

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 8

6274 East Avon-Lima Road, Avon, NY 14414-9516

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www.dec.ny.gov

March 2, 2021

RE: Lead Agency Request

Hakes C&D Disposal Expansion

DEC# 8-4630-00010/00009

4379 Manning Ridge Road

Campbell (T), Steuben (C)

Dear Involved or Interested Agency Official:

The New York State Department of Environmental Conservation (the Department) received a full Environmental Assessment Form for a proposed expansion of the Hakes C&D, Inc Landfill on December 9, 2020. We provided comments on January 28, 2021 and received a revised fEAF on February 18, 2021 (attached herewith).

The proposed expansion would add approximately 43.3 acres of landfill cell area to the existing 78.9 acres of permitted cell area and an approximate 22.8-acre expansion to the existing 22.2-acre on-site soil borrow area, from which soils would be excavated for landfill construction and operation. The project includes a permanent closure of an existing 3,600-foot section of Manning Ridge Road (between the existing landfill entrance and Frog Hollow Road) and associated mitigation; and relocation of ancillary facilities, such as the office/scale house, truck scale, maintenance building, and tarping station. The project does not include an increase in the elevation of 1825 feet (NGVD), an increase in design capacity (1494 tons per day), or a change in waste streams.

The Department has regulatory jurisdiction under the 6 NYCRR Part 360/363 series regulations and 6 NYCRR Part 201 Air Quality Regulations. We may also have a 401 Water Quality Certification for proposed fill of federal wetlands.

The project has been classified as a Type I action under SEQRA. As such, a coordinated review is required. We are seeking to be deemed the Lead Agency for this project and thus we are seeking your concurrence with our request.

You have been identified as either an involved or interested agency. Please review the enclosed fEAF on this project. As an involved agency, please provide the extent of your jurisdictions, your interest in being Lead Agency, and provide any observations or concerns about the proposed action so we may consider them in making a SEQR determination of significance. As an interested agency, or an agency not subject to SEQR, please also provide your jurisdictions and concerns so that we may conduct a comprehensive review.

This lead agency coordination response deadline is 30 days from the date of this letter or by April 5, 2021, 2021. Confirmation of your status as either an involved or interested agency should also be received by the Department by that date. If we have not heard from you by that date, we will assume you have no objections to our serving as lead agency and will process the application accordingly.

The Department anticipates that the project proposal may have significant adverse impacts and is likely to issue a Positive Declaration and require public scoping for a DEIS. Upon completion of the 30-day period, we will make a determination of significance.

Should you have questions, feel free to contact me at (585)226-5392 or by email at kimberly.merchant@dec.ny.gov.

Sincerely,



Kimberly A. Merchant
Deputy Regional Permit Administrator

enclosures: SEQRA Reply Form
Part I fEAF, supplemental information and figures

Involved Agency Distribution List:

Town of Campbell Planning Board
Town of Campbell Town Board
Supervisor, Town of Campbell

Interested Agency Distribution List:

Supervisor, Town of Erwin
Town Manager, Town of Erwin
Town Planner, Town of Erwin
Supervisor, Town of Hornby
Steuben County Planning
Southern Tier Central Regional Planning & Development Board
Steuben County Department of Public Works
Steuben County Soil and Water Conservation District
NYSDOT Hornell
NYSDOH Hornell
USACE
NYS OPRHP SHPO

Ecc: L. Shilling, Hakes C&D Disposal Inc., Hyland Facility
M. Mann, McMahon & Mann Consulting Engineers
S. Logan, Mann, McMahon & Mann Consulting Engineers
J. Randel, Mann, McMahon & Mann Consulting Engineers
T. West, Esq. The West Firm
Ronald Hull, Esq., Underberg Kessler

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 applicant or project sponsor to verify that the information contained in Part 1 is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Hakes C&D Landfill Expansion		
Project Location (describe, and attach a general location map): Painted Post, New York (See Figure 1 attached)		
Brief Description of Proposed Action (include purpose or need): See attached Supplemental Information Sheet		
Name of Applicant/Sponsor: Hakes C&D Disposal Inc.		Telephone: (607) 937-6044
		E-Mail:
Address: 4376 Manning Ridge Road		
City/PO: Painted Post	State: New York	Zip Code: 14870
Project Contact (if not same as sponsor; give name and title/role): Larry Shilling		Telephone: (585) 466-7271
		E-Mail:
Address: 6653 Herdman Road		
City/PO: Angelica	State: New York	Zip Code: 14709
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 Counsel, Town Board, <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No or Village Board of Trustees	See Attached Supplemental Information Sheet	
b. City, Town or Village Planning Board or Commission <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Supplemental Information Sheet	
c. City, Town or Village Zoning Board of Appeals <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
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 type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
g. State agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Supplemental Information Sheet	
h. Federal agencies <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	See Attached Supplemental Information Sheet	
i. Coastal Resources.		
i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway?		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program?		<input type="checkbox"/> Yes <input checked="" 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? Yes No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? Yes No

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):

New York State Major Basins: Upper Susquehanna _____

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):

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. Yes No
If Yes, what is the zoning classification(s) including any applicable overlay district?

