

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

Item A – Brief Description of the Proposed Action (Page 1 of 13):

The Proposed Action

The Town of Brookhaven, as supported by the Towns of Huntington, Islip and Smithtown,¹ is proposing to construct a Regional Recovery and Recycling Residue Facility (“RRRF”) and associated infrastructure (the “Proposed Action” or “Project”) on the east side of the 534±-acre Brookhaven Solid Waste Management Facility (the “Existing SWMF”).² The Proposed Action will be constructed on a 121±-acre site³ (the “Project Site”) that is distinct and separate from the disposal cells⁴ of the 270±-acre Town Landfill (the only remaining active portion is referred to as “Cell 6”) located about 1,000 feet to west, 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 stormwater drainage, as well as leachate collection and processing. Only the existing scale house facility and a small portion of the Existing SWMF internal roadway system leading to existing connections to local, adjacent roadways will be shared. Otherwise, they are discrete and independent from each other.

The proposed 59-acre waste footprint at the proposed Regional RRRF is classified and would be permitted as a landfill under New York State Department of Environmental Conservation (NYSDEC) solid waste regulations. The Regional RRRF, being situated in Suffolk County, is subject to the requirements of 6 NYCRR Part 363-7.2 “Additional operating requirements for landfills in Nassau or Suffolk County.” These regulations restrict materials that may be received. Furthermore, the Regional RRRF is proposed to receive only a subset of that which is allowed, specifically recycling residue, which is defined as “*waste that is the residue of processes that separate, extract, and recover useable materials, energy, or heat from waste*”⁵ and other “*inert material.*”⁵ As discussed in greater detail below, the principal material received will be ash residue generated from local Waste-to-Energy (WTE) plants (“WTE ash”). Other materials, such as automotive shredder residue (ASR), a residual material generated by a recycling process, will be incorporated into the landfill only as a result of the thorough evaluation and environmental analysis that will take place as part of the process to refine the project design. The term “residuals” will be utilized throughout this document to refer to the collective waste materials accepted at the Regional RRRF.

The proposed Regional RRRF will not accept any municipal solid waste (MSW) or Construction & Demolition Debris (C&D). Please note the terms “waste footprint,” “landfill” and “facility” are utilized interchangeably throughout this document to refer to the specific 59-acre area that will gradually receive

¹ See discussion of Municipal Consolidation and Efficiency Competition, below.

² The “Existing SWMF” is also known as the Brookhaven Solid Waste Complex.

³ The proposed Project Site may include a 0.25±-acre residential parcel, located along Horseblock Road, that is proposed to be acquired by the Town.

⁴ The 270±-acre Town Landfill (with 215±-acre waste footprint) is comprised of six cells, five of which are closed and capped. Approximately 140 acres of the 215-acre waste footprint are currently capped.

⁵ 6 NYCRR Part 363-7.2 “Additional operating requirements for landfills in Nassau or Suffolk County.”

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

waste in smaller phases over the period authorized by the permit, as originally issued and potentially renewed from time to time.

The Project Site would also include dedicated stormwater pre-treatment and infiltration basins, an internal perimeter access road around the waste footprint and a dedicated leachate storage facility with an associated loading bay.

The Project Site is situated on a 121±-acre site east of and non-contiguous to the existing Town Landfill disposal cells. It is located at the eastern portion of the 534±-acre Existing SWMF in the hamlet of Yaphank, immediately north of Sunrise Highway (New York State [NYS] Route 27), east of South Village Drive, south of Horseblock Road (Suffolk County [SC] Route 16) and west of Yaphank Avenue (Suffolk County [SC] Route 21). The Project Site is located north of and proximate to a potential environmental justice area, which extends along the south side of Sunrise Highway in the Bellport area, as depicted on NYSDEC's map of "Potential Environmental Justice Areas in the Town of Brookhaven (south detail), Suffolk County, New York."

