to Respond to RFP

Proposer is responsible for all costs associated with the preparation of a proposal. None of the costs will be the responsibility of the Agency.

Sales Taxes

OCRRA is exempt from the payment of sales taxes of New York State and of cities and counties on all services, materials, equipment, and supplies sold to OCRRA pursuant to this contract.

Public Disclosure

Prior to Proposer selection, all information contained in the main body of the proposal shall be considered confidential and not, to the extent permitted by applicable laws and regulations, subject to public disclosure due to the fact that the information will directly affect Proposer selection. After Proposer selection, the proposals, including any appendices, will be matters of public record and will be treated as such.

Insurance Requirements

Before commencing work, the Proposer shall procure and maintain insurance of the kinds and limits enumerated hereunder and on terms and with an insurance carrier satisfactory to the Agency. Certificates of such insurance issued by the Proposer’s insurance carrier shall be filed with the Agency before commencement of work and shall, at a minimum, set forth the following:

General Liability	\$1,000,000 per occurrence	Combined single limit
Automobile Liability	\$1,000,000 per occurrence	Combined single limit
Workers Compensation	Statutory Limits	
Professional Liability Coverage	\$1,000,000	Combined single limit

It is required of the successful Proposer that OCRRA be added, by endorsement, as an “additional insured” on the General Liability and Automobile Liability policies. The foregoing insurance coverage shall not be terminated or cancelled unless OCRRA is given thirty (30) days prior written notice by the insurance carrier.

Warranty of Services

The Proposer will be required to warrant that all services performed under the Contract will be in accordance with the standards of local engineering practice in the community. Documents required to be certified by the Proposer shall be duly certified by a Professional Engineer licensed to practice in the State of New York. Upon written notice of any claim that the work does not meet that standard, Proposer shall correct or re-perform any defective or nonconforming services at no cost to OCRRA and any services corrected or performed by the Proposer pursuant to this clause shall be subject to all the provisions of this Contract to the same extent as work initially performed. If the Proposer fails or refuses to correct or re-perform, OCRRA may, by contract or otherwise, correct or replace them with similar services and charge to the Proposer the cost incurred to OCRRA thereby or obtain an equitable adjustment in the Contract price. If OCRRA does not require correction or re-performance, OCRRA shall make an equitable adjustment in the Contract price.

Prevailing Wages

Where applicable, the Contractor shall pay its employees the prevailing wages for work, labor or services as required by New York Labor Law Article 8 and Article 9.

Proposal Contents

The Proposal shall include the following information:

- **Project Schedule:** The proposal should contain a separate section containing the proposed schedule to complete the project upon receipt of the notice to proceed. The final work product should be completed by the deadline described above.
- **Project Team Overview:** The proposal shall provide a summary of the project team, identifying the role of each team member and providing a detailed description of each team member's specific experience. All subcontractors shall be identified, and the scope of each subcontractor's services shall be provided. Substitution of the key individuals specified, or any subcontractors identified in the proposal shall not be made without the written consent of OCRRA.
- **Client References:** The proposal shall provide several references, a minimum of three, for which similar work has been completed, including the length of the contract with each client, contact names, telephone numbers, and email addresses. OCRRA may contact these references for additional information. If this information has already been provided to the Agency, the proposal shall cite previously submitted references that should be considered.
- **Cost:** a time and materials cost, up to a certain not to exceed amount shall be clearly identified. Hourly rates/schedule of charges should be identified. OCRRA will only pay for actual time and materials expended based on the proposed hourly rates/schedule of charges.
- **Supplemental Materials:** Other materials that the Proposer desires as supporting documents may also accompany the proposal. This Part may also include Minority and/or Woman-Owned Business Enterprise (M/WBE) Certification or a description of your firm's plans to incorporate the use of M/WBEs in this project.
- **Completed and signed Forms (Attachment A)**

- Cover Letter that, at a minimum, includes the following:
 - Commitment of Proposer to carry out all provisions of proposal at the proposed cost (if selected by OCRRA).
 - Statement that all information in the submittal, including any supplemental materials, is accurate and factual.
 - Designation of an individual authorized to negotiate a contract with OCRRA.
 - Signature of officer, principal or partner empowered to sign such material.

Section 6 – Selection

The Agency will evaluate all proposals containing the complete information requested and prepared in the format required by this RFP. OCRRA will only consider proposals for which the Proposer demonstrates sufficient expertise and experience, as deemed necessary and appropriate by OCRRA, and submits a cost-efficient estimate for executing the work activities. The Proposer should fully understand the selection process will not be one of simply choosing the lowest cost Proposer, but will be one of selecting the Proposal that, in OCRRA's sole opinion, best meets the Agency's needs.

