

# **Notice of Completion of Draft Environmental Impact Statement (Draft EIS), Notice of Complete Applications, Notice of Public Comment Period and Notice of Legislative Public Comment Hearing**

## **DEC Application Numbers:**

4-0126-00033/00001 (Solid Waste Management)

4-0126-00033/00009 (Air Title V)

4-0126-00033/00019 (Freshwater Wetland/Water Quality Certification)

## **Applicant:**

Town of Colonie, 347 Old Niskayuna Rd, Latham, NY 12110

## **Project Title:**

Colonie Landfill - Area 7 Development

## **Permits Applied for:**

6 NYCRR Part 360 (Solid Waste Management)

Title 6, Part 200 (Air Title V)

Article 24 (Freshwater Wetland)

Article 15 (Water Quality Certification)

## **SEQR Lead Agency:**

New York State Department of Environmental Conservation (NYS DEC)

A Draft Environmental Impact Statement (DEIS) has been prepared by the applicant for this action and has been accepted by the Lead Agency for the purposes of public review and comment.

## **Project Description:**

The Town of Colonie, as the owner of the Colonie Landfill at 1319 Loudon Road, Town of Colonie, and Capital Region Landfills, Inc., operator of the landfill, are seeking the necessary permits to develop approximately 132 acres of land (referred to as Area 7) within the existing 212 acre landfill site as new landfill space. The project would impact approximately 1.43 acres of federal wetlands and 1.33 acres of the 100 foot buffer area of state wetland TN-10.

NYS DEC has prepared a draft permit and has made a tentative determination to issue an Air Title V permit for this action. In accordance with 6NYCRR Parts 621.7(b)(9) and 201-6.3(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>.

### **Statutory and Regulatory Provisions:**

These applications were filed and reviewed pursuant to Environmental Conservation Law ("ECL") Article 3, Title 3 (General Functions), Article 8 (State Environmental Quality Review), and Article 70 (Uniform Procedures), and pursuant to Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (6NYCRR) Part 617 (State Environmental Quality Review), Part 621 (Uniform Procedures), and Part 360 (Solid Waste Management).

### **Public Hearing and Written Comment Period:**

All persons, organizations, corporations or government agencies which may be affected by the proposed project are invited to comment on the applications.

**A Legislative Public Comment Hearing on the applications will be held to receive unsworn statements from the public on Tuesday, September 20, 2016, at 6:00 p.m. at the Shaker High School auditorium, located at 445 Watervliet Shaker Road, Latham, NY.**

All persons having an interest in this project are urged to attend or be represented either individually or collectively. It is not necessary to file a written request in advance to speak at the legislative hearing. **Written statements and comments on the application are encouraged, and any statements and comments may be filed prior to, or at the hearing, but no later than the deadline for written comments, which is Friday, October 7, 2016.** Written comments must be submitted to the attention of: Angelo Marcuccio, NYS DEC - Region 4 Office, Division of Environmental Permits, 1130 North Westcott Road, Schenectady, NY 12306. The Administrative Law Judge (ALJ) may limit the time available for oral comments to 3 minutes per person to ensure that all persons have an opportunity to be heard.

This hearing location is reasonably accessible to persons with a mobility impairment. Translator services shall be made available, at no charge, upon written

request to the ALJ. All requests must be made to the NYS DEC Office of Hearings and Mediation Services, ALJ Molly T. McBride, 625 Broadway, First Floor, Albany, New York, 12233-1550, Phone: (518) 402-9003. **The request must be received no later than 4:00 p.m. on September 14, 2016.** Interpreter services shall be made available to deaf persons, at no charge, upon written request to the ALJ at the address listed above by September 14, 2016.

Following the hearing, NYS DEC will make a determination on whether substantive or significant issues have been raised as defined in 6 NYCRR Part 621 Uniform Procedures, and an Adjudicatory Public Hearing should be scheduled before an Administrative Law Judge. In order to raise substantive and significant issues, written comments expressing objections to or opposition to the application must explain the basis of that opposition and identify the specific grounds which could lead NYS DEC to deny or impose significant permit conditions on the project.

A copy of NYS DEC's [permit hearing procedures](http://www.dec.ny.gov/permits/6234.html) is available upon request or on the NYS DEC web site at: <http://www.dec.ny.gov/permits/6234.html>.

### **Document Availability:**

The permit application documents and the Draft Environmental Impact Statement (DEIS) for this project are available for review at the following locations:

On the internet at: [www.townofcolonielandfill.com](http://www.townofcolonielandfill.com)

NYSDEC - Region 4 office  
1130 North Westcott Road  
Schenectady, NY 12306  
Attention: Angelo Marcuccio  
Phone: (518) 357-2446

Colonie Town Library  
629 Albany Shaker Road  
Loudonville, NY 12211

Colonie Town Clerk  
Memorial Town Hall  
534 Loudon Road  
Newtonville, NY 12128

Town of Waterford  
Town Clerk  
65 Broad Street  
Waterford, NY 12188

Town of Halfmoon  
Town Clerk  
2 Halfmoon Town Plaza  
Halfmoon, NY 12065

**Contact:**

Angelo Marcuccio  
NYS DEC - Region 4 Office  
Division of Environmental Permits  
1130 North Westcott Road  
Schenectady, NY 12306  
Phone: (518) 357-2446  
E-mail: [R4DEP@dec.ny.gov](mailto:R4DEP@dec.ny.gov).