A portion of the Project Site has historically been used for materials storage (e.g., topsoil, screened sand, stumps, mulch, screened soil, screened stones), with the remainder being mostly wooded. The Project Site also includes a portion of a New York State Department of Environmental Conservation (NYSDEC) freshwater wetland and associated wetland adjacent area at its southwest corner. (Refer to Site Location map, attached.) As indicated in the response to question D.2.b on page 4 of 13, no encroachment into the existing wetland would occur.

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. (Refer to Conceptual Layout 5 (C-5) for the Proposed Recovery and Recycling Residue Facility, attached.) The proposed perimeter roadway constructed around the Project Site 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 presently serving several existing uses contained within the Existing SWMF. Trucks servicing the Project Site would enter from Horseblock Road, continue west after stopping at the existing scale house facility, and then continue south, entering the Project Site from the west, just north of the Administration Building and Maintenance Garage.

Currently, WTE ash, as well as C&D debris, comprise the majority of the material accepted at the adjacent 270-acre existing landfill, which is anticipated to close in 2024 (as discussed in more detail below). The new Regional RRRF would be constructed of several parts, called "cells," that will accept the inert⁶ portion of the waste stream (i.e., non-organic, non-putrescible material which will not decompose further) that is currently managed in the existing landfill Cell 6, including ash residue, soil cover and Alternative Operating Cover

⁶ As defined in 6 NYCRR Part 360.2(a)(145).

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

(AOC, formerly referred to as ADC [Alternative Daily Cover]),⁷ as explained below. The Regional RRRF will not accept any commercial C&D materials that are currently landfilled in Cell 6.

The Proposed Action has been designed to be in compliance with the regulations promulgated in 6 NYCRR Parts 360-366. The conceptual designs include a 40-foot± vegetated buffer, which would not fall below a minimum of 25 feet of undisturbed vegetation, around the perimeter of the 121±-acre Project Site. Said buffer is calculated from the property line to the outside edge of the perimeter roadway. On the eastern portion of the Project site, a 700-foot minimum separation would be provided between the proposed waste footprint and the right-of-way for Yaphank Avenue (CR21).

The purpose of the proposed Regional RRRF is to be a regional repository for WTE ash and other inert wastes. 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).⁸ Additionally, the current landfill accepts other materials aside from C&D (e.g., street sweepings, and other inert materials) from other numerous Towns and Villages across the Nassau-Suffolk region. The proposed Regional RRRF would replace the WTE ash disposal capability of Cell 6 (described below), which is anticipated for closure in 2024, when it will have reached its design life. The Regional RRRF is also expected to accept street sweepings and other inert materials from certain Long Island municipalities, as noted above. In total, the Proposed Project will provide up to 11± million cubic yards of capacity (or "air space") (based on a conversion factor of about 1.28 ton per cubic yard).

As described above, aside from the area that would contain the residuals, a perimeter roadway, screened by existing wooded areas along Existing SWMF property lines, would be constructed around the waste footprint. The Project Site will also include dedicated, permanent stormwater management facilities (specifically infiltration basins and other types of green infrastructure designed in accordance with the NYSDEC Stormwater Design Manual), and a leachate collection and treatment system. These systems would serve only the Regional RRRF, and not be interconnected with any infrastructure that serves the existing landfill located on the western portion of the property.

The stormwater management system is designed for collection, treatment and disposal of stormwater for all activities including pre-construction, during construction, operation of the cells and post-closure of the Regional RRRF cells. Operational phasing plans will include temporary sediment basins and other erosion and sediment control facilities where runoff from disturbed areas, or areas which have been temporarily stabilized and which are outside of the leachate collection system, will be directed prior to being discharged to the infiltration basins. In the interim, before capping and closing of individual cells, these infiltration basins would serve to collect stormwater runoff generated by areas outside of the proposed waste footprint (e.g., perimeter roadway, landscaped areas). The stormwater management facilities are sized to treat an

⁷ As defined in 6 NYCRR Part 363-6.21(c) and 6 NYCRR Part 363-7.1(b).

⁸ U.S. Census Bureau, 2018 American Community Survey 5-Year Estimates.

