Town of Campbell Planning Board
State Environmental Quality Review Act
FINDINGS STATEMENT

Pursuant to Article 8 of the Environmental Conservation Law and its implementing regulations at 6 NYCRR Part 617 (collectively, the State Environmental Quality Review Act (SEQRA)), the Town of Campbell Planning Board (Planning Board), as an involved agency, makes the following findings, which are based on review of the Draft Supplemental Environmental Impact Statement (DSEIS), Final Supplemental Environmental Impact Statement (FSEIS), and all supplemental reports and studies pertinent to this action.

Name of Action: Hakes C & D Disposal Landfill Rezoning

Date: January 16, 2019

Description of Action:

Hakes C&D Disposal Inc. (Hakes) is seeking to construct and operate an expansion to an existing construction and demolition (C&D) debris landfill located at 4376 Manning Ridge Road in the Town of Campbell (Town), Steuben County, New York.

The proposed project requires two local approvals from the Town of Campbell, one from the Planning Board and one from the Town Board. Hakes has applied to the Town for a designation of the Hakes site (approximately 391 acres) as a non-residential planned development district (NRPDD). The review/approval process for a NRPDD includes an application for site plan review/approval by the Planning Board, after which the Planning Board will make a recommendation to the Town Board. The Town Board will then make a determination on approval (or denial) of the designation to NRPDD. Therefore, both the Planning Board and Town Board are involved agencies for purposes of SEQRA review.

In addition to the Town rezoning, the proposed project will require several permits from the New York State Department of Environmental Conservation (NYSDEC), among them, (1) modification of the existing 6 NYCRR Part 360 Solid Waste Management Permit; (2) modification of the existing air state facility permit; (3) updated coverage under the SPDES Multi-Sector General Permit for storm water discharges associated with industrial activities (GP-0-17-004); (4) Section 401 Water Quality Certification; and (5) three variances from Part 360 regulations based on site-specific conditions. The NYSDEC served as lead agency for the proposed project.

The proposed Hakes landfill expansion will add 21.0 acres of permitted cell area to the existing 57.9 acres of permitted cell area. The project also includes a 22.2 acre soil borrow area that will provide soil for construction and operation of the landfill expansion. The purpose of the

proposed project is to increase the permitted landfill cell area to 78.9 acres, thereby increasing the total available disposal capacity. The maximum permitted cell elevation of 1,829 feet will not change.

The additional and existing cell areas will be used for the disposal of C&D debris waste. The maximum disposal rate (also referred to as the approved design capacity) will remain at the current level of 1,494 tons per day, and the operating hours will continue to be from 7:00 a.m. to 5:30 p.m. for waste disposal operations. On-site construction activities can continue until 7 p.m., consistent with the current permit.

The Hakes landfill is approximately three miles north of the Village of Painted Post. Site access is from Interstate Route 86 (formerly Route 17), then east a short distance on NYS Route 415 to Erwin Hollow Road. After following Erwin Hollow Road north for approximately one mile, and Manning Ridge Road north for approximately two miles, the entrance to the Hakes site (located on the east side of Manning Ridge Road) is reached.

The present landfill operation, including 57.9 acres of permitted landfill cells and ancillary facilities, occupies approximately 109 acres of land. The proposed additional cell area (21.0 acres) and ancillary facilities, including soil borrow areas, will increase the impacted land area by approximately 41.5 acres.

Town of Campbell Jurisdiction: Town jurisdiction is based on Hakes' application to the Town for designation of the Hakes site as a NRPDD. This application requires: (1) review/approval of a final project site plan by the Planning Board, with subsequent recommendation to the Town Board, and (2) decision by the Town Board on the NRPDD designation.

Date Drafts EIS Filed: January 10, 2018

Date Finals EIS Filed: December 5, 2018

Contact Person:

Terrance Brethen, Planning Board Chair
Campbell Town Hall
8529 Main Street
Campbell, NY 14821

SEQRA Status:

Type I Action

SEQRA Public Scoping:

Public scoping was completed for this project.

