



New York State
DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Solid & Hazardous Materials

**New York State Draft
Hazardous Waste Facility Siting Plan
with Appendices
and Draft Generic Environmental
Impact Statement**

July 2008

New York State
Department of Environmental Conservation

New York State Hazardous Waste Facility Siting Plan

- Required by Environmental Conservation Law Sections 27-1102 and 27-1109

Hearing Schedule

- The Statute requires two rounds of public comment on draft plans.
 - Round 1:
 - 10 hearings beginning 10/27 in Schenectady and ending 11/20 in Lewiston.
 - close of public comment period ends **November 26, 2008.**
 - Round 2:
 - After draft plan and draft GEIS are revised based on public comment

New York State Hazardous Waste Facility Siting Plan

- Because of elapsed time, the 2004 draft plan is not being considered as the first draft.

Dates

- **July 28, 2008:** re-draft of the Plan posted on the Department web site for review and comment.
- **September 6, 2008:** notice of hearings listed in the ENB
- **September 13, 2008:** notice of hearings listed in the State Register and Niagara Gazette.
- **November 26, 2008:** close of comment period.

New York State Hazardous Waste Facility Siting Plan

- Public Hearing Notice with dates and locations of hearings is included in your Business Council package

Purpose of the Siting Plan

- Serve as a guide for State agencies and a Siting Board;
- Ensure that the hazardous waste management hierarchy is followed;
- Require DEC to assess needs for hazardous waste management facilities;
- Assure 20 year CERCLA capacity (no longer needed).

Plan Specifics

- Plan Organization - **Each chapter reflects a required component from the Statute.** The actual statutory language appears in italics at the top of each chapter.
- Chapter 1 - NYS Treatment Storage and Disposal (TSD) facility information.
- Chapter 2 - Information on waste reduction programs and sources of data for the Plan.
- Chapter 3 - NYS current and future hazardous waste generation information.
- Chapter 4 - Impact of the Land Disposal Restrictions on hazardous waste management.

Plan Specifics (cont.)

- Chapter 5 - A look at regional hazardous waste generation and management. Imports and Exports to and from NY are covered here.
- Chapter 6 - Discusses the need for hazardous waste management facilities, environmental justice considerations, and evaluation of the geographic distribution of TSD facilities across the New York State.
- Chapter 7 - Covers transportation issues including cost, risk, and environmental impacts.
- Chapter 8 - Wraps things up, including defining when an update to the Plan would be needed.

Data in Appendices

- Appendix A - 2005 data, by DEC Region, of hazardous waste shipped and received.
- Appendix C - 1991, 2001 and 2005 data for hazardous waste treatment, storage and disposal facilities in the New York State.

Executive Summary Overview

- Executive Summary provides a comprehensive assessment of the findings and recommendations in the Plan.
- NOTE: A complete reading of the draft Plan is recommended.

Key Findings

- ***Hazardous waste reduction and pollution prevention activities have prevented the generation of more than 10 million tons of hazardous waste. (see Chapter 2).***
- ***Hazardous waste generation in New York State, and both the number of generators and quantity of waste shipped off-site, is decreasing (see Chapter 3).***
- ***There is equitable geographic distribution of hazardous waste management facilities in the New York State. (See Chapter 6.)***
- ***Land disposal of hazardous wastes that do not meet established standards has already been phased out. (See Chapter 4.)***

Key Findings (cont.)