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

increasing amount of stormwater over time. As the Regional RRRF cells are filled, capped with NYSDEC-approved impermeable systems, and restored with natural vegetation, these areas would then generate additional stormwater runoff.

Likewise, as stormwater runoff quantities increase due to capping and closing of landfill cells, the leachate generated by the landfill decreases. Leachate, a liquid that results from rainfall on areas subject to active waste placement, does not come into contact with soil or the stormwater control basins. It is directed through a series of pipes to on-site storage tanks, and handled in accordance with the requirements of Suffolk County Sanitary Code Article 12 Pollution Control regulations, and then hauled to the Suffolk County Bergen Point publicly-owned treatment works (POTW) at Bergen Point in West Babylon for treatment and disposal. The Town's commitment to aggressively cap and close the proposed landfill cells (similar to the expeditious manner in which existing Landfill Cells 1-6 have been capped) will ensure open waste placement areas are kept to a minimum, thereby controlling leachate generation, and reducing the amount generated over time.

Town of Brookhaven Solid Waste Management Facility

The Existing SWMF began operating in 1976. It consists of approximately 534 acres of land, encompassing a 270±-acre Landfill (with a 215-acre waste footprint). Within the facility there exist a Materials Recovery Facility (MRF), a Municipal Solid Waste (MSW) Transfer Station (with a residential drop-off facility for recycling), the Department of Recycling & Sustainable Materials Management (RSMM) Administration Building and Maintenance Garage, a Compressed Natural Gas (CNG) facility, the Town Highway Yard, and a Fuel Depot, as well as other facilities. The Existing disposal cells currently receive both WTE ash and C&D materials, as well as other materials which are residues from various types of recycling processes performed locally (for example, ASR, as noted above), in order to recover waste generated by Suffolk County residents. In accordance with current NYSDEC regulations, to conserve resources and reduce reliance on natural soil materials for operational cover, the Town currently utilizes some of the materials received as Alternate Operating Cover (AOC). The existing facility further utilizes locally-generated materials, such as cut rubber tires, street sweepings and miscellaneous highway debris, crushed glass, and dredge spoils to support operation and maintenance of various landfill components, pursuant to the NYSDEC Beneficial Use Determination (BUD) regulations contained within 6 NYCRR Part 360.12.

The Town of Brookhaven has an agreement with Covanta Hempstead (a WTE facility) to send its MSW to the Hempstead facility and Covanta. After processing the MSW, generating clean energy, and recycling metals sorted out during the process, Covanta sends most of the ash residue to the existing disposal cells. Additionally, the Town supports regional solutions to solid waste problems through its inter-municipal agreements with the Towns of Huntington, Smithtown and Islip for ash residue disposal in Cell 6. The Towns of North Hempstead and Southampton and Village of Northport have agreements to dispose of street sweepings; while Brookhaven National Laboratory, the Towns of Southold, Hempstead, Babylon and

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

Riverhead, and numerous Villages within the Suffolk and Nassau Counties have agreements with the Town of Brookhaven to dispose of other BUD materials.

As a result of these agreements, the Town manages approximately 88% of the WTE ash generated on Long Island. Between 2010 and 2019, Cell 6 received between 337,200 tons and 367,300 tons of ash per year. In 2019, the Cell 6 received over 351,000 tons of WTE ash arriving via approximately 10,400 trucks trips from the Covanta Hempstead, the Town of Huntington and the Town of Islip Resource Recovery Facilities combined (with Covanta Hempstead accounting for over 60% of both the WTE ash and the truck trips). The Town received over \$20.7 million in tipping fees from the 10,400 trucks that delivered waste to Cell 6 in 2019. Aside from the ash, in 2019, the Town received 387,046 tons of C&D materials and 331,519 tons of AOC (comprised primarily of shredded C&D), as well as a minimal volume of BUD materials, as described above. The Town also received approximately 100,000 tons of ASR, which generated approximately \$4.7 million. It is noted that materials utilized as AOC are placed in the existing disposal cells as a required component of daily compliance with environmental regulations (i.e. "daily cover") and, as such, are not considered by NYSDEC to be part of the annual waste throughput. BUD materials are additionally not considered by NYSDEC to be waste received.