DSEIS Public Hearing and Comment Period:

A public hearing on the DSEIS was held on February 13, 2018 at 6:00 p.m. at the American Legion, Post 1279, 8459 County Route 333, Campbell, New York. Written comments on the DSEIS were accepted until March 19, 2018.

Facts and Conclusions in the FSEIS Relied upon to Support the Decision: The Planning Board has reviewed the DSEIS, FSEIS and all supplemental reports and studies related to this action.

As an involved agency, the Planning Board has concluded that the project has been designed, and where necessary, revised, to avoid, minimize or mitigate adverse environmental impacts to the maximum extent practicable. There are no remaining impacts that would preclude the approval of the proposed site plan or the requested NRPDD. The local land use and environmental impacts have been satisfactorily addressed as described below.

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I. Potential Environmental Impacts and Proposed Mitigation Measures

A. Air Quality Impacts (including Health Impacts)

The air quality impacts associated with this project include landfill gas generation, dust generated by construction activities and waste transport vehicles, and vehicle emissions. The only stationary combustion sources at the landfill are the landfill gas flare and propane gas heaters used for space heating. The landfill gas generation rate will increase with the expansion of the landfill due to the increase in the amount of waste in the landfill and the lag time in gas generation. The dust and vehicle emissions should not increase as a result of the expansion because Hakes is not requesting an increase in the approved design capacity of the landfill with this application, although the life of the landfill will be extended. Exposures to potential air emissions are described in Section 3.4 and Appendix H of the DSEIS and further addressed in the FSEIS as set forth below.

Landfill Gas

Landfill gas emissions are generated by the decomposition of waste within the landfill and consist of carbon dioxide and methane, with low concentrations of hydrogen sulfide and trace organic compounds. The most significant issue at the Hakes facility is hydrogen sulfide which causes nuisance odors and potential health effects at high concentrations. Hakes has installed an active gas collection system that includes connection of ten vertical landfill gas wells, four horizontal collectors, and seven leachate cleanouts to the blower and flare system. The blower creates a partial vacuum and provides for the collection and treatment of more gas than would be treated through a passive collection system. Within the flare, the landfill gases are mixed with air and combusted, which destroys the hydrogen sulfide. As noted in Response G-2 to the FSEIS, which discusses the active gas collection system at the Hakes landfill, surface scans performed on-site at the landfill and background readings taken off-site show compliance with regulatory standards for hydrogen sulfide.

In addition, Hakes plans to expand active gas collection system components as the expansion is developed. The design for the expansion will be similar to the current system, including collection of gas from leachate collection piping via the cleanouts and from landfill gas wells and horizontal collectors. These extraction locations will be connected by piping to a header pipe

through which the gas will be conveyed to the blower and flare.

Hakes will continue to meet all applicable landfill gas control and air emissions permitting requirements established by the NYSDEC and the United State Environmental Protection Agency (USEPA). Importantly, as noted in Response G-1 to the FSEIS, Hakes will be required to continue to monitor to ensure compliance with all regulatory standards, including as to hydrogen sulfide.

Odors

The expansion has the potential to create additional odors. The hydrogen sulfide discussed above has a very low odor threshold. This compound can be detected before it reaches hazardous concentrations. Nuisance odors have been an issue for the facility in the past. As discussed in Responses G-1 and G-2 to the FSEIS, based on surface scans and air modeling, these odors do not present a human health issue. The air emission control system discussed above has shown the ability to minimize the impact of odors. Hakes is also required to continue to monitor to ensure compliance with regulatory standards for hydrogen sulfide. FSEIS, Response G-1. Residents experiencing odors are directed to contact the facility and the NYSDEC to report complaints.

As is described in Section 3.5.3 of the DSEIS, recently (within the past year) operation of the flare has been intensified, and additional gas collectors have been installed, resulting in a reduction in the frequency of odor complaints. The flare will continue to be more actively employed to mitigate future odor issues.

An investigation of landfill gas (and other permitting issues) was performed for Hakes in 2017 by SCS Engineers (Appendix H of the DSEIS), in support of this expansion project and is also described in Section 3.4.3 of the DSEIS.

