



## PERMIT

### Under the Environmental Conservation Law (ECL)

#### Permittee and Facility Information

**Permit Issued To:**  
ONEIDA-HERKIMER SOLID WASTE  
AUTHORITY  
1600 GENESEE ST  
UTICA, NY 13502  
(315) 733-1224

**Facility:**  
OHSWA EASTERN TRANSFER STATION

80 LELAND AVE  
UTICA, NY 13501

**Facility Location:** in UTICA in ONEIDA COUNTY **Village:** Utica  
**Facility Principal Reference Point:** NYTM-E: 484.4 NYTM-N: 4772  
Latitude: 43°06'02.0" Longitude: 75°11'30.1"

**Project Location:** 80 Leland Ave

**Authorized Activity:** This permit authorizes the operation of the Oneida-Herkimer Solid Waste Authority Eastern Transfer Station located on Leland Avenue, City of Utica, Oneida County. This facility is permitted to accept solid waste for placement in transportation units for movement to other solid waste management facilities. This facility must be operated in conformance with 6 NYCRR Parts 360 and 362-3, the attached special conditions, and the Part 360 permit application to operate. If in any instance, conflicting requirements occur, the more stringent shall apply.

#### Permit Authorizations

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

Permit ID 6-3016-00084/00005

Renewal

Effective Date: 1/1/2018

Expiration Date: 12/31/2022

#### NYSDEC Approval

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

Permit Administrator: TERRY R TYOE, Deputy Regional Permit Administrator

Address: NYSDEC Region 6 Utica Sub-Office  
State Office Bldg - 207 Genesee St  
Utica, NY 13501 -2885

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

Date 11/29/17



**Distribution List**

JAIME P LANG  
YUAN ZENG  
Sarah B Harrison

**Permit Components**

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

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**SOLID WASTE MANAGEMENT PERMIT CONDITIONS**

**1. Operation and Authorization** This permit authorizes the Oneida-Herkimer Solid Waste Transfer Station to accept Municipal Solid Waste, Construction and Demolition debris, and Industrial waste originating within Oneida & Herkimer Counties. No liquid waste or hazardous waste is allowed at the facility. Waste will be placed in transportation units for movement to a permitted Part 360 solid waste facility for final disposal. This transfer station shall operate in accordance with 6 NYCRR Part 360 Solid Waste Management Facilities, effective November 4, 2017 and subsequent revisions, and the approved Part 360 permit application, including the engineering report entitled the Oneida-Herkimer Solid Waste Management Authority Modification Report for the Authority Transfer Station in Utica, New York submitted June 1991 and revised/finalized July 1991. Wherever conflicting requirements are encountered, the more stringent shall apply.

**2. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the permit application, plans and materials prepared by Barton & Loguidice, P.C. on June 1991.

**3. Compliance Inspections** This Department retains the right to unannounced access for the purpose of determining compliance with any, and all, conditions of this permit.

**4. Local Solid Waste Management Plan** The permittee must comply with its approved Local Solid Waste Management Plan and Comprehensive Recycling Analysis and any updates or revisions to the plan.

**5. Approved Design Capacity** This facility may accept up to a total of 600 tons per day of municipal solid waste, construction and demolition debris and industrial waste. No liquid or hazardous waste will be accepted at the facility. Waste receipt capacity is based on an annual average of six days per week (312 days per year).



**6. Hours of Operation** The site will be allowed to operate Monday through Saturday, 24 hours per day. A sign designating the hours of operation shall be posted at the site.

**7. Financial Assurance Mechanism** The Department reserves the right to require a financial assurance mechanism at any time in an amount based on the facility's closure cost estimate. The financial assurance mechanism must satisfy the requirements of 6 NYCRR Part 360.22. Sixty days notice shall be given to the permittee.

**8. No On-Site Disposal** On-site disposal of any waste is prohibited.

**9. No Hazardous Materials** If any unauthorized waste is off-loaded at the facility, it shall be immediately segregated and secured and the NYSDEC shall be immediately contacted.

**10. Non-commercial Delivery** Individuals will be permitted to deliver household wastes to the Transfer Station with the permittee's approval.

**11. Tires and Metals** Waste tires and scrap metal may be stored outdoors in covered dedicated containers for a period not exceeding thirty (30) days. External storage areas must be maintained in a manner preventing nuisance, sanitary, or environmental problems.

**12. Salvaging**

A. All recyclable and recoverable materials will be handled according to the approved part 360 Permit Application to Operate Salvaging Plan dated/revised November 14, 1991. Recyclable storage containers must be emptied and transported to the Authority's Recycling Facility once a day or when the container is full, whichever comes first.

B. C & D Debris must be inspected for recoverable recyclables and unauthorized waste. The recoverable recyclables are to be sorted, collected in a hopper and sent to a recycling facility or scrap metal dealer. The remaining C & D residue will be transported to a permitted facility capable of receiving this waste.

C. Quarterly reports detailing the amount of recyclable's recovered must be submitted to the NYSDEC on the 15th of January, April, July and October.

**13. Putrescible Storage** Storage of putrescible wastes in trucks is permitted if the waste is properly covered and storage does not exceed 48 hours. The external storage of putrescible solid waste for longer than 48 hours will require approval from the NYSDEC.



#### 14. Tipping Floor

A. Waste delivered to this facility on Saturday's must be properly containerized before the end of that working day. No waste will be permitted to remain on the tipping floor overnight, including Sundays without being containerized, except in emergency situations and only after NYSDEC approval has been granted.

B. An Authority employee, or an employee acting on behalf of the Authority, must be present at all times to inspect solid waste discharged to the tipping floor.

C. All facility cleanup activities must be completed between 1 pm and 3 pm of each working day. Wash-down water must be drained to appropriate sanitary sewers (Oneida County Water Pollution Control Plant). After cleaning, no leachate or wash-down water will be allowed to remain on the tipping floor.

**15. All Materials in Containers** All material received will be placed in containers. At no time is any waste material to be stored on the ground.

**16. Annual Report** An annual report covering the previous calendar year must be submitted to the Department's Central Office with a copy to the Regional Watertown Office no later than March 1 of each year. This report must address all the requirements in subdivision 362-3.6(b), 6NYCRR Part 360.19(k)(3), effective November 4, 2017 and any subsequent revisions.

**17. Closure Cost Estimate** A report related to closure cost estimates must be submitted annually to the Regional Materials Management Engineer in Watertown for review and approval. This information may be submitted in conjunction with the Annual Report.

**18. Amendments** Any amendments to the engineering report and/or plans must be approved, in writing, by this Department prior to their implementation.

**19. Reports** Unless otherwise specified, all submissions required by this permit shall be made to the NYS DEC Region 6, Regional Office (317 Washington Street, Watertown, NY 13601), to the attention of the Regional Materials Management Engineer, with a copy to the Utica Office. All approvals required by this permit shall be obtained, in writing, from the Regional Materials Management Engineer.

**20. Emergency Phone Numbers** The Contingency Plan must be kept current and a copy must be kept on site at all times. A current list of emergency phone numbers must be posted next to telephones, as specified in the Plan.

**21. Evacuation Routes** Transfer Station personnel must be familiar with plant primary and secondary evacuation routes. Individual plant areas must have their unique primary and secondary evacuation routes conspicuously posted.



**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 6 Utica Sub-Office  
State Office Bldg - 207 Genesee St  
Utica, NY13501 -2885

**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.