Once Cell 6 reaches its design capacity and no longer accepts waste, commercial generators will have to find an alternate facility to dispose of the C&D material that the Town of Brookhaven currently receives. The only other C&D landfill located within the Nassau-Suffolk region is 110 Sand Company in Melville, although there are a number of smaller C&D Recycling and Handling Facilities (CDDRHF). Use of these facilities will likely result in a substantial increase of C&D material that is transported off-island for disposal. Additionally, with closure of the one remaining active disposal cell, the vast preponderance of ash residue would have to be disposed of off-island, as the only other ash disposal on-island currently occurs in the Town of Babylon, which facility has limited capacity and is nearing its design life. Off-island disposal of both ash and C&D would result in a number of substantial adverse impacts such as an increase in vehicle miles traveled, an increase in emissions and air pollution, decreased revenues to the Town of Brookhaven and an increase in disposal costs, which would be experienced island-wide (see below for more detail).

Based on the foregoing, the Town of Brookhaven has and, with implementation of the proposed project, will continue to support major components of Long Island's regional solid waste system.

Ash Residue

All MSW (approximately 12.8 million lbs/day) generated on Long Island is currently either combusted to produce clean energy or exported off-Island. WTE combustion of MSW is the process of recovering waste materials to produce heat that can be used to evaporate water and generate steam. Steam created in the combustion process produces electricity for in-plant uses and for sale to the local power utility. Ash is a by-product of this process. Thermal conversion of MSW produces clean and renewable energy that supports the local demand for electricity, but the resulting ash needs to be disposed of and/or recycled.

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

Ash management is governed by an Ash Residue Management Plan approved by the NYSDEC as part of the Solid Waste Management permit required to operate the WTE facilities. This plan addresses the generation, handling, storage, testing, transportation and disposal of ash residue. The WTE facilities also utilize a residue handling/metal recovery system that separates ferrous and non-ferrous metals from the residue system for recycling and leaves the remaining ash for disposal. The ash is tested in a NYSDEC-approved manner for volatile matter and is tested and characterized to ensure that the material is non-hazardous and it can be disposed of at a non-hazardous landfill. In over 30 years of operation, the ash from Covanta's WTE facilities has never been deemed hazardous.

Purpose and Public Need

In New York State, NYSDEC's Region 1 office is responsible for overseeing solid waste management planning for Nassau and Suffolk Counties. In accordance with New York State's Environmental Conservation Law (ECL), Local Solid Waste Management Plans (LSWMPs) are to be prepared and implemented by designated Planning Units consisting of towns, villages, cities and certain municipal entities engaged in the activity of solid waste management. All proposed solid waste facilities are required to be consistent with the local and State goals outlined within the solid waste management planning materials. Accordingly, the following narrative demonstrates that the purpose and public need for the proposed project is consistent with a legacy of local, regional and State planning.

The Federal Resource Conservation and Recovery Act (RCRA) of 1976 required states to develop solid waste management plans. In response to the passage of RCRA, the New York State Legislature authorized the NYSDEC to prepare and submit a comprehensive resource recovery plan for the State. In 1987, NYSDEC drafted the *1987 Solid Waste Management Plan* (the "1987 Plan"). The *1987 Plan* addressed a number of waste management issues that arose in the 1980s, including the passage of the Long Island Landfill Law in 1983, which mandated the phase-out of landfills due, in part, to concerns about groundwater contamination and operational deficiencies. In 1986, only 13% of the State's 358 active landfills had valid permits, and available disposal capacity was estimated at only four years. As a result of what was considered at the time to be an impending waste management crisis throughout the State, the *1987 Plan* recommended a transition from landfilling to a combination of municipal waste combustion, recycling, and long-haul export. The *1987 Plan* was developed to be the first step of a long-term solid waste management planning process, with the State set to update the Plan annually in order to adjust to emerging policies, programs, and best practices. The *1987 Plan* established the following hierarchy of solid waste management priorities:

- 1) Reduce the amount of solid waste generated.
- 2) Reuse material or recycle material that cannot be reused.
- 3) Recover energy from solid waste that cannot be economically or technically reused or recycled
- 4) Dispose of solid waste that is not being reused or recycled, or from which energy is not being recovered, by land burial or other methods approved by the department.