And, as noted above, Hakes plans to expand active gas collection system components as the expansion is developed. The design for the expansion will be similar to the current system, including collection of gas from leachate collection piping via the cleanouts and from landfill gas wells and horizontal collectors. These extraction locations will be connected by piping to a header pipe through which the gas will be conveyed to the blower and flare.

Dust

As discussed in Section 3.4.2 of the DSEIS, to minimize dust, areas of exposed soils will be kept to the minimum practicable area, and unpaved haul roads will be watered down as necessary. Dust should not increase as a result of the expansion. Some residents complained of dust from existing operations during the DSEIS comment period. The FSEIS indicates that additional dust control measures will be implemented, if necessary, to address these concerns. These measures include: restriction of truck unloading to areas where wind impacts will be minimal and/or immediate covering of waste with non-dusty wastes, along with the use of the water truck at the face and on the on-site roads.

Vehicle Emissions

Vehicles and heavy equipment operated at the site will have proper emission controls. All trucks transporting waste to the facility are required by New York State regulations to be covered and to use approved emissions controls. Queuing at the facility may result in idling of trucks, which may result in additional emissions. Idling is also regulated by New York State and the USEPA. Diesel trucks are required to comply with 6 NYCRR Part 217, which requires that no diesel-powered vehicle may idle for more than five minutes when not in motion, as well as other criteria based on temperature conditions. As acknowledged in Response G-4 to the FSEIS, vehicle emissions should not increase as a result of the expansion because the approved design capacity will not increase.

B. Groundwater Impacts

The site is not located over the Corning aquifer. Groundwater flow at the site in the till and bedrock is limited by the low permeability soils. The flow generally follows the topography from the northwest to the southeast (toward Erwin Hollow Creek). Groundwater will be intercepted so that groundwater does not affect the subgrade liner system. As noted in Response E-1 to the FSEIS, groundwater removed or suppressed is eventually discharged to Tributary 4 of Erwin Hollow Creek.

The potential for leachate leakage into the subgrade and groundwater presents a potential impact to groundwater. As discussed in Response E-1 to the FSEIS, the facility has mitigated this impact, however, by engineering controls as required by NYSDEC Solid Waste Regulations. The composite liner system provides on-site control and prevents leachate from entering the groundwater. The liner consists of a 24-inch low permeability soil layer topped by a 60-mil geomembrane. Leachate is collected in perforated pipes directly above the composite liner and pumped to the leachate tanks, where it is periodically transported off-site to a wastewater treatment facility. This prevents build-up of significant hydraulic head on the liner system. FSEIS, Response E-1.

The impermeable final cover on the landfill cells, which will progress over the landfill site as each cell is filled, will serve to minimize the amount of surface water entering the landfill cells. Hakes will utilize intermediate cover over the areas that have not yet received final cover, after which, final cover will be constructed.

Implementation of the groundwater collection and the leachate collection systems will be conducted long after the closure of the landfill to continue to protect the groundwater resource. Hakes will monitor the site closure, as required by NYSDEC Solid Waste Regulations.

C. Surface Water & Storm Water Management Impacts

The surface water on the site drains to a natural channel located east of the cell area designated as Tributary 4 to Erwin Hollow Creek (which is a Class C stream). This creek flows south to

Erwin Hollow Creek, which is a regulated trout spawning stream (Class C(TS)). The facility has the potential to have an environmental impact on the surface water due to leachate, sediment and storm water, temperature impacts from sediment basins, and fuel spills.

The potential for impacts from leachate to surface water and Hakes' control measures regarding such potential impacts are discussed in the section above on groundwater. Hakes implements an Environmental Monitoring Plan (EMP), which includes upstream and downstream monitoring locations and analysis for parameters associated with leachate as required by NYSDEC Solid Waste Regulations to assure that the leachate is not leaking into the surface waters.

The facility has a vehicle fueling truck with a capacity of 2,800 gallons of diesel fuel. Spills have occurred at the facility occasionally in the past. Hakes has worked to correct this situation. The tank is usually located within the active cell; thus any spills should be contained in the leachate. Hakes has implemented a policy whereby any tanks brought on-site and located outside of the active cell area must be provided with secondary containment. Hakes has a Storm Water Pollution Prevention Plan (SWPPP), which includes procedures for handling spills to prevent environmental and health impacts.