The majority of the Hakes site was established as a "Non Residential Planned Development District" in 2019 with smaller areas of the site (recently acquired property) zoned as "Agricultural Residential".

b. Is the use permitted or allowed by a special or conditional use permit? 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? Rezoning of "Agricultural Residential" areas as a "Non-Residential Planned Development District"

C.4. Existing community services.

a. In what school district is the project site located? Corning City School District

b. What police or other public protection forces serve the project site?

Painted Post Police Department

c. Which fire protection and emergency medical services serve the project site?

Painted Post Fire Department

d. What parks serve the project site?

Erwin Hollow State Forest

D. Project Details

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)? Industrial

b. a. Total acreage of the site of the proposed action? 537.8 acres

b. Total acreage to be physically disturbed? 93.4 acres

Refer to Figures 1 and 2

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 537.8 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)? % 43.3 Units: acres of cell area

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 the 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 6
- Anticipated commencement date of phase 1 (including demolition) 1 month 2025 year
- Anticipated completion date of final phase 1 month 2034 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases: _____

The commencement date and completion date are estimated using the approved design capacity of 1,494 tons/day. The existing facility is expected to be out of airspace in 2025 and the proposed expansion is expected to provide 9 to 10 years of airspace.

f. Does the project include new residential uses? Yes No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase	_____	_____	_____	_____
At completion	_____	_____	_____	_____
of all phases	_____	_____	_____	_____

g. Does the proposed action include new non-residential construction (including expansions)? Yes No

If Yes,

i. Total number of structures 3 *Structures consist of the landfill cell (largest structure), scale house, and maintenance building.

ii. Dimensions (in feet) of largest proposed structure: 130 height; 767 width; and 2,458 length

iii. Approximate extent of building space to be heated or cooled: 0 square feet

Length is the longest north to south dimension. Width is an average along length.

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? Yes No

If Yes,

i. Purpose of the impoundment: Stormwater storage in ponds and leachate storage in above-ground tanks.

ii. If a water impoundment, the principal source of the water: Ground water Surface water streams Other specify: Surface water runoff from precipitation events will be collected in ponds to facilitate settling of sediment and attenuation of discharge rates.

iii. If other than water, identify the type of impounded/contained liquids and their source. Leachate (generated by percolation of precipitation through landfilled waste) will be temporarily stored in tanks. Refer to D.2.d.ii for more information.

iv. Approximate size of the proposed impoundment. Volume: _____ T.B.D. million gallons; surface area: _____ T.B.D. acres

v. Dimensions of the proposed dam or impounding structure: _____ T.B.D. height; _____ T.B.D. length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): _____

The proposed stormwater ponds and leachate storage tank will be described in detail in the Draft Supplemental Environmental Impact Statement _____

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? Yes No
(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? To obtain soils for construction and operation of the landfill.

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): None - all excavated material will remain onsite
- Over what duration of time? Lifetime of landfill

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. Excavated materials will consist of soil and rock. The excavated material will be used for construction of landfill cells, daily and final covers, roadways, berms, and other necessary structures related to the landfill construction and operation.

iv. Will there be onsite dewatering or processing of excavated materials? Yes No
If yes, describe. Glacial till soils will be screened to remove oversize rocks and stones. The screened material will be used to construct the clay liner and oversized material will be used for other landfill construction and operational needs.

v. What is the total area to be dredged or excavated? Borrow area expansion will be approximately 22.8 acres

vi. What is the maximum area to be worked at any one time? 5 acres

vii. What would be the maximum depth of excavation or dredging? approximately 70 feet

viii. Will the excavation require blasting? Yes No

ix. Summarize site reclamation goals and plan: _____

A final cover system will be constructed over the landfill area upon closure of the facility; the uppermost (and therefore visible) layer consisting of a well vegetated topsoil layer. Surficial soils at the borrow area will be covered with topsoil and vegetated as part of the continuing and final restoration of the site. The visual appearance of the landfill and borrow area will be consistent with the rolling terrain of the region.