Attachment A – Required Forms

The following forms must be completed and signed in order for the Proposal to be considered:

- Conflict of Interest Affidavit
- Certificate of Non-Collusion
- State Finance Law Procurement Compliance Provisions
- Disclosure to OCRRA During Procurement Process of Prior Non-Responsibility Determinations

CONFLICT OF INTEREST

AFFIDAVIT

STATE OF _____)
) ss:
COUNTY OF _____)

_____, being duly sworn, deposes and says for
and on behalf of _____, that:

1. Our (my) firm _____, is an independent firm or company, and has this date submitted a bid, proposal, or quote to provide goods and/or services to the Onondaga County Resource Recovery Agency.
2. I certify on behalf of the bidder, proposer, or quoter that it and its employees have no interest, direct or indirect, which could conflict in any manner or degree with the performance or provision of these goods and/or services to the Onondaga County Resource Recovery Agency.
3. If awarded a contract my (our) firm agrees that in providing the goods or in the rendering of services to the Onondaga County Resource Recovery Agency, no persons having any such interest shall be employed by the firm. I assume full responsibility for knowing whether my (our) employees or agents have any such interest and hereby certify that no such interest exists.

Dated: _____, 20____ By: _____

For and on Behalf of: _____

Sworn before me this ____ day of
_____, 20____.

Notary Public

CERTIFICATE OF NON-COLLUSION

Non-collusive Certifications required of all bidders/proposers/quoters under Section 103-d of the General Municipal Law as amended by Chapter 751 of the Laws of 1965 and Chapter 675 of the Laws of 1966 effective September 1, 1966, is as follows:

By submission of this bid/proposal/quote, the bidder/proposer/quoter and each person signing on behalf of the bidder/proposer/quoter certifies, and in the case of a joint bid/proposal/quote each party thereto certifies as to its own organization, under penalty of perjury, that to the best of knowledge and belief:

(1) The prices in this bid/proposal/quote have been arrived at independently without collusion, consultation, communications, or agreement for the purpose of restricting competition, as to any matter relating to such prices with any other bidder/proposer/quoter or with any competitor.

(2) Unless otherwise required by law, the prices which have been quoted in this bid/proposal/quote have not been knowingly disclosed by the bidder/proposer/quoter and will not knowingly be disclosed by the bidder/proposer/quoter prior to opening, directly or indirectly, to any other bidder/proposer/quoter or to any competitor; and

(3) No attempt has been made or will be made by the bidder/proposer/quoter to induce any other person, partnership, or corporation to submit or not to submit a bid/proposal/quote for the purpose of restricting competition.

Legal Name of Bidder/Proposer/Quoter (Typed)

Address (Typed)

City State Zip

BY:

Signature

Name (Typed)

Dated _____, 20__

Title (Typed)

Vendor Information Regarding

State Finance Law Procurement Compliance Provisions

OCRRA Procurement Regarding: _____

OCRRA Designated Procurement Contact Person(s): _____

OCRRA conducts its procurements to provide all vendors with an opportunity to compete fairly to maximize competition. New York State has enacted provisions in its State Finance Law, applicable to any contract over \$15,000.00 that further promotes fair competition. This law now requires that all communications i.e. “contacts” with the Agency regarding this procurement, after the Request to Bid, Request for Proposals, or Request for Quotes go out, must be through a designated OCRRA Procurement Contact Person. Our Designated Procurement Contact Person is listed above. All contacts by potential vendors should be through the Designated Procurement Contact Person and NO ONE ELSE! All such contacts will be recorded by the Designated Procurement Contact Person and any responding information given to a potential vendor will also be shared with all potential vendors, so no one has a competitive advantage. As a potential vendor on this procurement, you will need to fill in the Permissible Contacts Affirmation form, attached, and submit it with your bid/proposal/quote. You will also need to fill in the other part of this two page form that advises OCRRA of any Non-Responsibility Determinations under this law. If you fail to comply with the above Procurement contacts restrictions or you submit knowingly false, inaccurate or incomplete information, or you violate our OCRRA Ethics Code, you may be found to be a “Non-Responsible” vendor. This can result in a rejection of your firm for contract award, a cancellation of the contract, if later discovered (the Contract will include a cancellation provision for such a contingency), and in the event of two such findings in a four year period, debarment from obtaining any further OCRRA procurement contract for a period of four years from the time of the second violation.

Please be sure to familiarize yourself with these new legal provisions, fill out the attached forms, and contact only the Designated Procurement Contact Person during the procurement process. This will promote fair competition on this procurement and will not disqualify your firm from a potential OCRRA contract award.

Rev. 10/15/2009

**Disclosure to OCRRA During Procurement Process of
Prior Non-Responsibility Determinations**

OCRRA Procurement regarding: _____

OCRRA Designated Procurement Contact Person: _____

OCRRA conducts its procurements to maximize competition and provide all vendors with an opportunity to compete fairly. New York law now provides that, for any procurement over \$15,000.00, all potential vendors must disclose whether a governmental entity in New York has made a finding of "Non-Responsibility." "Non-Responsibility" is defined in State Finance Law Section 139-j and can include failure of a potential bidder/proposer/quoter to timely disclose truthful, accurate, or complete information that may allow OCRRA to make a determination as to its "responsibility" relative to this procurement as well as unauthorized procurement contacts (including contacts to someone other than the designated procurement contact) and ethics code violations. In order to qualify for consideration on this procurement, the bidder/proposer/quoter must complete and sign the form below.