An environmental challenge facing the facility is the potential for sediment to enter Tributary 4 of Erwin Hollow Creek and Erwin Hollow Creek. The facility has highly erodible silty soils which require diligent soil and erosion control measures. Hakes implements measures in NYSDEC Solid Waste Regulations and in its SWPPP, including diversion ditches, stabilization and reseeding of exposed soils, interim contours, construction of berms prior to new cells, silt fences, rock dams and rock-lined drainage channels, and construction of sedimentation ponds. Control of sediment contamination in surface water runoff has been a focus at the Hakes facility for many years. There are now five sedimentation ponds on-site that receive runoff from the site, collected by a system of stone-lined ditches. These ponds will be expanded to accommodate new landfill cell area and associated discharges of storm water. As noted in Response I-2 to the FSEIS, releases from the ponds generally flow through a sand filter that further reduces the concentration of hard-to-settle fine particulates. Details on the storm water management system are provided in Section 3.3 of the DSEIS. Appendix D of the DSEIS further discusses surface water controls and erosion and sediment control measures.

As reflected in Responses F-2, I-2 and J-1 of the FSEIS, compliance with the plans that will be prepared for the expansion, including the SWPP and Erosion and Sediment Control Plan, should result in the effective stabilization of the on-site sediment and protection of downstream water resources. Stabilization and prevention of sedimentation, in conjunction with increasing the size of the sedimentation ponds, should result in compliance with all water quality standards and effectively protect surface water and aquatic ecosystems.

Hakes implements an EMP, which includes upstream and downstream monitoring locations and analysis for parameters associated with sedimentation and temperature impacts including the Field Parameters (temperature, turbidity, visual contrast, etc.) and Total Suspended Solids. This information will be used on an ongoing basis to evaluate the effectiveness of the existing and new storm water basins and practices. Hakes will be required to revise its practices and the SWPPP, or renovate storm water ponds, as needed to meet standards, protect the surface waters,

and maintain water quality.

D. Aquatic and Terrestrial Ecology

The potential impacts to aquatic ecology are discussed under the section above entitled, "Surface Water & Storm Water Management Impacts."

Approximately 41.5 acres of terrestrial cover-type will be impacted by the proposed landfill expansion. None of the impacted ecotypes are uncommon for the area, and there were no threatened or endangered species observed in the impacted areas.

Wetland impacts and mitigation of those impacts are discussed in Response J-1 of the FSEIS. As stated in that response: Wetland areas identified in the cell area totaling 0.672 acres will be disturbed by the proposed expansion. The wetland areas identified near the borrow area will not be disturbed. Adjustments to the layout of project facilities reduced impacts on federally regulated wetlands to the extent practicable. The ultimate permit that will be issued by the United States Army Corps of Engineers (ACOE) for the project will require further mitigation, most likely in the form of the creation of additional wetlands with a wetlands mitigation banking system administered by the ACOE.

An ecological study was conducted for the expansion site. No rare, endangered or threatened ecotypes or species were identified in this study. Therefore, the project should not have an impact on these plants or animals.

E. Visual and Aesthetic Impacts

A Visual Resource Assessment was prepared and is discussed in Section 4.5 and included in Appendix M of the DSEIS for this project. The land use in the area is primarily rural residential, agricultural, and forest, with rolling hills and valleys. The ultimate increase in the lateral extent of the cell area to the north (by about 1,000 feet) will be the primary reason for increased visibility of the expanded landfill.

Eventually, the facility will blend in somewhat with the existing topography from the nearby vantage points, although it will be grassland rather than forest. Due to the topography, there will be no viewpoints of the expansion in the more developed areas which are in the valley bottoms, such as Campbell, Coopers Plains or Painted Post. The expansion, although consistent with the existing facility, will be somewhat significant to the nearest residences on Manning Ridge Road. Hakes has purchased the closest residential properties on Manning Ridge Road. The facility will not be visible from any historic sites or museums.