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? Yes No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): There are no state regulated wetlands on the site. One federal wetland (+/- 0.46) may be impacted to accommodate a new stormwater detention basin. Impacted areas and proposed mitigation will be described in detail in the Draft Supplemental Environmental Impact Statement (DSEIS).

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:
 Impacted areas and proposed mitigation will be described in detail in the Draft Supplemental Environmental Impact Statement (DSEIS).

iii. Will the proposed action cause or result in disturbance to bottom sediments? Yes No
 If Yes, describe: _____

iv. Will the 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: _____

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), what is the 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: _____ Varies 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): _____

The volume of leachate generated will vary throughout the life of the facility based on the constructed cell area, waste depth, cover type, and precipitation. In 2020, the facility generated approximately 96 gal./ac./day

Leachate (generated by percolation of precipitation through landfilled waste) will be collected and stored in above ground tanks, then sent for treatment and disposal at permitted wastewater treatment plants (WWTPs).

iii. Will the proposed action use any existing public wastewater treatment facilities? Yes No
 If Yes:

- Name of wastewater treatment plant to be used: Steuben County Wastewater Treatment Plant
- Name of district: Steuben County
- 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

• Do existing sewer lines serve the project site? Yes No
 • Will a line extension within an existing district be necessary to serve the project? Yes No
 If Yes:
 • Describe extensions or capacity expansions proposed to serve this project: _____

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? Yes No
 If Yes:
 • Applicant/sponsor for new district: _____
 • Date application submitted or anticipated: _____
 • What is the receiving water for the wastewater discharge? _____

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? Yes No
 If Yes:
 i. How much impervious surface will the project create in relation to total size of project parcel?
 _____ Square feet or _____ acres (impervious surface)
 _____ Square feet or _____ acres (parcel size)
 ii. Describe types of new point sources. Stormwater will be addressed in the DSEIS. _____

 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)?
 Stormwater will be directed to on-site stormwater management facility/structures. _____

 • If to surface waters, identify receiving water bodies or wetlands: _____
 After passing through on-site ponds, stormwater will be released to "Tributary 4 to Erwin Hollow Creek". _____

 • Will stormwater runoff flow to adjacent properties? Yes No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? Yes No

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? Yes No
 If Yes, identify:
 i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
 Heavy equipment (bulldozers, compactors, trucks, etc.) will be used for disposal operations. _____
 ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)
 Screens will be used for processing soils during construction. _____
 iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
 Gas from decomposition of landfilled waste will be combusted in control flare operation, resulting in air emissions. _____

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? Yes No
 If Yes:
 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) Yes No
 ii. In addition to emissions as calculated in the application, the project will generate:

This information is currently unavailable. An emissions evaluation will be submitted as part of the DSEIS.
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- _____ Air emissions Tons/year (short tons) of Carbon Dioxide (CO₂)
- _____ will be Tons/year (short tons) of Nitrous Oxide (N₂O)
- _____ detailed in Tons/year (short tons) of Perfluorocarbons (PFCs)
- _____ the DSEIS Tons/year (short tons) of Sulfur Hexafluoride (SF₆)
- _____ Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflouorocarbons (HFCs)
- _____ Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? Yes No
 If Yes:
 i. Estimate methane generation in tons/year (metric): Methane emissions will be addressed in the DSEIS.
 ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): Capture and control of methane emissions will be addressed in the DSEIS.

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? Yes No
 If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):
Use of heavy equipment (bulldozers, compactors, trucks, etc.) may result in exhaust emissions, and may produce dust from travel on on-site roads. Processing and use of soils for construction and operation may result in dust generation.

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? Yes No
 If Yes:
 i. When is the peak traffic expected (Check all that apply): Morning Evening Weekend
 Randomly between hours of _____ to _____.
 ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

 iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____
 iv. Does the proposed action include any shared use parking? Yes No
 v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

 vi. Are public/private transportation service(s) or facilities available within 1/2 mile of the proposed site? Yes No
 vii. Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? Yes No
 viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? Yes No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? Yes No
 If Yes:
 i. Estimate annual electricity demand during operation of the proposed action: _____
 Current usage of electricity will be extended by approximately 8 to 10 years.
 ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):
Via existing electrical grid from New York State Electric and Gas (NYSEG).
 iii. Will the proposed action require a new, or an upgrade, to an existing substation? Yes No

l. Hours of operation. Answer all items which apply.
 i. During Construction:
 • Monday - Friday: _____ 7 AM to 7 PM
 • Saturday: _____ 7 AM to 7 PM
 • Sunday: _____ Closed
 • Holidays: _____ Closed
 ii. During Operations:
 • Monday - Friday: _____ 7 AM to 5:30 PM
 • Saturday: _____ 7 AM to 5:30 PM
 • Sunday: _____ Varies
 • Holidays: _____ Varies

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? Yes No
 If yes:
 i. Provide details including sources, time of day and duration:
 An analysis of noise impacts will be provided in the DSEIS.