(For Vendor Use)

Name and Address of Bidder/Proposer/Quoter Seeking to Enter into the Procurement Contract with OCRRA: _____

Name, Title, and Phone Number of Person Submitting this Form: _____

Has any Governmental Entity in New York made a finding of Non-Responsibility regarding the bidder/proposer/quoter seeking to enter into the Procurement Contract in the previous four years? (Please circle):

No

Yes

If you answered yes to the above question, please provide details regarding the finding of Non-Responsibility below.

New York Governmental Entity: _____

Date of Finding of Non-Responsibility: _____

Basis of Finding of Non-Responsibility: _____

Has any Governmental Entity or other governmental agency terminated or withheld a Procurement Contract with the above-named bidders/proposers/quoters after a finding of intentional provision of false or incomplete information? (Please circle):

No

Yes

If yes, please provide details below:

New York Governmental Entity: _____

Date of Termination or Withholding of Contract: _____

Basis of Termination or Withholding: _____

Bidder/proposer/quoter certifies that all information provided to OCRRA above with respect to State Finance Law §139-k is complete, true, and accurate.

By: _____ Date: _____

Signature _____

PERMISSIBLE CONTACTS AFFIRMATION

As a potential bidder/proposer/quoter on an OCRRA solicitation where the contract amount may exceed \$15,000.00, I recognize that once the solicitation issues, New York law requires that all contacts with OCRRA regarding that procurement must be through the designated OCRRA Procurement Contact Person and no one else. On behalf of my client as a potential bidder/proposer/quoter, I affirm that my client understands and agrees to comply with the procedures of the Onondaga County Resource Recovery Agency relative to permissible contacts as required by New York State Finance Law §139-j (3) and §139-j (6) (b). This form must be submitted with the bid, proposal, or quote.

OCRRA Designated Procurement Contact Person: _____

Vendor Signature

Print Signer's Name

Vendor Title: _____ Date: _____

Vendor Name: _____

Vendor Address: _____

**Attachment B – OCRRA’s Solid Waste
Management Permit ID 7-3156-00047/00001**

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 7

615 Erie Boulevard West, Syracuse, NY 13204-2400

P: (315) 426-7438 | F: (315) 426-7425

www.dec.ny.gov

2/25/2016

Mark Donnelly
Executive Director OCRRA
100 Elwood Davis Road
North Syracuse, NY 13212

Amy Miller
OCRRA Facility Engineer
100 Elwood Davis Road
North Syracuse, NY 13212

RE: Part 360 (Solid Waste Management) Renewal Permit for the OCRRA Landfill,
Town of Van Buren, Onondaga County, DEC ID# 7-3156-00047/00001

Dear Mr. Donnelly and Ms. Miller:

Enclosed please find the above referenced permit for a Solid Waste Management Facility for the OCRRA Landfill. Please read and adhere to all permit conditions listed on the permit. A copy of this permit and conditions shall be shown to anyone upon request.

This permit is valid for ten years. It is effective February 25, 2016 and will expire on February 24, 2026.

If there are any questions, please feel free to contact me at the phone number listed above.

Sincerely



Kevin Balduzzi
Environmental Analyst, Division of Environmental Permits

cc. DMM – Region 7 Tom Annal
DMM – Albany Jamie Lang
Onondaga County Health Department
Town of Van Buren



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
ONONDAGA COUNTY RESOURCE
RECOVERY AGENCY
100 ELWOOD DAVIS RD
NORTH SYRACUSE, NY 13212-4312

Facility:
OCRRA LANDFILL
BRICKYARD RD
WARNERS, NY 13164

Facility Location: in VAN BUREN in ONONDAGA COUNTY

Facility Principal Reference Point: NYTM-E: 392 NYTM-N: 4773.7
Latitude: 43°06'30.0" Longitude: 76°19'38.4"

Authorized Activity: Construction and operation of a 52 acre (ultimately) landfill and leachate storage facility located on a 487 acre parcel (known as Site 31) on North Brickyard Road in the Town of Van Buren. The facility is designed for a 25 year capacity of 500 tons per day of municipal solid waste bypass and the following solid waste residues: from incineration (ash), construction and demolition (C & D), recycling, and composting. Leachate will be collected, transported, and treated at an Onondaga County Wastewater Treatment Plant. The landfill will be constructed and operated in accordance with this permit and plans approved by this Department.

Two variances have been approved for this project:

- 1) Variance from 6NYCRR Part 360-2.13(d) (Groundwater Separation): Allows the separation between the base of the constructed liner system and seasonal high ground water table to be less than five feet provided that a continuous underdrain system is constructed as described in the approved reports (Volumes G1, G2, OP1, E1, E2, E3, H1, H2, H3, H4, and H5 dated July 1993 (revised May 1994), drawing set amendment 2.2 and dated February 1994.
- 2) Variance from 6NYCRR Part 360-2.13(f) (Liner System Description): Allows the deletion of the primary soil liner on the benches of the west side slope.