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

Recommendations of the 1987 Plan were codified in 1988 by the Solid Waste Management Act (SWMA) (ECL 27-0106). The SWMA sought to ensure that state and local governments actively pursued solid waste management methods that emphasized waste reduction and recycling. Following that, in September of 1990, NYSDEC released a report entitled "Proposed Solid Waste Management Strategy for Long Island - A Technical Assistance Planning Document". A major feature of the NYSDEC Strategy was the proposal that Long Island towns should consider the waste proposal/disposal capacities of solid waste management facilities in neighboring towns as well as those facilities within their own borders. This approach fostered the growth of inter-municipal cooperative agreements whereby towns exchanged certain elements of their waste streams and "shared" solid waste management facilities.

In 2010, NYSDEC adopted the latest version of the State Solid Waste Management Plan, entitled "Sustainable Materials Management Strategy for New York State - Beyond Waste" (*Beyond Waste*). The Beyond Waste Plan, adopted 12/27/10, builds upon prior regional planning work by emphasizing the importance of shared responsibility between the community, stakeholders, and both local and State government, focused on developing an environmentally, economically, and socially sound management structure for all waste generators in the State. This Plan sets forth a long-term goal of substantially reducing waste disposal by maximizing waste reduction, recycling and resource recovery, and significantly reducing the amount of waste destined for management in a municipal waste combustor or for disposal at landfills.

A major component of resource recovery and waste prevention strategies is the recommendation that all designated Planning Units move towards WTE systems, which significantly reduce solid waste-related greenhouse gas (GHG) emissions versus traditional landfills. The Plan indicates that approximately only 18% of MSW throughout the State is converted to clean energy; in contrast, the Long Island region's WTE solid waste management system, which relies on having a locally available disposal option for WTE ash, supports the local handling of almost all residentially-generated MSW by WTE plants.

In accordance with the vision of the State's *Beyond Waste* plan, the Town of Brookhaven (as a Planning Unit) has been planning proactively towards the future sustainability of Long Island's highly interconnected waste management systems for the past decade, promoting regional partnerships and even creating its own vision for the Town. This culminated in the restructuring of its former "Waste Management Department" into the "Department of Recycling and Sustainable Materials Management," whose mission statement is as follows:

Sustainable materials management (SMM) is a systemic approach to using and reusing materials more productively over their entire life cycles. It represents a change in how our society thinks about the use of natural resources and environmental protection. By looking at a product's entire life cycle, we can find new opportunities to reduce environmental impacts, conserve resources and reduce costs.

The Town of Brookhaven has a history of proactively planning for regional solid waste management needs and providing local leadership to complement policies adopted at the State level. The original Town of Brookhaven Draft LSWMP was completed in April of 1989, with the Final Plan subsequently issued in

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

September of 1989. An updated LSWMP was submitted to the NYSDEC in 1993 and was approved by NYSDEC for the planning period for 1993-2009. The “regionalization of solid waste management planning” as endorsed by the 1990 NYSDEC Planning Document, as well as the implementation of the Long Island Landfill Law together, set the framework for the Town’s 1993 LSWMP. This in turn led to the development of the Town’s current solid waste and recycling systems as they are known today.

Prior to the end of 2009, the Town began work on a new comprehensive LSWMP to systematically address future solid waste planning needs. In 2012, the new LSWMP was submitted to NYSDEC for review and comment. In 2015, the Town submitted a Compliance Report to NYSDEC demonstrating compliance and updating the vision for the Existing SWMF, recognizing that Cell 6 is anticipated to reach capacity in 2024. In March of 2018, the NYSDEC issued comments on the 2012 plan, which the Town has been addressing, while also migrating the plan into the new format outlined in Part 366 of the NYSDEC solid waste regulations, which became effective November 2017.