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? Yes No
 Describe: Construction will result in the removal of trees and vegetation.

n. Will the proposed action have outdoor lighting? Yes No
 If yes:
 i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:
Existing exterior lighting at the office/scale house and maintenance building.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? Yes No
 Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? Yes No
 If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____
Decomposing waste produces landfill gas which will be collected and combusted in a flare. Potential for fugitive emissions may result in odors. An analysis of odor impacts, including proximity of the expansion to the nearest occupied structure(s), will be provided in the DSEIS.

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? Yes No
 If Yes:
 i. Product(s) to be stored Diesel Fuel
 ii. Volume(s) See below per unit time See below (e.g., month, year)
 iii. Generally, describe the proposed storage facilities: _____
A new diesel fuel storage tank may have a capacity over 1,100 gallons. More details will be provided in the DSEIS.

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? Yes No
 If Yes:
 i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? Yes No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? Yes No
 If Yes:
 i. Describe any solid waste(s) to be generated during construction or operation of the facility:
 • Construction: None tons per _____ (unit of time)
 • Operation : Spent H2S treatment media tons per 100 tons per year (unit of time)
 ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:
 • Construction: None

 • Operation: None

 iii. Proposed disposal methods/facilities for solid waste generated on-site:
 • Construction: None

 • Operation: Spent media generated from the H2S treatment system will be disposed off site.

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): Expansion of existing landfill.

ii. Anticipated rate of disposal/processing:

- 38,844 Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: approximately 8 to 10 years

t. Will the 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

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

Urban Industrial Commercial Residential (suburban) Rural (non-farm)

Forest Agriculture Aquatic Other (specify): C&D Debris Disposal Facility

ii. If mix of uses, generally describe:

The Hakes facility is an active Construction & Demolition (C&D) Debris Disposal Facility

b. Land uses and coverytypes on the project site. **Refer to Figures 1 and 2.**

Land use or Coverytype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	2.9	1.1	-1.8
• Forested	365.6	288.0	-77.6
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	17.9	3.9	-14.0
• 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: <u>C&D landfill, borrow area, support facilities, and onsite paved/unpaved access roads</u>	151.4	244.8	+93.4

c. Is the project site presently used by members of the community for public recreation? Yes No
i. If Yes: explain: _____

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? Yes No
If Yes,
i. Identify Facilities: _____

e. Does the project site contain an existing dam? Yes No
If Yes:
i. Dimensions of the dam and impoundment:
• Dam height: _____ feet
• Dam length: _____ feet
• Surface area: _____ acres
• Volume impounded: _____ gallons OR acre-feet
ii. Dam's existing hazard classification: _____
iii. Provide date and summarize results of last inspection: _____

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? Yes No
If Yes:
i. Has the facility been formally closed? Yes No
• If yes, cite sources/documentation: _____
ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:
The Hakes facility is an active Construction & Demolition (C&D) Debris Disposal Facility

iii. Describe any development constraints due to the prior solid waste activities: _____

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? Yes No
If Yes:
i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred: _____

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? Yes No
If Yes:
i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: Yes No
 Yes – Spills Incidents database Provide DEC ID number(s): 1205593, 1113905, 0705021, 0613890
 Yes – Environmental Site Remediation database Provide DEC ID number(s): _____
 Neither database
ii. If site has been subject of RCRA corrective activities, describe control measures: _____

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? Yes No
If yes, provide DEC ID number(s): _____
iv. If yes to (i), (ii) or (iii) above, describe current status of site(s): _____

v. Is the project site subject to an institutional control limiting property uses? Yes No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? Yes No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? _____ 0 to 60 feet feet

b. Are there bedrock outcroppings on the project site? Yes No
 If Yes, what proportion of the site is comprised of bedrock outcroppings? _____ <1% %

c. Predominant soil type(s) present on project site:

Lordstown	_____	60 %
Mardin	_____	25 %
Volusia	_____	15 %

d. What is the average depth to the water table on the project site? Average: _____ 1 to >7 feet

e. Drainage status of project site soils: Well Drained: _____ 60 % of site
 Moderately Well Drained: _____ 25 % of site
 Poorly Drained _____ 15 % of site

f. Approximate proportion of proposed action site with slopes: 0-10%: _____ 50 % of site
 10-15%: _____ 25 % of site
 15% or greater: _____ 25 % of site

g. Are there any unique geologic features on the project site? Yes No
 If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? Yes No

ii. Do any wetlands or other waterbodies adjoin the project site? Yes No
 If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? Yes No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name PA3-58-1 and PA3-58-1-4 Classification C(TS) and C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name One federal wetland (+/- 0.46 acres) Approximate Size To be detailed in DSEIS
- Wetland No. (if regulated by DEC) No state regulated wetlands

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? Yes No
 If yes, name of impaired water body/bodies and basis for listing as impaired: _____

i. Is the project site in a designated Floodway? Yes No

j. Is the project site in the 100-year Floodplain? Yes No

k. Is the project site in the 500-year Floodplain? Yes No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? Yes No
 If Yes:
 i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site: _____
 The unused portions of the site provide habitat for birds, deer and small animals, including squirrels, chipmunks, raccoons, opossums, mice, skunks, woodchucks and rabbits. _____

n. Does the project site contain a designated significant natural community? Yes No
 If Yes:
 i. Describe the habitat/community (composition, function, and basis for designation): _____
 ii. Source(s) of description or evaluation: _____
 iii. Extent of community/habitat:
 • Currently: _____ acres
 • Following completion of project as proposed: _____ acres
 • Gain or loss (indicate + or -): _____ acres

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? Yes No
 If Yes:
 i. Species and listing (endangered or threatened): _____
 An ecological study of the expansion area will be included in the DSEIS. _____

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? Yes No
 If Yes:
 i. Species and listing: _____
 An ecological study of the expansion area will be included in the DSEIS. _____

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? Yes No
 If yes, give a brief description of how the proposed action may affect that use: _____
 Adjacent areas are (or may be) used for hunting and trapping. The proposed project will not affect these uses. _____

E.3. Designated Public Resources On or Near Project Site

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? Yes No
 If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? Yes No
 i. If Yes: acreage(s) on project site? _____
 ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? Yes No
 If Yes:
 i. Nature of the natural landmark: Biological Community Geological Feature
 ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? Yes No
 If Yes:
 i. CEA name: _____
 ii. Basis for designation: _____
 iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? Yes No

If Yes:

i. Nature of historic/archaeological resource: Archaeological Site Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based: _____

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? Yes No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? Yes No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within five miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? Yes No

If Yes:

i. Identify resource: _____

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): _____

iii. Distance between project and resource: _____ miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? Yes No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? Yes No

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 Larry Shilling Date 2/5/21

Signature  Title Vice President

Hakes C&D Landfill Expansion Supplemental Information for Full EAF

Hakes C&D Disposal Inc. (Hakes) is seeking a Part 360/363 Solid Waste Management Facility (SWMF) Permit modification from the New York State Department of Environmental Conservation (NYSDEC) to construct and operate an expansion to its existing construction and demolition (C&D) debris landfill (Hakes Landfill) located at 4376 Manning Ridge Road in the Town of Campbell, Steuben County, New York. The location of Hakes Landfill is provided on the attached Figure 1. The proposed expansion would add approximately 43.3 acres of landfill cell area to the existing 78.9 acres of permitted cell area. The proposed project would also include the following:

- An approximate 22.8-acre expansion to the existing 22.2-acre on-site soil borrow area, from which soils would be excavated for landfill construction and operation;
- Relocation of ancillary facilities, such as the office/scale house, truck scale, maintenance building, and tarping station;
- Permanent closure of an existing 3,600-foot section of Manning Ridge Road (between the existing landfill entrance and Frog Hollow Road);
- Mitigation work associated with the closure of Manning Ridge Road.

Hakes is not seeking an increase in the existing maximum permitted landfill height; therefore, the existing maximum elevation of 1829 feet (site datum) would remain unchanged. In addition, Hakes is not proposing to change the type of wastes being received at the facility (C&D debris), the approved design capacity of the landfill (1,494 tons per day), or traffic route for waste haulers. As a result, there will be no increase in truck traffic associated with the proposed expansion, beyond existing levels of traffic. However, landfill operation would be extended approximately 8 to 10 years, depending upon the waste volume received in any given year.