Finally, the only comments NYSDEC received on visual impacts related to viewing trucks. This matter, however, did not require an assessment because views of trucks do not need to be addressed under SEQRA per the NYSDEC's visual policy. The overall visual impacts are minor

and not inconsistent with local laws and regulations.

F. Transportation/Traffic

As observed in Section II.A and Responses L-1, L-2 and L-7 of the FSEIS, the proposed expansion will not increase the amount of traffic going to and from the facility because Hakes is not requesting an increase in design capacity. The expansion will allow a continuation of the existing traffic for an additional four to eight years, depending on the actual future disposal rate. As noted in Response L-1 to the FSEIS, Hakes has agreements with the Towns of Campbell and Erwin to provide funding for road maintenance and cleanup on a continuing basis, and has installed a magnet on one of the facility's self-propelled sweepers to remove metal objects from nearby road surfaces. And, Hakes and the Towns have worked cooperatively to ensure that the required road maintenance and repairs are implemented. FSEIS, Section II.A.

In addition, as reflected in Appendix 4 to the FSEIS, Hakes retained a traffic consultant in response to comments from the public about safety concerns associated with the truck traffic on Erwin Hollow Road and Manning Ridge Road and the intersection of these two roadways. As a result of that study, it was decided that additional signage would be helpful to reinforce the need for trucks to come to a complete stop at the intersection of those two roads. As discussed in Section II.A and Response L-1 of the FSEIS, the Town of Erwin already has installed additional signage to slow vehicles coming into the curved area that was the subject of previous improvements installed by Hakes to mitigate traffic impacts in that area. Further, Hakes is working with the Town of Campbell to improve the signage at the intersection of Erwin Hollow Road and Manning Ridge Road and will continue to work with the Town in the event that additional signage or traffic controls are required. FSEIS, Section II.A and Response L-1. In addition, Hakes has reiterated its commitment to take disciplinary action against drivers who create safety problems, including banning unsafe drivers.

Overall, the trucks driving to and from Hakes do not affect the level of service at the intersections from Route 17 to Hakes.

G. Noise

As noted in Response N-1 to the FSEIS, measures that have been implemented to address noise are discussed in Section 4.4 the DSEIS. Such measures include using mufflers on all heavy equipment operated at the facility and maintaining adequate buffer distance from sensitive receptors. Noise simulations, described in the DSEIS, indicate that the applicable noise impact criteria in the NYSDEC Solid Waste Regulations will be met at applicable property line locations. A real-time monitoring system, combined with active management of noise sources, will be implemented to ensure compliance with the noise impact criteria. The manufacturers of heavy equipment used at landfills have made significant strides in recent years in reducing noise emanating from the equipment, which in turn reduces noise impacts.

The noise of the proposed expansion was also evaluated pursuant to the NYSDEC Program Policy, "Assessing and Mitigating Noise Impacts," which applies to nearby sensitive receptor

locations. The DSEIS includes simulations to characterize noise at the nearest residences to the landfill. The simulations indicate that the noise levels will not exceed the 6 dBA level (above background) limit at any nearby residence.

Overall, noise is not expected to increase cumulatively as a result of the expansion because Hakes has not applied for an increase in approved design capacity. However, the expansion cells will be closer to certain residences, resulting in the potential for additional impacts. With the proposed mitigation measures discussed above, the operation of the facility will meet the NYSDEC's regulatory standards and should not be detrimental to nearby residents.

The existing permit for Hakes includes operation hours of Monday through Saturday 7:00 a.m. - to 5:30 p.m., and construction hours of Monday through Saturday 7:00 a.m. - to 7:00 p.m. This should eliminate any impacts during the more sensitive nighttime hours.

H. Cultural Resources (Archeological/Historic)

The project is not within an area shown on the Statewide Archaeological Inventory Map as having the potential for significant cultural or archeological resources. Project information was submitted to the NYS Office of Parks, Recreation and Historic Preservation (OPRHP) to confirm that there would be no impact to cultural or archeological resources as a result of this project. OPRHP reviewed the site and expressed the opinion that the "project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Registers of Historic Places." Correspondence related to this review is included in the DSEIS.