Permit Authorizations

Solid Waste Management - Under Article 27, Title 7

Permit ID 7-3156-00047/00001

(Solid Waste ID 34S77)

Renewal

Effective Date: 2/25/2016

Expiration Date: 2/24/2026




NYSDEC Approval

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

Permit Administrator: ELIZABETH A TRACY, Deputy Regional Permit Administrator

Address: NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY 13204 -2400

Authorized Signature:  Digitally signed by Elizabeth A. Tracy
Date: 2016.02.24 14:52:29 -05'00' Date ___/___/___

Permit Components

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the permit application, plans and materials prepared by William F. Cosulich Associates, PC on May 1994 (REVISED).
- 2. Permit Modification, Revocation or Suspension** This permit may be modified, revoked, or suspended for cause as specified in 6 NYCRR 621.13. The filing of a request for a permit modification, revocation and reissuance, or suspension, or the notification of planned changes or anticipated noncompliance on the Part of OCCRA does not stay the applicability or enforceability of any permit condition.
- 3. Permit Provision Severability** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid by the Department, the application of such provision to other circumstances and the remainder of this permit may not be affected thereby.
- 4. Noncompliance Violation** OCCRA shall comply with all conditions of this permit and 6NYCRR Part 360. Noncompliance constitutes a violation of ECL Article 27, Title 7 and is grounds for enforcement action, permit suspension, revocation, modification, or denial of a permit renewal application.
- 5. Adverse Impact On Human Health Or The Environment** OCCRA shall take all steps to



minimize or correct an adverse impact on human health or the environment resulting from facility operations. OCCRA shall report any such activity which may endanger human health or the environment to the Department as per Condition No. 7.

6. Permit Compliance OCCRA shall allow any authorized representative of the Department and/or the Onondaga County Health Department, upon the presentation of proper credentials to:

- a. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, including any and all confidential data included in such records;
- b. Enter and inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- c. Sample or monitor, at reasonable times, for the purpose of assuring permit compliance or as otherwise authorized by the ECL, any substances or parameters at any location.

7. Submissions And Approvals Unless otherwise specified, all submissions required by the permit shall be made to the Region 7 Headquarters (615 Erie Blvd. W., Syracuse, New York 13204-2400, Attn: Regional Materials Management Engineer) and the Bureau of Permitting and Planning, Division of Materials Management (NYSDEC, 625 Broadway, Albany, New York 12233). All approvals required by this permit shall be obtained in writing from the Regional Director of Region 7 or his designated representative.

8. Restricted Wastes The following wastes shall not be disposed of at a site under this permit:

1. Hazardous waste as defined in Part 371
2. Waste identified in 6NYCRR 360-2.17(m)
3. Industrial wastes which are incompatible with municipal waste, as determined by the Department.
4. Any drum or any container which has held hazardous waste and is not empty according to 401 CFR 261.7(a)(3);1
5. Any waste(s) regulated by 6NYCRR 364 unless the waste hauler possesses a valid Part 364 permit which specifies this landfill as a disposal site for such waste(s) and disposal of such waste has been approved by this Department.
6. Regulated medical waste as defined by 360-17.2(h)

9. Acceptance Of Bypass Waste The landfill may accept bypass waste which consists of raw (putrescible) and mixed municipal waste only when one or more of the three burners at the Waste-to-Energy Facility (WTEF) are out of service for maintenance or repairs, or when waste quantities exceed plant capacity of three day storage. The WTEF will schedule down time during non-migrating periods of the year. The landfill may accept putrescible waste for no more than 10 consecutive days.

10. Authorization To Accept Wastes OCRRA shall request written authorization from the Department prior to acceptance for disposal of any sludges, septage, slurries, chemical waste, utility or industrial power plant waste, or industrial wastes.

11. Annual Report An annual report must be submitted on a form provided by or acceptable to the Department and no later than 60 days after the first day of January each year of operation to the persons listed in Condition 7. The annual report must include but is not limited to:

1. The total quantity in tons of solid waste disposed of from January 1st to December 31st. This information must be compiled by each waste type, such as Mixed Municipal Solid



Waste (MSW), Construction & Demolition Debris, Asbestos, Industrial Waste, Ash from MSW Energy Recovery, Petroleum Contaminated Soil, and totaled in average tons per day and tons per quarter.

2. The remaining site life and capacity in cubic yards and tons of the existing constructed landfill. The remaining capacity and site life of other areas not yet built, but which have received entitlement under this permit. The remaining site life and capacity will be estimated from survey information obtained during the year for which the report is prepared.
3. The estimate of the actual in situ waste density shall be made considering the accumulation volume of landfill air space utilized and the amount of waste disposed of.
4. A compilation of all water and leachate quality data collected throughout the year as required by 6NYCRR Part 360.
5. The treatment facility must be identified as well as the total amount of leachate collected and transported off-site on a monthly basis.
6. The amount of leachate collected in the secondary collection and removal system must be compiled on a monthly basis.
7. Any changes from the approved report, plans, and specifications or permit conditions must be listed with justification for any change given, including any deviation from the approved fill progression plan.
8. The tipping fee charged by waste type in dollars per ton and the cost of leachate transportation and treatment.
9. The amount in tons per year of each solid waste type recovered from disposal and its final destination.
10. A yearly accounting of the status of the closure and post-closure fund shall be included in the Annual Report for the facility and the closure and post-closure estimate shall be reviewed and adjusted as necessary. The effective date for subpart 360-2.19, Financial Assurance Criteria, shall be April 9, 1997 unless regulatory changes amend this date.