This proposed project is being reviewed under the State Environmental Quality Review (SEQR) Act to identify potentially significant environmental impacts and to establish methods and procedures to prevent or mitigate these potential impacts. The SEQR process incorporates the consideration of environmental factors into the planning, review, and decision-making processes of federal, state, and regional government agencies. The proposed project will require permits and approvals from pertinent agencies detailed in Table 1 below.

Table 1: Required Permits and Approvals

Agency	Permit/Approval	
NYSDEC	<ul style="list-style-type: none"> • SWMF Permit Modification (6 NYCRR ⁽¹⁾ Part 360 and Part 363). • Air State Facility Permit Modification (6 NYCRR Part 201) • Water Quality Certification (6 NYCRR Part 608) • Multi-Sector Industrial SPDES ⁽²⁾ General Permit (GP-0-17-004) 	
USACE ⁽³⁾	<ul style="list-style-type: none"> • Wetland Fill Permit (Section 404 Clean Water Act) 	
Town of Campbell	Planning Board	<ul style="list-style-type: none"> • Site Plan Review and recommendation to Town Board
	Town Board	<ul style="list-style-type: none"> • Establishment of a Non-Residential Planned Development District • Permanent closure of an existing section of section of Manning Ridge Road • Manning Ridge Road closure mitigation
Other Involved Agencies (to be determined)	<ul style="list-style-type: none"> • Manning Ridge Road closure mitigation 	

Notes:

(1) NYCRR = New York State Codes Rules and Regulations

(2) SPDES = State Pollution Discharge Elimination System

(3) USACE = United States Army Corps of Engineers

Hakes C&D Landfill Expansion Supplemental Information for Full EAF

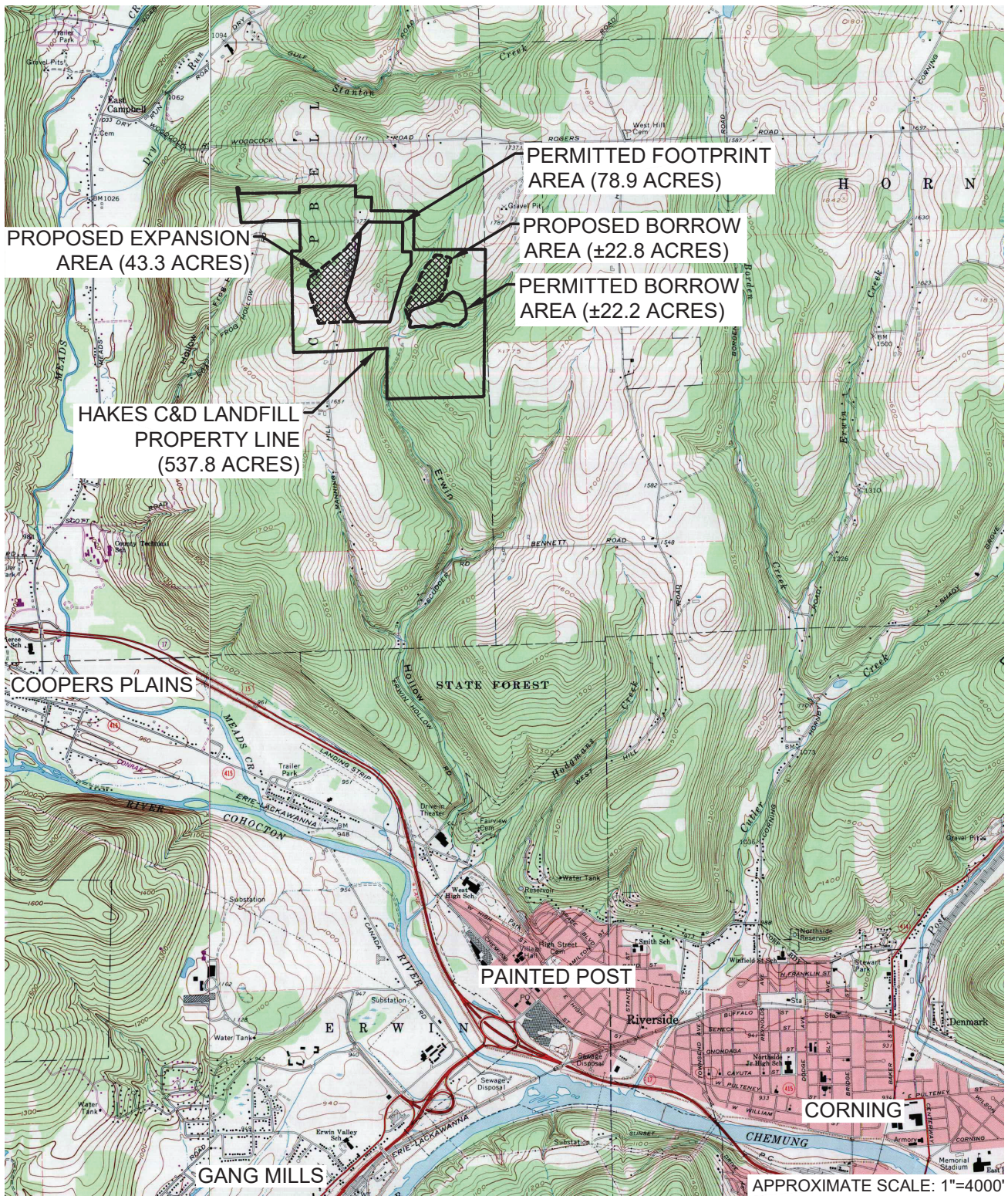
In total, the proposed development (including cell area, borrow area, and support facilities) will increase the affected land area by approximately 93.4 acres, as detailed on Figure 2.