The Town’s planning materials highlight the crisis that will result from the lack of a local disposal facility and the need to ensure that alternative disposal options for the waste currently managed at the landfill are put in place. The Town of Brookhaven, after conducting a careful environmental and feasibility analysis,⁹ and following the lead of the State based on the recommendations of *Beyond Waste*, previously chose WTE as its preferred solid waste management system (SWMS). *Beyond Waste* encourages all Planning Units in New York State to adopt this system.

The Town’s Cell 6 Landfill manages a significant portion of the downstate region’s C&D residual waste stream, and nearly all ash generated at Long Island WTE facilities. Of the approximately 400,000 tons of ash per year produced at Long Island’s WTE facilities, 88±% is disposed of in Cell 6, with the remainder landfilled at the Town of Babylon’s landfills. Both Babylon landfills will reach capacity by 2029. In the 1990s, a similar lack of available capacity for the disposal of C&D resulted in a crisis of illegal and illicit management and disposal of these materials.

In order to avoid a similar crisis, many believe that WTE capacity on Long Island must be increased. In the interim, continued ash disposal capacity must be made available in order to avert another regional solid waste crisis.

In June 2017, the Town of Brookhaven submitted a New York State Municipal Consolidation and Efficiency Competition (MCEC) application entitled “Brookhaven United Municipal Consolidation and Efficiency Plan” (the “Brookhaven United Plan”). Brookhaven United is a council of governments (including school districts, water districts, sewer districts, ambulance districts, fire districts, etc.), which was created to review and streamline government operations to reduce the cost of services through inter-municipal cooperation, functional consolidation and shared services.

⁹https://www.dec.ny.gov/docs/materials_minerals_pdf/frptbeyondwaste.pdf.

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

One of the 16 projects outlined in the Town’s Brookhaven United Plan was the construction of a **regional facility** to landfill WTE ash to address the regional impacts of solid waste disposal. This initiative, which will benefit a population of 1.9± million, was developed with the support of the Towns of Huntington, Islip and Smithtown, who all passed Town Board resolutions in its support. The Plan specifically noted that such facility would provide a transformative solution to the looming regional solid waste problem, discussed above. Leveraging the MCEC grant, the Town would design, permit and construct the ash landfill, which would provide a **regional benefit** by serving the ash disposal needs of the Towns of Brookhaven, Hempstead, Huntington, Smithtown, and Islip, as well as the needs of the other numerous municipalities across Long Island, as described above, with respect to street sweepings and other BUD materials. It would be designed to enhance and further sustain local environmental efforts as well as reducing aggregate costs, producing a fiscal and environmental solution to a regional problem (as discussed below). In 2018, as part of the MCEC, the Town of Brookhaven was awarded \$20 million to implement the Brookhaven United Plan, including the design, permitting, and construction of a new facility to landfill WTE ash. The Project Site was chosen because it allows the Town to utilize land it already owns and existing ancillary infrastructure that it would otherwise need to construct if the Project was pursued at an alternative location. This, together with the MCEC grant, made the Proposed Action affordable to the Town and MCEC grant-worthy.

The issue of Long Island’s solid waste generation and disposal has been discussed and debated for decades. Most recently, Long Island’s looming “solid waste crisis” was the featured topic of a February 27, 2020 expert panel discussion hosted by the Long Island Regional Planning Council (LIRPC). The expert panel was comprised of representatives of several municipalities, the NYSDEC, the National Waste & Recycling Association, and members of the solid waste and recycling industries. Their discussions highlighted the fact that the amount of MSW generated on Long Island is increasing, with each of the 2.8 million residents producing about 4.5 pounds (lbs) of MSW per day. As putrescible¹⁰ (or general) MSW cannot be landfilled pursuant to the Long Island Landfill Law, approximately 2,000 trucks are needed to transport 12.6 million lbs of MSW off Long Island every day. This demand results in a shortage of trucks for such purpose, impacts the NYC metropolitan region’s aging highway and bridge infrastructure, and contributes to air quality concerns from increased emission levels and pollution. Additionally, MSW is being transported off-island via rail, which is **very expensive and is** also producing a shortage of rail cars and rail capacity, as discussed at the February 27, 2020 LIRPC meeting.

