

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NOTICE OF LEGISLATIVE PUBLIC HEARING AND COMMENT PERIOD,
NOTICE OF ACCEPTANCE OF DRAFT SUPPLEMENTAL ENVIRONMENTAL IMPACT
STATEMENT,
NOTICE OF TOWN OF CAMPBELL PLANNING BOARD SITE PLAN REVIEW
PUBLIC HEARING

Date: January 10, 2018

Applicant: Hakes C&D Disposal Inc.
4376 Manning Ridge Road
Painted Post, NY 14870

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DEC Facility ID Number: 8-4630-00010

BY: *Michelle Selig*

Project Description:

Hakes C&D Disposal Inc. (Hakes) is proposing an expansion of the Hakes C&D Debris Landfill (Landfill) located at 4376 Manning Ridge Road in the Town of Campbell, Steuben County, New York, from 57.9 acres to 80 acres to increase the disposal capacity and site life. Hakes is also proposing to add a 22.4-acre soil borrow area at the same site for construction and cover materials. The project will include the expansion of other ancillary facilities, including the storm water ponds and site roads. The Landfill's approved design capacity of 1,494 tons per day and the maximum elevation will not change.

The project also involves zoning action by Town of Campbell to establish a Non-Residential Planned Development District allowing solid waste disposal facilities/uses within the district, and Town Planning Board Site Plan Review of the proposed landfill expansion. The project sponsor has filed an application with the Town of Campbell for site plan review and rezoning as a Non-Residential Planned Development, Application 2017-01.

The project sponsor has not yet filed New York State Department of Environmental Conservation (DEC) permit applications, but the project will require modifications of the facility's existing 6 NYCRR Part 360 Solid Waste Management Permit (DEC No. 8-4630-00010/00001) and 6 NYCRR Part 201 Air State Facility permit (DEC No. 8-4630-00010/00011). These applications will be received in the future and will be the subject of a future public comment period at a time to be determined.

State Environmental Quality Review (SEQR):

The project is a Type I Action, as designated by 6 NYCRR § 617.4(b)(6)(i). DEC, acting as Lead Agency pursuant to SEQR, issued a Positive Declaration and Draft Scoping Document on April 3, 2017. The Scoping Document was finalized on August 2, 2017. A draft supplemental environmental impact statement (DSEIS) was accepted for public review and comment on January 10, 2018. As noted further below, **written public comments will be accepted on the DSEIS until February 26, 2018.** In addition, pursuant to 6 NYCRR § 617.9(a)(4), DEC has

determined to hold a public hearing to accept comments on the DSEIS, the details of which are provided below in the legislative public hearing section of this notice.

Additional Regulatory Provisions:

State Historic Preservation Act (SHPA) Determination: Based on a review of project information, the New York State Office of Parks, Recreation, and Historic Preservation has determined that the project will have no impact on cultural resources in or eligible for inclusion in the State and National Registers of Historic Places. In accordance with SHPA, no further review is required.

Environmental Justice: This project is not located within or near a potential environmental justice area designated by the DEC and, therefore, it has been determined that the proposed action is not subject to the DEC Commissioner's policy on Environmental Justice (CP-29).

Coastal Zone Management: This project is not located in a Coastal Management Area and, therefore, is not subject to the Waterfront Revitalization and Coastal Resources Act.

Document Availability:

The DSEIS and Town Site Plan application materials are available for public review at the locations listed below during normal business hours, and on the internet at the following website:

New York State Department of
Environmental Conservation, Region 8
Office, 6274 East Avon-Lima Road
Avon, New York, 14414

Savona Free Library
15 McCoy Street
Savona, NY 14879

Town of Campbell Offices
8529 Main St
Campbell, New York 14821

Applicant's website at:
hakesexpansion.blogspot.com

Legislative Public Hearing:

A legislative public hearing on the DSEIS and Town Site Plan review will be held before Administrative Law Judge (ALJ) Molly McBride to receive unsworn statements from the public at **6:00 p.m. on Tuesday February 13, 2018 at the Campbell American Legion Post 1279, 8458 County Route 333, Campbell, NY 14821.** The hearing will be rescheduled to Thursday February 15, 2018 in the event that the Campbell-Savona School District closes school for the day or closes early due to weather. If the hearing is rescheduled, it will be held at the same location at 6:00 p.m. All persons, organizations, corporations, or government agencies who may be affected by the proposed project are invited to attend the hearing and to submit oral or written comments on the DSEIS and proposed Town site plan review. It is not necessary to file in advance to speak at the hearing. The ALJ may limit the time available for oral comments to ensure that all persons have an opportunity to be heard. Lengthy comments should be submitted in writing. Written comments may also be filed at the hearing or submitted to the DEC contact person as indicated below. Equal weight will be given to both oral and written statements.

The hearing location is fully accessible to persons with a mobility impairment. Interpreter services shall be made available, at no charge, upon written request to the ALJ identified above

at least ten (10) business days prior to the hearing. All requests must be made to the NYSDEC Office of Hearings and Mediation Services, ALJ Molly T. McBride, 625 Broadway, First Floor, Albany, New York, 12233-1550, phone (518) 402-9003.

Written Public Comments:

Any interested person may submit comments on the DSEIS and Town Site Plan review in writing at the hearing, and to the DEC Contact Person listed below by February 26, 2018.

Comments sent by regular mail must be post-marked no later than February 26, 2018. E-mail and Fax comments must be received by 5:00 p.m. (EDT), February 26, 2018.

DEC Contact Person:

Kimberly Merchant, Deputy Regional Permit Administrator, NYSDEC Region 8, 6274 East Avon-Lima Road, Avon, NY 14414, Phone: 585-226-5400, Fax: 585-226-2830, E-mail: hakesSEQRhearing@dec.ny.gov