In 2019, the Town of Campbell approved an amendment to the Zoning Law to establish a Non-Residential Planned Development District (NRPDD) on the Hakes Landfill site. This was done to permit a 21-acre landfill expansion over areas of the site zoned as Agricultural Residential¹. Since that time, Hakes has acquired additional property (zoned as Agricultural Residential) which encompasses a portion of the proposed expansion area. Hakes plans to apply to the Town Board for a designation of the recently acquired property as a NRPDD. The review/approval process for a NRPDD includes an application for site plan review/approval by the Planning Board, after which the Planning Board will make a recommendation to the Town Board. The Town Board will then make a determination on approval (or denial) of the designation to NRPDD.

The proposed landfill expansion also requires the permanent closure of an existing 3,600-foot section of Manning Ridge Road, as depicted on Figure 2. Hakes plans to fund mitigation work associated with the closure, the details of which will be determined through traffic studies and provided in the Draft Supplemental Environmental Impact Statement (DSEIS) prepared for this project. However, this mitigation work may include structural and geometric improvements to area roads, or realignment of Manning Ridge Road outside the perimeter of the expanded facility. Hakes will coordinate with the Town of Campbell and all other involved agencies such that the Manning Ridge Road closure and mitigation work is completed in accordance with applicable town laws and zoning ordinances.

¹ Other business and industrial uses may also be permitted in an “agricultural residential” district under the NRPDD process administered by the Town Board pursuant to Article 9 the Town of Campbell Zoning Law.

Figures



NOTE:

1. Base map image adapted from 7.5 Minute Series USGS Maps of Campbell, NY and Corning, NY.



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 Buffalo, NY 14214 www.mmce.net