After Cell 6 closes, there will be no landfills on Long Island that manage ash except for Babylon, which has limited and inadequate remaining capacity, as noted above. According to the 2017 Brookhaven United Plan, if a local solution is not implemented, the only other disposal options lie outside of New York, in New Jersey and Pennsylvania (or beyond), and the distance to transport waste (fuels, tolls and additional tractor-trailers)

¹⁰Putrescible waste means solid waste which contains organic matter capable of being decomposed by microorganisms and of such a character and proportion as to be capable of attracting or providing food for vectors including birds and mammals. (<https://www.lawinsider.com/dictionary/putrescible-waste>)

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

will exponentially add cost to the disposal fee, and these added fees will ultimately be passed on to Long Island residents.

The Brookhaven United Plan also notes that “the risk of transporting waste over hundreds of extra miles will increase the probability of a spill in transport. The Long Island Expressway (I-495) is notoriously congested, with parts of the [E]xpressway through Brookhaven accommodating more than 150,000 cars per day. If fleets need to carry ash waste from WTE plants further along I-495 in order to get to New Jersey, it is likely that the expressway will become more congested, with additional wear and tear occurring on roads with the larger truck traffic. All of these issues will lead to extra costs that will be an extra burden passed onto the local taxpayers.”

One of the solutions to address the imminent closure of the Town Landfill, the proposed construction of the Regional RRRF, would provide a number of public benefits, not only for Brookhaven, but for the region. The proposed Regional RRRF would continue to provide on-island disposal capacity at a location adjacent to where it is currently disposed. The provision of on-island capacity at the proposed Project Site affords a number of **regional** public benefits, including, but not limited to:

- Lessening the potential shortage of trucks needed to transport ash off-island.
- Reduction in the number of vehicle miles traveled (VMT) if trucks do not have to travel off-island to dispose of ash.
- Decrease in the number of trucks on area roadways, including the Long Island Expressway, which would result in less congestion.
- With the reduction in VMT and less contribution to congestion, reduction in vehicle emissions, resulting in less impact to air quality and less pollution.
- Slowing of the aging transportation infrastructure (including roadways and bridges), as well as costs needed to fund reconstruction projects due to said wear and tear.
- Preservation of the substantial tipping fees currently received by the Town of Brookhaven for WTE ash disposal at the Town Landfill.
- Reduction of taxpayer costs across Long Island, since costs associated with solid waste transport and disposal (e.g., fuel, tolls, additional trucks) would be lower if disposal is maintained on-island.
- Reduction of Long Island’s carbon footprint.

As described above, it is anticipated 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. Additionally, the construction of the proposed Regional RRRF would permit the Town of Brookhaven to continue serving the WTE facilities operating on Long Island for WTE ash disposal and allow the Town to fulfill existing contractual obligations to the Covanta Hempstead facility, as well as several Towns. Operation of the

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

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, and would make a significant contribution to solving the regional solid waste challenges facing Long Island.

Item B – Government Approvals (Page 2 of 13):

- Coverage under the Town of Brookhaven NYSDEC MS4 General Permit for Stormwater Discharges (includes review and approval of a Stormwater Pollution Prevention Plan [SWPPP])
- Suffolk County Sewer Agency Administrative Approval (for leachate treatment and disposal)
- Suffolk County Department of Public Works (SCDPW) 239f Review
- Suffolk County Department of Health Services (SCDHS) Article 12 Pollution Control permit (for leachate storage tanks)
- New York State Department of State - New York State Municipal Consolidation and Efficiency Competition (MCEC) Grant
- New York State Department of Environmental Conservation (NYSDEC) Solid Waste Management Facility Permit
- NYSDEC Air Program State Facility Permit or Registration (potential)
- Coverage under the NYSDEC General Permit for Stormwater Discharges from Construction Activity
- Federal Aviation Administration Section 14 CFR 77.9(a) notification regarding construction or alteration that is more than 200 feet above grade level at its site
- PSEG-Long Island – Utility Connections

Page 10. E.1.h. (Page 10 of 13) 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?

