

**STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)  
DETERMINATION OF SIGNIFICANCE  
POSITIVE DECLARATION  
NOTICE OF INTENT TO PREPARE A  
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)  
PROPOSED REGIONAL RECOVERY AND RECYCLING RESIDUE FACILITY (RRRF) AT THE TOWN OF  
BROOKHAVEN SOLID WASTE MANAGEMENT FACILITY (SWMF)  
HAMLET OF YAPHANK  
TOWN OF BROOKHAVEN, SUFFOLK COUNTY, NEW YORK**

**Date: August 27, 2020**

This Notice is issued pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act) and the implementing regulations set forth in 6 NYCRR Part 617.

The Town Board of the Town of Brookhaven (hereinafter the "Town Board"), as lead agency, has determined that the proposed action described below may have significant effect on the environment and that a Draft Environmental Impact Statement (DEIS) will be prepared.

**Name of Action:** Proposed Regional Recovery and Recycling Residue Facility (RRRF) at the Town of Brookhaven Solid Waste Management Facility (SWMF)

**Project Location:** Approximately 121 acres, east of the 270-acre Brookhaven Landfill  
Town of Brookhaven SWMF  
350 Horseblock Road, hamlet of Yaphank, Town of Brookhaven, Suffolk County

**SEQR Status:** Type I

**Description of Action:** The Town of Brookhaven is proposing to construct a Regional Recovery and Recycling Residue Facility ("RRRF") and associated infrastructure (the "Proposed Action" or "Project") in the eastern portion of the 534±-acre Brookhaven Solid Waste Management Facility (the "Existing SWMF"). The Proposed Action, which has been designed to be in compliance with the regulations promulgated by the New York State Department of Environmental Conservation (NYSDEC) in 6 NYCRR Parts 360-366, Solid Waste Management, will be constructed on approximately 121 acres (the "Project Site") that is distinct and separate from the disposal cells of the existing 270±-acre Town Landfill (the only remaining active portion is referred to as "Cell 6") located about 1,000 feet to west of the proposed site, within the Existing SWMF.

The Project Site would contain a 59±-acre area that will comprise the Regional RRRF waste footprint. The remainder of the Project Site will consist of the Regional RRRF's necessary infrastructure of internal roads and dedicated stormwater pre-treatment and infiltration basins, as well as a dedicated leachate collection and processing facility with an associated loading bay to facilitate leachate transport off-site. Other than site access and worker parking, all activities associated with the operation of the proposed Regional RRRF would be fully contained within the Project Site. The proposed perimeter roadway would be connected to the network of existing roadways on the Existing SWMF property. The Project Site would be accessed via an existing curb cut on Horseblock Road. Trucks servicing the Project Site would enter from Horseblock

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Road, continue west after stopping at the existing scale house facility (for weighing), and then continue south, entering the Project Site from the west. Otherwise, the proposed RRRF and the remainder of the existing SWMF are discrete and independent from each other.

Currently, ash residue generated from local Waste-to-Energy (WTE) plants ("WTE ash"), as well as Construction & Demolition (C&D) debris, comprise the majority of the material accepted at the existing Town Landfill, which is anticipated to close in 2024, when it will have reached its design life. The purpose of the proposed Regional RRRF is to be a regional repository for WTE ash, a clean, renewable energy source, thereby reducing the potential reliance on landfills for future disposal of municipal solid waste (MSW).

The proposed 59-acre waste footprint at the proposed Regional RRRF is classified and would be permitted as a landfill under the NYSDEC solid waste regulations. The proposed Regional RRRF would replace the WTE ash disposal capability of Cell 6 of the existing Town Landfill (closing in 2024). The new Regional RRRF would be constructed of several parts, called "cells" that will accept only ash residue, recycling residues such as glass cullet and auto shredder material, and limited amounts of dredge spoils. The Regional RRRF will not accept any C&D materials, with the exception of de minimis amounts of materials generated by Town governmental operations (such as soil, gravel and/or concrete aggregate) that will be considered for acceptance. Under no circumstances will Alternative Operating Cover generated from C&D materials be utilized in the proposed facility. The proposed facility may also utilize NYSDEC-approved Pre-Determined Beneficial Use Determination (BUD) materials for operational needs pursuant to the regulations contained within 6 NYCRR Part 360.12. The proposed facility will serve approximately 614,000 households, and 1.9± million residents of the Towns of Hempstead, Brookhaven, Huntington, Smithtown, and Islip (about two-thirds of Nassau and Suffolk Counties' households). In total, the Proposed Project will provide up to 11± million cubic yards of capacity.

The proposed Regional RRRF would provide a number of public benefits, not only for Brookhaven and neighboring Towns in Suffolk County, but for the Long Island region. First, the proposed Regional RRRF would continue to provide on-island disposal capacity at a location adjacent to where it is currently disposed. It is expected that implementation of the proposed action will offset many of the deleterious regional solid waste impacts that are expected to occur with the closure of Cell 6, ultimately resulting in less truck traffic leaving Long Island and, consequently, lower emission levels and pollution. Moreover, the Regional RRRF will help to keep finances stable and lessen the financial impact on Long Island residents and businesses, especially those within the Town of Brookhaven. Operation of the Regional RRRF in Brookhaven would allow the Town to retain a portion of the revenue it currently generates from operation of the Cell 6.