I. Disposal of Drill Cuttings

Numerous comments were received on the DSEIS related to the acceptance at Hakes of drill cuttings waste from the Marcellus Shale formation in Pennsylvania. The primary concern expressed by the commenters is that the cuttings are high in radioactivity and, thereby, represent a threat to human health and the environment. These comments assert that radioactivity will not be managed properly and that the wastes being received at the Hakes landfill should be characterized as radioactive waste, not solid waste. Some commenters speculate that the disposal of drilling wastes will lead to contaminated leachate or exposure of the public to high radiation levels via other pathways. Commenters also questioned whether the leachate should be sent to the Steuben County waste water treatment facility in Bath, claiming that it too is radioactive. In response to these (and other) comments, Hakes prepared and submitted to both the Town and the NYSDEC a detailed report concerning the history of accepting drilling wastes at the Hakes facility, a discussion of the radioactivity monitors employed by Hakes, and the reasons why there are no significant adverse impacts associated with the ongoing receipt of drilling wastes containing Naturally-Occurring Radioactive Material (NORM), which is similar to what occurs naturally in soils and stone products such as countertops. That report (the Cophysics Report) is appended to the FSEIS as Appendix 5.

As noted in Responses A-2 and B-4 to the FSEIS, the proposed landfill expansion does not change Hakes' previously-approved waste stream. The currently proposed permit modification will seek only a lateral expansion of the cell area, not a change in the nature of the waste

received. And, this means that issues concerning whether drill cuttings waste are an acceptable waste stream are not under consideration with this application. Therefore, significant portions of the comments received from the Sierra Club and other members of the public are unrelated to the current application and, therefore, are not relevant to the SEQRA process. FSEIS, Responses A-2 and B-4.

Despite that these issues are not pertinent to SEQRA review of the proposed action, substantive public comments regarding radiation issues associated with the disposal of drill cuttings were comprehensively and exhaustively reviewed in the Cophysics Report and then by the NYSDEC, with the unanimous conclusion being that the acceptance of drill cuttings at the Hakes landfill does not pose any radiological risk to the public or the environment. For example, Responses B-3a, B-6, B-15, and B-28 of the FSEIS, explain that there is no radiological risk to the public or workers resulting from the acceptance of drill cuttings due to regulatory acceptance criteria limiting incoming waste loads to 25 picoCuries per gram (pCi/g).

There is also nothing new about the disposal of drill cuttings at the Hakes landfill. The operator of the Hakes landfill has followed existing permit and Part 360 requirements for disposal of the drill cuttings waste that it has now been receiving for a number of years. In addition, as explained in Responses B-3b and B-10 to the FSEIS, most of the drill cuttings coming to Hakes are not from the Marcellus shale formation, but are from rock formations above the Marcellus shale. This is due to the regulatory prohibition that drill cuttings produced from areas using oil-based drilling fluids cannot be disposed at C&D landfills. Consequently, commentators' concern about elevated levels of radiation in Marcellus shale drill cuttings is not even an issue for the Hakes landfill, as the vast majority of the cuttings do not come from the Marcellus. Further, the landfill operator, in conjunction with the NYSDEC, previously voluntarily determined to manage drill cuttings waste as an industrial waste, as well as to develop and implement a radiation detection protocol, which is now mandated in the revised NYSDEC Part 360 Solid Waste Regulations (e.g., 363-4.6(n) and 363-7.1(a)(5)). No changes to the management method, the radiation detection protocol, or any other waste stream or operational procedure are proposed as part of the currently proposed landfill expansion.

As mentioned above, Hakes conducts radiation monitoring of all incoming waste, as well as outgoing leachate, in order to prohibit unacceptable waste from entering the landfill or adversely affecting facilities accepting the leachate. This monitoring program was installed by Hakes, in part, in response to previous concerns that the public had expressed about the acceptance of drill cuttings. The current regulations require that each truckload triggering the detectors be recorded with the date, time, hauler, origin, truck number, readings, disposal status (i.e., approved or not approved for disposal by NYSDEC), and the date the waste was either disposed of, if approved by NYSDEC for disposal, or removed from the site, if not approved by NYSDEC for disposal. A summary of this information is submitted to the NYSDEC with each annual landfill report. This same type of radiation monitoring is performed on outgoing loads of leachate. No incoming loads of drill cuttings or outgoing loads of leachate have triggered an alarm by the radiation monitoring system at Hakes. And, as explained in Responses B-2, B-8, B-10, B-22 and B-26 to the FSEIS, the use of gamma radiation monitoring at Hakes (for incoming loads and outgoing leachate) is standard, accepted practice and fully adequate to screen for radiation sources

exceeding the 25 pCi/g limit, thus preventing any unacceptable waste from entering or leaving the landfill.