- ***States cannot erect barriers affecting or prohibiting the import or export of hazardous waste.***
- ***Federal law requires: “Any aspect of State law or of the State program which has no basis in human health or environmental protection and which acts as a prohibition on the treatment, storage or disposal of hazardous waste in New York State may be deemed inconsistent.”***
- ***Per USEPA, national capacity remains available to handle the waste generated in New York State and across the nation at least through 2020. Our own State analysis conservatively estimates sufficient capacity at least through 2026 for the northeast quarter of the country . (See Chapter 6.)***
- ***The risk of a release of hazardous waste to the environment during transportation in New York State is exceedingly low. (See Chapter 7.)***

Key Recommendations

- ***New York State should continue to rely on the private sector to build and operate hazardous waste treatment, storage and disposal facilities based on business economics.***
- ***While national capacity exists for New York hazardous waste, other factors may impact the handling or management of hazardous waste.***
- ***For any proposed new or expanded facility, the applicant must identify the need for such facility, as required by ECL 27-1103.***
- ***State agencies and authorities and any future Siting Board should also consider the potential impact of a proposed or expanded facility on the surrounding area, including environmental justice impacts and relevant potential climate change issues.***

Business Perspective

- For the 2004 draft plan, we received no comments from the Business Community.
- We would like comments on the current draft plan so that the final Plan is as accurate as possible.

We Need Your Comments

- Need for facilities
- Costs and risks of transportation
- Projections of hazardous waste generation
- Hazardous waste reduction and pollution prevention activities

How to Comment

- **Written statements must be received by close of business, November 26, 2008**
- **Mail to:**
Mr. John Iannotti
New York State Department of Environmental Conservation
Division of Solid & Hazardous Materials
625 Broadway
Albany, New York 12233-7250
- **Fax: (518) 402-9024**
- **E-mail: HWSiting@gw.dec.state.ny.us**

Copies of the Hazardous Waste Siting Plan

Department Web Site:

- www.dec.state.gov under the Department's "Recent Additions to the Site"
- <http://www.dec.ny.gov/chemical/9054.html>

CD:

- Available here
- Contact John Iannotti, at 518-402-8712, or Deborah Aldrich, at 518-402-8730, or E-mail: HWsiting@gw.dec.state.ny.us.
- A hard copy is available at DEC Regional Offices for review.

Hearings will be held at the following times and locations:

NYSDEC Region 1
50 Circle Road
Room B-02
Stony Brook, NY 11790
631-444-0345
November 13, 2008
6:00 p.m.

NYSDEC Region 4 Office
1130 North Westcott Rd.
Conference Room 1A
Schenectady, NY 12306
(518) 357-2234
October 27, 2008
6:00 p.m.

NYSDEC Region 7 Office
Hearing Room
615 Erie Boulevard West
Syracuse, NY 13204
315-426-7400
November 6, 2008
6:00 p.m.

NYSDEC Region 2 Office
11-15 47th Avenue
Annex Building Basement
Long Island City, NY 11101
(718) 482-4900
November 12, 2008
6:00 p.m.

NYSDEC Region 5 Office
Main Conference Room
Route 86
Ray Brook, NY 12977
(518) 897-1200
October 28, 2008
6:00 p.m.

NYSDEC Region 8 Office
Main Conference Room
6274 East Avon-Lima Road
Avon, New York 14414-9519
(585) 226-2466
November 5, 2008
6:00 p.m.

NYSDEC Region 3 Office
New Paltz Annex Enclave 4
21 South Putt Corners Rd.
New Paltz, NY 12561
(845) 256-3000
November 3, 2008
6:00 p.m.

Dulles State Office Building
1st Floor Conference Room
317 Washington St.
Watertown, NY 13601
315-785-2238
October 29, 2008
6:00 p.m.

Niagara Falls Public Library
Main Auditorium
Earl W. Brydges Bldg.
1425 Main St.
Niagara Falls, NY 14305
(716) 286-4905
November 19, 2008
6:00 p.m.

Lewiston-Porter High School
4061 Creek Road
Youngstown, NY 14174
(716) 754-8281
November 20, 2008
6:00 p.m.

Written comments will also be accepted if received by the close of business on November 26, 2008. Comments can be sent to John Iannotti, New York State Department of Environmental Conservation, Division of Solid and Hazardous Materials, 625 Broadway, Albany, New York 12233-7250. They can also be faxed to (518) 402-9024 or e-mailed to HWSiting@gw.dec.state.ny.us.