12. Additional Federal, State, Or Applicable Local Law Or Regulation This permit shall not relieve OCRRA from complying in all respects with the terms of any Federal, State, or applicable local law or regulation, including, but not limited to, the obtaining of any other required permit or form of approval.

13. Financial Assurance OCRRA shall provide financial assurance for closure and post-closure operations, environmental monitoring and maintenance as required by 6 NYCRR Part 360-2.19, effective October 9, 1993, including all revisions that apply.

14. Ash Sampling Test Results OCRRA shall provide copies of all its ash sampling test results to the Town of Van Buren, and notify the Town in writing if ash intended for disposal at the landfill tested hazardous at the WTEF. Submittals and notices to the Town will be to Town of Van Buren Hall, Town Supervisor, 7575 Van Buren Road, Box 10, Baldwinsville, NY 13027.

15. Construction Plans In accordance with NYCRR Part 360-1.8(d), this permit is for the landfill consisting of three Phases; however, construction of Phases 2 and 3 requires only Department approval of the detailed construction plans for each Phase. Those plans and the construction of each Phase must comply with all requirements of the ECL and of 6 NYCRR Part 360 applicable at the time Department approval is granted.

16. Preconstruction Notice Notice of the commencement of all major portions of on-site construction activities must be made to the Department at least 5 business days in advance of the activity. These



activities include but are not limited to the commencement of the clearing and grading, commencement of the placement of the liner, all quality control and quality assurance testing including on-site permeability and/or density testing activities, and the commencement of construction of any section of permanent final cover.

17. Well Plugs All wells within the landfill footprint must be plugged and abandoned in accordance with sub-paragraph 360-2.11(a)(8)(vi) prior to the construction of the subgrade drainage system. Certification of this activity must be submitted as required by Condition 19.

18. Leak Detection The leak detection areas of Manholes one and two must be tested once the manholes are installed. The method of testing must be approved by the Department and certification of the testing must be submitted as required by Condition 19.

19. Leachate Conveyance Lines All leachate conveyance lines located outside the double composite liner system and the leachate tanks must be tested prior to the acceptance of waste. The method of testing must be approved by the Department and certification of the testing must be submitted as required by Condition 19.

20. Certification of Construction Report Prior to deposition of refuse, OCRRA shall (i) demonstrate to the Department's satisfaction that the facility's construction is in accordance with this Permit to Construct (and plans approved there under) and (ii) submit certification of construction in accordance with 6NYCRR Part 360-1.11 and 360-2.13(u) within 45 days after completion of landfill construction. The certification report must contain at a minimum, as built drawings noting any deviation from the approved comprehensive narrative including but not limited to weekly summaries from the project engineer's log and a series of color photographs of major project features. Copies of the engineer's daily report will be kept on the site for the life of the permit. The report must also include daily flow measurement from the secondary leachate collection and removal system for a period of not less than 30 consecutive days prior to deposition of waste.

21. Leachate Collection Layers All leachate collection layers must be tested as required by Part 360-2.13(l)(3).

22. Supporting Soil Before the placement of the geomembrane, the surface of the supporting soil must meet the requirements of part 360-2.13(k)(2)(iv).

23. Operational Conditions All landfill personnel who are involved with the daily operations of the landfill shall be made aware of the following operational conditions, the operational requirements found in 360-1.14 and 360-2.17, and the Operation Plan of the facility. OCRRA shall update the Operation and Maintenance Manual within 90 days of substantial completion of any new cell construction at the landfill. OCRRA shall also update the Operation and Maintenance Manual within 90 days of any significant operational changes at the facility as determined by the department.

24. Hours of Operation The operating hours of the landfill shall be between 6:00 a.m. and 6:30 p.m. Monday through Friday and between 6:00 a.m. and 3:00 p.m. Saturday. Solid waste shall only be accepted between 7:00 a.m. and 5:00 p.m. Monday through Friday and between 7:00 a.m. and 1:00 p.m. Saturday. The landfill shall not operate on Sundays, major holidays and beyond the above hours except in the event of emergencies or unusual circumstances.

25. Access Roads Adequate access roads shall be maintained at all times to allow refuse hauling vehicles to reach the active working face. No penetrating or waste oils shall be used for dust control.



26. Windblown Paper And Litter Wastes Wind blown paper and other litter shall be confined to within 200 feet of the waste disposal area by snow fence, portable screens, natural screening or any other necessary devices. OCRRA shall police windblown paper and litter wastes along the landfill's perimeter at a frequency of no less than every two weeks.

27. Solid Waste Acceptance Solid waste must not be accepted at this facility unless the waste is adequately covered or confined in the vehicle transporting the waste to prevent dust and blowing litter.

28. Surface Water Run Off Prior to and during any soil excavation and stockpiling activities on site, OCRRA shall implement adequate measures to prevent siltation of surface water including: drainage ditches, streams, ponds and wetlands through and adjacent to the site. Straw and other types of erosion dams should be routinely used as needed on the site.

29. Liner Termination Berms All liner termination berms and temporary drainage diversion berms shall be vegetated and otherwise stabilized following construction and maintained as required to keep a good vegetative cover or stabilized condition in order to prevent erosion.