**HAKES C&D LANDFILL EXPANSION
 DRAFT SCOPING DOCUMENT**

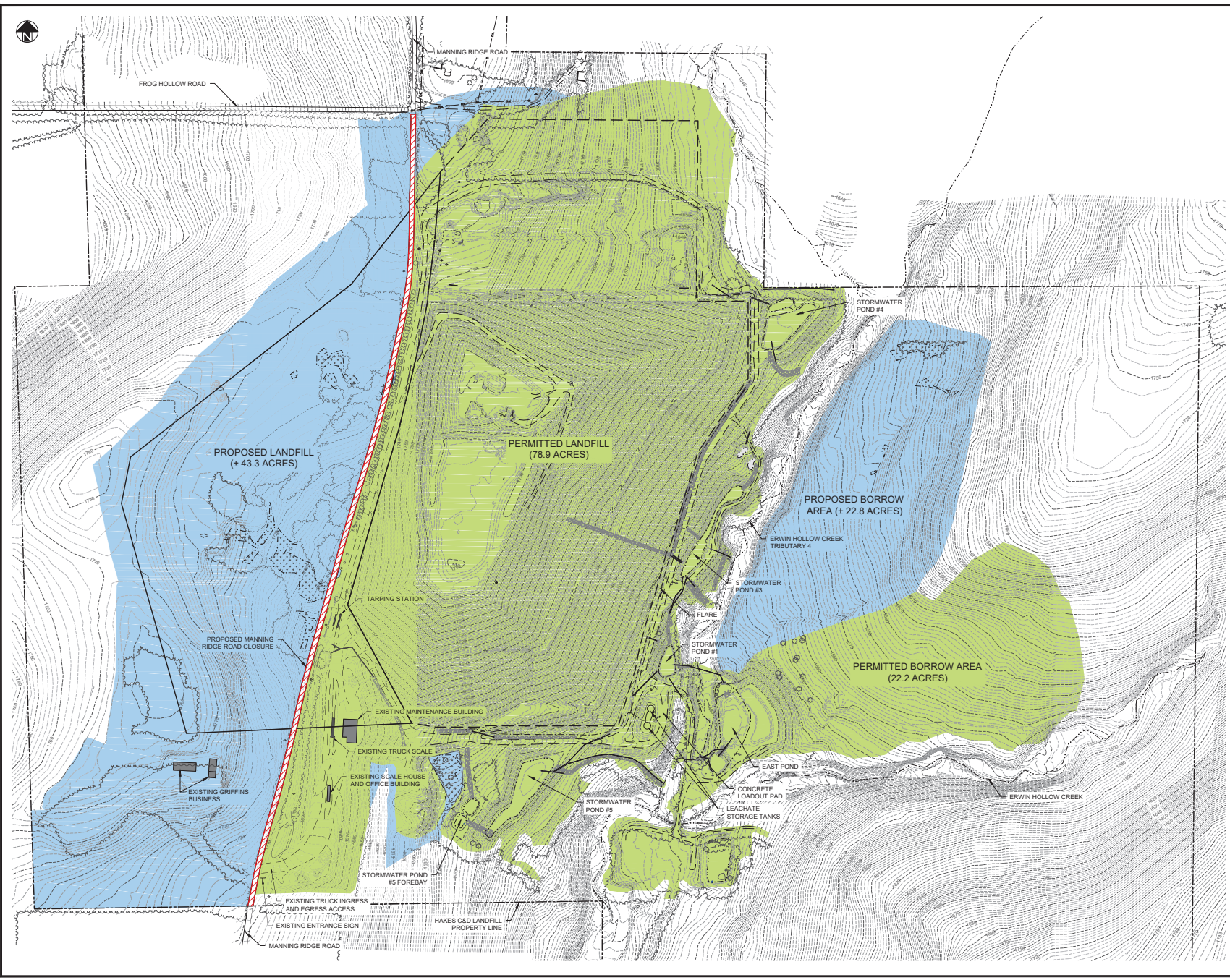
NEW YORK

STEBEN COUNTY

SITE LOCATION PLAN

DWG. NO. 98047-1095b

FIGURE 1



LEGEND	
---1650---	EXISTING GROUND CONTOURS (SEE NOTE 1)
- - - - -	HAKES C&D LANDFILL PROPERTY LINE
█	CURRENT DEVELOPED AREA (APPROXIMATELY ± 151.4 ACRES)
█	ADDITIONAL DEVELOPED AREA (APPROXIMATELY ± 93.4 ACRES)
▨	PROPOSED ROAD CLOSURE (APPROXIMATELY ± 3,600 FEET)
▬	PROPOSED WESTERN EXPANSION FOOTPRINT
- - - - -	PERMITTED LANDFILL LIMIT
- - - - -	ERWIN HOLLOW CREEK AND TRIBUTARY 4
- - - - -	ACCESS / HAUL ROAD
~ ~ ~ ~ ~	TREE LINE
⊖	STORMWATER POND
⊖	DELINEATED WETLAND

NOTES:
 1. Existing contours compiled by using photogrammetric methods from aerial photography by TVGA Consultants dated April 4, 2004. Aerial-Metric dated November 14, 2013, Quantum Spatial dated June 16, 2020 and ground survey completed by B&R Surveying, P.L.L.C. dated January 2020.

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REV 1	REV 2	REV 3
NOTE: THIS DRAWING IS FOR INFORMATION ONLY AND IS NOT TO BE USED FOR CONSTRUCTION OR ANY SURVEY, DRAWING, DESIGN, SPECIFICATION, PLAN, OR REPORT WITHOUT THE WRITTEN APPROVAL OF THE NEW YORK STATE EDUCATION LAW.		

**HAKES C&D LANDFILL
 PROPOSED DEVELOPMENT AREA**

STUBEN COUNTY NEW YORK

DRAWN BY: C.R.G.
DESIGNED BY: J.P.R.
CHECKED BY: S.W.L.
SCALE: AS SHOWN
DATE: AUGUST 2020
JOB NO. 98-047
FIGURE 2
DWG. NO. 98047-1274b
REVISION NUMBER - 0

S:\CAD\DRAWING PROJECTS\Hakes C & D Landfill\Western Expansion\98047-1274b.dwg