Overall, implementation of the proposed action would allow Brookhaven to provide a long term, sustainable, resilient source of WTE ash management for Long Island, which is necessary to allow the Region to continue converting their waste to clean, renewable energy, to reduce reliance on fossil fuels and to provide a significant contribution to solving the regional solid waste challenges facing Long Island.

**Reasons Supporting This Determination:** The Town Board, in reviewing the proposed action, using

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the available information and comparing it with the thresholds set forth at 6 NYCRR §§617.4 and 617.5, has determined that the proposed action is a Type I action. The Town Board, as lead agency and after review and analysis of the proposed action, the issues and areas of environmental concern identified in Parts 1, 2 and 3 of the Environmental Assessment Form, the criteria contained in 6 NYCRR §617.7(c) and other supporting information, finds that the proposed action may have a significant effect upon the environment and that a DEIS should be prepared to evaluate the potential impacts resulting from the proposed Regional RRRF. This determination is supported by the following:

Impacts to Land

1. There will be on-going land disturbance associated with Regional RRRF operations.

Impacts to Water Resources

2. Stormwater will be generated, which must be properly addressed in order to minimize potential impacts. In addition, leachate will be generated, which must be properly collected and treated in order to minimize potential impacts to water resources.

Impacts to Air

3. There is a potential for dust generation, which must be properly controlled.

Impacts to Plants and Animals

4. Some clearing of vegetation is required. The effects on vegetation and wildlife must be assessed.

Impacts to Transportation

5. Materials will be transported to and from the Regional RRRF, and the impacts therefrom must be evaluated.

Impacts on Aesthetic Resources

6. The proposed Regional RRRF has the potential to be visible year-round to residents and users of area roadways and other publicly-accessible facilities, when it approaches and reaches capacity.

Impacts to Archaeological Resources

7. A small portion of the property, where a stormwater management feature is proposed, is located in an area of archaeological sensitivity as noted on the New York State Historic Preservation Office archaeological site inventory. Accordingly, potential impacts to archaeological resources must be examined.

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Impacts to Noise & Odor

8. Operations of the proposed Regional RRRF will generate noise, which must be assessed.
9. Although the proposed facility will be handling materials with limited odor potential, odor controls must be put in place, as applicable, to ensure potential impacts are properly controlled.

Impacts to Human Health

10. Day-to-day operations of a new solid waste management facility have the potential to impact human health and these impacts must be assessed.

Consistency with Community Character

11. While the proposed Regional RRRF is consistent with the pattern of existing development in the surrounding community, it is not consistent with the character of the existing natural landscape, which must be evaluated.
12. The proposed Regional RRRF is proximate to a Potential Environmental Justice Area, and potential impacts that may result from the proposed action must be assessed.

**Scoping:**

The lead agency has determined that formal scoping will be conducted and a public scoping meeting will be held, as follows:

**Thursday, October 1 , 2020, from 5: 00 p. m. to 7: 00 p. m.**

**Brookhaven Town Hall Media Room, Second Floor, Brookhaven Town Hall, One Independence Hill, Farmingville, New York, or a virtual public scoping will be held by the Town of Brookhaven and streamed live over the internet at <http://brookhaventownny.igm2.com/Citizens/Default.aspx>**

**A link to the virtual public scoping will be made available on the Town of Brookhaven website ([http:// www. Brookhavenny.gov](http://www.Brookhavenny.gov)) on the date of the hearing. At said public scoping, any persons interested shall be given the opportunity to be heard. In the event that this is a virtual public scoping, anyone interested in commenting on the proposal may communicate with the Town Board during this time via "chat" or "Q& A" function at "BrookhavenNY.gov/join"**

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**For Further Information:**

**Contact Person:** Christopher Andrade, Commissioner, Department of Recycling & Sustainable Materials Management

**Address:** 1 Independence Hill  
Farmingville, NY 11738

**Telephone No.:** (631) 451-8696

**A Copy of this Notice has been Sent To:**

Supervisor Edward P. Romaine and Members of the Town Board, Town of Brookhaven

Susan Ackerman, Regional Permit Administrator, New York State Department of Environmental Conservation

Office of Planning and Development, New York State Department of State

Gregson H. Pigott, MD, MPH, Commissioner, Suffolk County Department of Health Services

Craig A. Platt, Secretary, Suffolk County Sewer Agency

Darnell Tyson, Deputy Commissioner, Suffolk County Department of Public Works

Ted Kiladitis, Manager, AF NYARTCC, Federal Aviation Administration

Edward M. Aldrich, Licensing and Permitting, Project Manager, PSEG-Long Island

**This Notice has also been forwarded for publication in the Environmental Notice Bulletin.**