

THIS IS NOT A PERMIT



**New York State Department of Environmental Conservation
Notice of Complete Application**

Date: 04/05/2013

Applicant: WASTE MANAGEMENT OF NEW YORK LLC
1001 FANNIN STE 4000
HOUSTON, TX 77002

Facility: CHAFFEE LANDFILL
10860 OLEAN RD
CHAFFEE, NY 14030

Application ID: 9-1462-00001/00013

Permits(s) Applied for: 1 - Article 19 Air Title V Facility

Project is located: in SARDINIA in ERIE COUNTY

Project Description:

The Department has prepared draft permits and has made a tentative determination to issue modified Title V Facility and 6 NYCRR Part 360 permits for the Valley Fill Landfill Expansion at the Chaffee Landfill in the Town of Sardinia. Waste Management of New York, LLC (WMNY) proposes to construct the Valley Fill Expansion waste fill footprint area, which consists of approximately 13.7 acres, to connect the Western Expansion Landfill to the Closed Landfill. 4.1 acres of this area are located on the support berm between the Western Landfill Expansion and the Closed Landfill with the remaining 9.6 acres overlying the Closed Landfill. An overliner of approximately 3.4 acres was included as part of the Western Landfill Expansion, this area was an extension of Cells 1 and 2 up and onto the support berm of the Closed Landfill. The Valley Fill Landfill Expansion extends this area over the entire western support berm and western sideslope of the Closed Landfill. The potential impacts associated with the Valley Fill Expansion were included in the State Environmental Quality Review (DEIS/FEIS) completed for the Western Expansion Landfill in 2006. A composite liner system will be constructed beneath the expanded landfill areas, providing a physical barrier between the Closed Landfill and the proposed expansion landfill waste materials. Some of the existing leachate and gas collection systems within the Closed Landfill will be modified to allow for construction of the Valley Fill Landfill. The overall leachate collection and storage system and gas collection header piping that was installed as part of the Western Landfill Expansion will be utilized with the Valley Fill Expansion with minimal piping additions. In addition, the overall site access roads and stormwater controls installed as part of the Western Landfill Expansion will continue to be used with the Valley Fill Landfill Expansion; minimal additions to drainage channels and culverts will be required. The vertical height of the landfill will not increase beyond the previously permitted maximum height of 1658 feet above sea level and no changes to the rate and types of waste accepted are proposed as part of this modification.

The capacity of the proposed Valley Fill Expansion is approximately 2 million cubic yards and the proposed expansion will increase the amount of landfill gas generated at the facility by approximately 505 cubic feet per minute (cfm). This increase in the gas generation rate will be controlled by the existing 3,300 cfm enclosed flare. The proposed expansion does not require any additional permitting or monitoring of the landfill beyond the current requirements of the New Source Performance Standards for Municipal Solid Waste Landfills - 40 CFR 60 Subpart WWW and the National Emission Standards for Hazardous Air Pollutants: Municipal Solid

Waste Landfills - 40 CFR 63 Subpart AAAA. The existing facility is a major source of oxides of nitrogen (NOx) emissions and is required to comply with the emission limits specified in 6 NYCRR Subpart 227-2 Reasonably Available Control Technology (RACT) for Major Facilities of NOx. The expansion does not change the current NOx limits as specified in the regulation and the NOx RACT analysis submitted by WMNY in December 2011.

In accordance with 6NYCRR Parts 621.7(b)(9) and 201-6.4(c), the Administrator of the United States Environmental Protection Agency (USEPA) has the authority to bar issuance of any Title V Facility Permit if it is determined not to be in compliance with applicable requirements of the Clean Air Act or 6NYCRR Part 201.

Persons wishing to inspect the subject Title V files, including the application with all relevant supporting materials, the draft permit, and all other materials available to the DEC (the "permitting authority") that are relevant to this permitting decision should contact the DEC representative listed below. The Draft Permit and Permit Review Report may be viewed and printed from the Department web site at:

<http://www.dec.ny.gov/chemical/32249.html>.

DEC will evaluate the application and the comments received on it to determine whether to hold a public hearing. Comments and requests for a public hearing should be in writing and addressed to the Department representative listed below. A copy of the Department's permit hearing procedures is available upon request or on the Department web site at: <http://www.dec.ny.gov/permits/6234.html>.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination

A final environmental impact statement has been prepared on this project and is on file.

SEQR Lead Agency NYS Department of Environmental Conservation

State Historic Preservation Act (SHPA) Determination

Cultural resource lists and map have been checked. No registered, eligible or inventoried archaeological sites or historic structures were identified at the project location. No further review in accordance with SHPA is required.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

It has been determined that the proposed action is not subject to CP-29.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 05/17/2013 or 30 days after the publication date of this notice, whichever is later.

Contact Person

LISA PORTER
NYSDEC
270 MICHIGAN AVE
BUFFALO, NY 14203-2915
(716) 851-7165

Mr. Alan Zylinski, NYSDEC, DAR
Ms. Connie Laport, NYSDEC, DAR
Mr. Mark Hans, NYSDEC, DMM
Mr. Andrew Nichols, P.E., MMCE
Hon. Mary Hannon, Supervisor, Town of Sardinia
Ms. Rebecca Zayatz, P.E., WMNY, LLC
Mr. Steven Riva, US EPA Region 2
ENB
File