Note: NYSDEC mandates that any spill over five gallons be reported, even if it is contained. Any spill classified as “closed” (as all listed below have been) has been resolved to the satisfaction of the NYSDEC. The following list of spills was obtained from the NYSDEC Spills Incidents database, a publicly available database of all reported spills.

Spill No. 8606474 was closed on 01/20/1987

Spill No. 9211348 was closed on 01/08/2004

Spill No. 9100209 was closed on 04/15/1991

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

Spill No. 9300836 was closed on 12/23/1993

Spill No. 9301723 was closed on 06/12/1993

Spill No. 9302503 was closed on 12/29/2003

Spill No. 3414124 was closed on 02/21/1995

Spill No. 9500039 was closed on 01/25/2006

Spill No. 9502860 was closed on 01/27/2004

Spill No. 9710482 was closed on 07/21/1998

Spill No. 0025405 was closed on 02/13/2001

Spill No. 0903608 was closed on 06/27/2009

Spill No. 1004064 was closed on 07/12/2010

Spill No. 1005442 was closed on 08/19/2010

Spill No. 1010244 was closed on 12/31/2010

Spill No. 1105029 was closed on 09/08/2011

Spill No. 1109929 was closed on 06/15/2012

Spill No. 1112932 was closed on 03/20/2012

Spill No. 1503345 was closed on 07/31/2015

Spill No. 1611289 was closed on 02/22/2019

Spill No. 1708353 was closed on 12/05/2017

Spill No. 1802831 was closed on 06/13/2018

Spill No. 1811207 was closed on 02/07/2019

Site 152041, the Existing SWMF, is Classified as "N" under the State Superfund Program. The Environmental Remediation Database (ERD) indicates that regarding Class N Sites: "DEC offers this information with the caution that the amount of information provided for Class N sites is highly variable, not necessarily based on any DEC investigation, sometimes of unknown origin, and sometimes is many years old. Due to the preliminary nature of this information, significant conclusions or decisions should not be based solely upon this summary."

Part 1 – Environmental Assessment Form

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

350 Horseblock Road

Yaphank, Town of Brookhaven, Suffolk County

Attachment

According to the ERD, a Phase I Investigation was completed in November of 1986 at the active municipal landfill. A USGS report indicated that there is a plume of contamination that is migrating from the landfill. Groundwater contamination by iron, manganese, chloride, lead and benzene has been confirmed. Groundwater contamination cannot be attributed to the disposal of hazardous materials. Investigations conducted at this site could not document the disposal of hazardous waste at the site. A Phase II Part 360 site investigation was performed; however, no further data were available on the DEC website.

It is noted that currently, the Town performs periodic environmental monitoring of the entire solid waste complex as part of the Unified Environmental Monitoring Plan or Unified EMP. This includes closed Cells 1 through 5 and the remaining active Cell 6. The scope of work includes the semi-annual collection of on-site groundwater from an extensive network of monitoring wells as well as the collection of leachate samples for chemical analysis. In addition, surface water samples are also collected semi-annually from sampling stations located on Beaver Dam Creek for chemical analysis.



\\vhb\gis\proj\Hauptpaug\20251.00.Brookhaven_Minist\Project\W\Project\W\Project.aprx



- Town of Brookhaven SWMF
- Project Site

Town of Brookhaven Regional Recovery and Recycling Residue Facility | Town of Brookhaven SWMF

Site Location

Town SWMF
Hamlet of Yaphank
Town of Brookhaven
Suffolk County