30. Placement of Solid Waste Solid waste, other than residue from C&D processing, residue from recycling (non-combustible), residue from yard waste composting and MSW incinerator ash, shall be spread in two foot layers or less and compacted upon deposition at the working face by appropriately sized compaction equipment making a minimum of three passes. Other wastes must be adequately compacted. The working face shall be restricted to the smallest area practical, based on peak usage traffic conditions at the landfill. Facility staff will routinely observe the solid waste lift during compaction and covering activities for presence of unpermitted waste. Any such waste detected shall be removed from the working face and brought to the attention of the site foreman.

31. Placement Of The First Lift Of Waste During the placement of the first lift of waste above the primary leachate collection and removal system, the following precautions and practices will be observed in order that penetration of the liner is prevented:

1. Consideration for the approach and travel of haul trucks and other landfill operation vehicles relative to the location of the liner and leachate collection laterals.
2. Waste placement must be kept away from the top of the berms to allow for proper leachate control and effective future placement of final cover. Identification marker may be used along the berms with specific setback distances for waste placement.
3. Placement of a select type of waste being free of unprocessed demolition debris, large metal wastes, long items such as poles, piping and bulky wastes in general and such refuse shall be placed in a minimum compacted lift thickness of at least 5 feet above the leachate collection and removal system.

32. Daily Cover A compacted layer of at least six inches of soil cover material, or other such alternative daily cover material as proposed by OCRRA and approved by the Department shall be placed on all exposed solid waste at the end of each day of operation.

33. Refuse Deposited On Top Of An Area Which Has Received Intermediate Or Final Cover If refuse is deposited within a cell located on top of an area which has received intermediate or final cover, a portion of the soil cover shall be removed from the area to be filled so as to adequately allow leachate to reach the leachate collection system.

34. Minimization Of Infiltration Water Into The Solid Waste Cells Cover soil and drainage control



structures shall be designed, graded, and maintained to prevent ponding and erosion and to reduce to a minimum infiltration of water into solid waste cells.

35. Inspection, Operation And Maintenance, And Monitoring Systems Schedules Inspection, operation and maintenance, and monitoring systems schedules shall be conducted per the following schedule.

ITEM	Activity	Reporting
Groundwater, Surface Water and Leachate Monitoring	Q, A	Q, A
Leachate Monitoring Systems-		
Record leachate quantity removed for treatment	D	A
Determine Action Leakage Rates	D	A
Other requirements-		
Sideriser Valve Chambers-		
Check valve chambers for presence of leachate	W	A
Observe condition and check for possibility of obstructed pipes	W	-
Gravity Header-		
Check leak detection risers for presence of leachate	W	A
Observe condition and check for possibility of obstructed pipes	W	-
Leachate Level Transducers	W	-
Leachate Collection System-		
Inspect cleanout risers for integrity	M	A
Inspect collection line/force mains	B	B
Flush primary leachate collection system	A	A
Flush secondary leachate collection system	A	A
Leachate Storage Tank-		
Check liquid level	D	A
Check secondary tank for collected liquid	W, S	A
Check control sensors and alarm for correct operation	Q	A
Subgrade Stabilization Layer-		
Subgrade Monitoring-		
Check for presence of liquid and record meter readings	W	A
Observe condition and check for pipe obstructions	W	-
Sedimentation Basin Monitoring-		
Take samples at sedimentation basins for analysis	Q, A	Q, A
Inspect detention basins and surface water runoff	M, S	-



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Notes

(1) Activity Frequencies are as follows:

- A = Annual W = Weekly
- B = Biennial M = Monthly
- D = Daily Q = Quarterly
- S = After Storm Events

An annual notation with regard to water quality sampling and analysis in the Activity Frequency Column indicates that baseline parameters must be sampled for at an annual frequency; however, sampling for baseline parameters should be rotated during the quarterly sampling events. (2) Reporting Frequency Column indicates frequency of reporting.

36. Retention Basin Access Access to all retention basins shall be controlled by fences and gates to prevent unauthorized access.

37. Bird Mitigation Plan OCRRA will implement the operational aspects of the Bird Mitigation Plan as continued in Volume OP1 of the Operation and Maintenance Report of the permit application.

38. Waste Collection Vehicle Inspection OCRRA shall select a waste collection vehicle at random at least once weekly and unload its solid waste at the working face for inspection for unauthorized wastes. A record of this inspection must be kept on premises and be available for Department review to ensure only authorized solid waste is being accepted at the facility.

39. Retention Basin Storage Capacity Retention basin storage capacity shall be determined by use of permanent markers (stadia rod or equivalent) installed in the basin, divided and clearly marked in feet and inches. Whenever samples are collected the water level shall be recorded to the nearest one inch interval.

40. Retention Basin Monitoring Accumulated deposits shall be removed from the sediment basin as necessary to maintain available capacity of the impoundment at a minimum of 50% design capacity. Storage capacity checks will be verified at least semi-annually. Written results of the verification must be included in the Annual Report.

41. Discharge To Ground Or Surface Water Any discharge to ground or surface water from the retention basin which exceeds the authority granted by the SPDES General Permit for stormwater shall be immediately reported to the Department in writing.

42. Leachate Present On The Ground Surface Outside Lined Landfill And Leachate Collection And Storage System Any leachate present on the ground surface outside the lined landfill and leachate collection and storage system shall immediately be transferred to the leachate collection and storage



system or transported to an authorized disposal site.

43. Leachate Discharge Under no circumstances shall leachate be discharged directly or indirectly from the site to surface waters, except to a SPDES permit.

44. Leak Detection Manhole The leak detection manhole for each leachate storage tank shall be inspected on a quarterly basis for the presence of liquid. The dates and results of all inspections shall be included in the Annual Report. Liquid, if present in the leak detection manhole, will be characterized to determine if leachate is leaking from the tanks. The characterization will include one or more of the following: 1) description of color and odor, 2) Field parameter testing (pH, specific conductance, etc.) 3) baseline analysis of liquid. Liquid from the leak detection manholes shall only be discharged to the pump house.

45. Daily Leachate Measurement Recording And Reporting OCRRA, on a daily basis, shall measure the amount of leachate collected in the secondary leachate collection system and calculate the 30 day rolling average leakage rate for the primary liner. Should the leakage rate exceed 20 gallons per acre per day, OCRRA shall notify the Department within seven (7) days in writing and immediately initiate the appropriate actions as defined in the contingency plan. A standard report form shall be initiated by the landfill operator indicating the time, date and result of these field inspections including the results of any tests which might be performed to determine the nature of detected fluids (i.e. specific conductance, pH, temperature). These reports shall be submitted to the Department as part of the Annual Report.

46. Primary Leachate Collection And Removal System The primary leachate collection and removal system shall be flushed at least annually to maintain an unobstructed and free draining collection system. Should the efficiency of the leachate collection and removal be found to be impaired, remedial cleaning operations shall be conducted with notification of such activity given to the Department.

47. Leachate Disposal/Treatment Contingency Plan OCRRA shall maintain a contingency plan of the alternative leachate disposal/treatment methods that will be available in the event that the Primary Waste Water Treatment Plant will not accept OCRRA's leachate at its wastewater treatment plant. An arrangement for a backup leachate disposal/treatment facility must be maintained on an annual basis by the Permittee or his agent.

48. Monitoring Wells Currently installed monitoring wells MW-1S & MW-2S&D, MW-3S & D, MW-4S & D, MW-5S & M, (formerly WFC-23S & M), MW-6S & D, MW-7S & D, MW-8S & D, MW-9S & D, and MW-10S & D are designated as long term groundwater monitoring wells as per figure No. A of the Environmental Monitoring Plan dated April 27, 1994. During the initial construction and before operation, monitoring well MW-5D shall be drilled. During Phase II construction and before operation of that section of the landfill, an additional shallow and deep pair of monitoring wells shall be constructed between monitoring well clusters MW-9 and MW-10. These additional monitoring wells shall be sampled initially for expanded parameters, then for three quarters for baseline parameters before deposition of waste in their respective phases of landfill operation. Any modification, alteration or revision to the above groundwater monitoring points must be approved by the Department.

49. Monitoring Wells To Be Sampled Before deposition of waste all of the aforementioned long term groundwater monitoring wells must be sampled for expanded parameters and three more times for baseline parameters. This sampling shall be performed at 90 day intervals in order to evaluate seasonal geochemical and water table fluctuations.



50. Workplan Of Wells One year after commencement of operation, OCRRA shall submit a workplan for Department approval identifying all wells to be plugged and abandoned in accordance with subparagraph 360-2.11(a)(8)(vi).

51. Surface Water Monitoring Surface water monitoring locations OSW-1, OSW-2, OSW-3, OSW-4, OSW-5, AND OSW-6 shall be sampled for baseline parameters once per year on a quarterly rotating basis, and three times per year for routine parameters. Sampling shall commence upon initial deposition of waste at the facility.

52. Turbidity All groundwater samples taken for metals analysis that measure a Field Turbidity Value of 50 Nephelometric Turbidity Units (NTU) shall be analyzed for both filtered (dissolved) and unfiltered (total) levels. The filter shall be 0.45 microns in size either in-line or the positive displacement variety. Periodic redevelopment of any monitoring well that displays high turbidity values (greater than 50 NTUs) shall be performed before water quality sample collection.

53. Leachate Samples Leachate samples shall be taken from the primary and secondary leachate collection system. Samples will be collected at manholes MH No. 1 and MH No. 2 as referenced on Drawing No. D-4 (May 1994) of the Permit Design Drawings. Analysis of these leachate samples will be for expanded parameters taken on a semi-annual basis. When the leachate becomes well defined, the applicant may request approval from the Department to modify the frequency and parameters that are sampled for.

54. Quarterly Water Quality Data Reporting Quarterly water quality data reporting shall be submitted to the Regional Solid Waste geologist no later than 90 days after the conclusion of the sampling event. An annual summary report shall also be prepared and submitted along with the Fourth (4th) Quarter Analytical results. This data reporting shall include a discussion of analytical results, statistical and graphical data interpretation methods, and a highlight discourse of any parameters that exceed Part 703 standards, or show a statistical increase in concentrations over background levels.

55. Data Quality Assessment Report Included in the aforementioned water quality data reporting, a data quality assessment report shall be submitted. This data quality assessment shall include a field and analytical data validation phase and a data usability analysis. Data quality objectives that do not meet the site analytical plan must be conspicuously displayed and discussed.

56. Damaged Environmental Monitoring Point Any environmental monitoring point (wells, manholes) damaged either internally or externally during landfill construction or operation shall be replaced immediately upon notification to the Regional Solid Waste Geologist and screened at the same interval as the well that was damaged.

57. Re-evaluation Of Groundwater Monitoring Points Following Construction Following the construction of a stage of the landfill liner system, a re-evaluation of the location and depth of all groundwater monitoring points must be performed with respect to post construction groundwater level fluctuations. This evaluation must be submitted to the Department in the first annual report following each stage of construction. The Department reserves the right to require changes to the environmental monitoring plan.

58. Re-evaluation Of Groundwater Monitoring Points Prior To Construction Prior to the construction of the landfill liner system, a re-evaluation of the location and depth of all groundwater



monitoring points must be performed with respect to groundwater depth and flow directions. This re-evaluation must be submitted to the Department at least 60 days before the start of construction.

59. Sampling Of The Subgrade Drainage Layer Discharge from the subgrade drainage layer shall be sampled quarterly as per 6NYCRR Part 360-2.11(c)(l)(v). Quarterly flow measurements shall be obtained from this system and reported to the Department as part of the Annual Report.

60. Recycling a. The following permit conditions are presently part of the resource recovery facility permit (Permit ID 7-3142-00028/00011), and it is the intent of the Department to have the following conditions be met under either this permit or the resource recovery facility permit.

1. The permittee shall submit three copies of a revised and updated Comprehensive Recycling Analysis (CRA) to the Department for its review and approval that shall account for any information acquired through special permit conditions contained in this permit as well as the recyclables recovery program by June 30, 1993 and every three years thereafter. The CRA must demonstrate that aggressive steps are being taken to maximize the recycling of all waste streams, including continued reduction through maximum feasible recycling each year or that maximum feasible recycling has been achieved. This CRA update must include achieving of a recycling goal of at least 40 percent of the processibles by 1997.
2. A quarterly report shall be submitted by the Permittee on a form provided by or acceptable to the Department's Region 7 Office and the Central Office within 15 days after the end of each quarter. This report shall include a monthly breakdown of the recyclables recovered by category. A list of the facilities used to collect these recyclables shall also be provided.
3. The Permittee must implement the recyclables recovery program in accordance with the proposed plan and time schedules indicated within the Department approved CRA. Any revisions made to the program and/or the schedule must first be submitted to the Department for its review and approval.
4. The Permittee must not discontinue the source separation and collection of any or all of the recyclables collected as part of the recyclables recovery program unless, as to the particular recyclable in question, the Permittee determines that there is no economic market (as defined in General Municipal Law 120-aa) for the material.
 - a. The Permittee may only determine that an economic market does not exist for any waste stream component by:
 - i. preparing a report substantiating the absence of an economic market for the component, including an evaluation of whether, in light of the economics associated with the Permittee's recycling program, it is economically reasonable and technically feasible to continue recycling such component despite the demonstrated lack of existence of an economic market; for purposes of this special condition, there shall be a rebuttable presumption that it is economically reasonable to continue to recycle a component for



- which there is no economic market; and
- ii.* contacting the Department of Economic Development, Office of Recycling Market Development, One Commerce Plaza, Albany, NY, 12248; telephone number: (518) 486-6291 to seek their assistance in locating an economic market for the subject component and providing documentation of their efforts and final results; and
 - iii.* issuing a determination of lack of existence of an economic market for such component, and cause a notice of such determination and of the report's availability for review to be published in a newspaper have general circulation within the Permittee's service area; and
 - iv.* submitting three copies of the report and determination to the Department for review, and receiving Department approval.
- b.* The Permittee must periodically evaluate whether an economic market exists for the waste component in question no less frequently than once every three months after which the Permittee determined the absence of an economic market for the waste component in question.
5. Commencing one year after the date the CRA is approved by the Department, and every two years thereafter, the Permittee must prepare and update a report that includes an analysis of what markets then exist for specific components of the non-hazardous solid waste stream generated within the service area; and, the Permittee must conduct a review of developing technologies that may result in the creation or enhancement of economic markets for those components of the waste stream not required to be separated at the time of analysis. Within 30 days after their respective preparation, the Permittee must submit a copy to the Department for its review and approval.
 6. The Permittee shall be obligated to properly administer Local Law No. 12 of 1989 ("A Local Law Establishing the Onondaga County Source Separation Law"), effective July 1, 1990, and as appropriately amended to encourage and facilitate the maximum recycling practicable, and no person collecting or disposing of solid waste within the service area shall knowingly dispose of source separated recyclable materials as waste where such materials have an economic market (as defined in General Municipal Law 120-aa).
 7. Prior to commencement of facility operation, the Permittee shall develop and implement a schedule and means of monitoring the waste stream entering the facility to monitor and record the input of recyclables. This is to include an annual analysis of the full waste stream entering the facility, including non-recyclable materials. The information obtained from this monitoring and analysis will be used by the Permittee to provide direction for recycling additional materials and verify the recycling program efficiency.



GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY13204 -2400

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

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;



- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

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

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.