While various commentators asserted their beliefs that drill cuttings should be classified as radioactive waste and banned from disposal in Part 360 landfills, such assertions have no basis in regulation and, in fact, have been rejected by the NYSDEC on multiple occasions, as is explained in Section III.B of the FSEIS.

Based on the thorough review of these (and other) issues in both the Cophysics Report and by the NYSDEC (as reflected in Section III.B of the FSEIS), (1) the drill cuttings being accepted at the Hakes landfill are NORM, with radiation levels similar to native soils in the Steuben County area and other materials encountered on a day-to-day basis (counter tops, kitty litter, etc.); and (2) the continued disposal of drill cuttings at the Hakes landfill (including the proposed expansion) poses no appreciable adverse environmental or public health impact.

II. Irreversible and Irretrievable Commitment of Resources

The proposed expansion of the Hakes landfill will result in the permanent use of approximately 21.0 acres of additional land area for development of landfill cells, eliminating this area from potential alternative future uses. Topographic features of the site will be permanently altered, including increased elevations in the cell area and lowered elevations in the soil mining areas. These changes will significantly restrict the future use of the property. Once the post-closure plan is implemented, the area will function as a wildlife habitat. Construction materials consumed by the proposed expansion are expected to include approximately 68,000 cubic yards of granular soils (gravel), 105,000 square yards of geomembrane liner material, and varying quantities of plastic piping, pumps, tanks, blowers and other materials. In addition, approximately 730,000 cubic yards of on-site soils will be used in construction of the liner, berms, final cover systems, and in disposal operations.

III. Impacts on Growth

The facility expansion is not expected to have any impacts on growth of the area. It will be the continuation of an existing facility.

IV. Unavoidable Adverse Impacts

The most significant unavoidable adverse impact area is related to geological resources. After closure of the facility, the overall lateral extent of the landfill cell area will increase. The appearance of the landfill area will also be altered in that roadways, buildings, and other structures constructed for the facility will remain after the facility has closed. With the proposed 21.0-acre expansion, land use in the project area will continue as a solid waste management facility for an additional four to eight years (depending on the actual future disposal rate), after which time the area will be returned to wildlife habitat area. Future land use in the landfill cell

area following final closure will be limited to wildlife habitat in order to ensure the integrity of the final closure system.

V. Alternatives

The DSEIS evaluated alternative sites, alternative sizes, alternative designs for materials of construction and final cover system, alternative land uses, and the no action alternative. The DSEIS did not identify any alternatives that met the applicant's goals and that offered the needed disposal of C&D materials.

VI. CERTIFICATION OF FINDINGS TO APPROVE/FUND/UNDERTAKE

Having considered the DSEIS and FSEIS, and having considered the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, this Statement of Findings certifies that:

1. The requirements of 6NYCRR Part 617 have been met;

2. Consistent with the social, economic and other essential considerations from among the reasonable alternatives available, the action is one which avoids or minimizes adverse environmental impacts to the maximum extent practicable; and that adverse environmental impacts will be minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures which were identified as practicable.

3. (and, if applicable) Consistent with the applicable policies of Article 42 of the Executive Law, as implemented by 19 NYCRR 600.5, this action will achieve a balance between the protection of the environment and the need to accommodate social and economic considerations.

Town of Campbell
Planning Board

Signature of Responsible Official

Terrance Brethen

Name of Responsible Official
Terrance Brethen

Title of Responsible Official
Chairperson

Date
January 16, 2019

Address of Agency
Campbell Town Hall
8529 Main Street
Campbell, NY 14821

cc: