

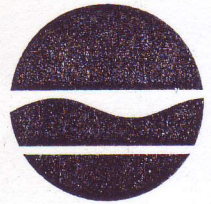
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, New York 12306-2014

Phone: (518) 357-2069 • FAX: (518) 357-2460

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

June 25, 2007

RECEIVED

JUN 29 2007

Department of General Services
CITY OF ALBANY

Willard A. Bruce, Commissioner
City of Albany
Department of General Services
One Conners Blvd.
Albany, NY 12204

Re: Permit #4-0101-00188/00003
Yard Waste Composting Facility
Albany (C), Albany County

Dear Commissioner Bruce:

Enclosed is your renewed permit to continue operation of the city's yard waste composting facility on Erie Boulevard. Please review it carefully and note the special conditions that are included in it. The conditions have been updated to reflect changes that have been made in the solid waste regulations since the time when the permit was first issued.

This permit is valid for only those activities expressly authorized therein. Work beyond the scope of the permit and the approved project plans may be considered a violation of the law and subject to appropriate enforcement action. Should you object to the permit as issued and are unable to resolve such objections with this office you may, within 30 calendar days of this transmittal, send a written request for a hearing to the attention of the Regional Permit Administrator. The number listed above pertains to this permit and should be referenced on all correspondence related to this permit and any future applications for permits associated with this facility or project.

Please note that the permit has been renewed for a period of ten (10) years. An application for renewing the permit must be made in advance of the expiration date. Please refer to the general conditions listed in the permit for specific instructions.

Feel free to contact me if you have any questions about the extent of the work authorized in this permit or your obligations under the permit.

Sincerely,

Angelo Marcuccio
Environmental Analyst

Enclosure - permit

c: T. Reynolds, Div. of Solid & Hazardous Materials, Region 4



PERMIT
Under the Environmental
Conservation Law (ECL)

DEC PERMIT NUMBER 4-0101-00188/00003
FACILITY/PROGRAM NUMBER(S) 01-C-01

EFFECTIVE DATE June 28, 2007
EXPIRATION DATE(S) June 27, 2017

TYPE OF PERMIT (Check All Appropriate Boxes)

NEW
 RENEWAL
 MODIFICATION
 PERMIT TO CONSTRUCT
 PERMIT TO OPERATE

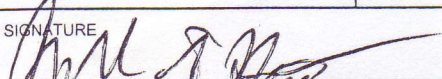
<input type="checkbox"/> ARTICLE 15, TITLE 5: PROTECTION OF WATER	<input type="checkbox"/> ARTICLE 17, TITLES 7, 8: SPDES	<input type="checkbox"/> ARTICLE 27, TITLE 9; 6NYCRR 373: HAZARDOUS WASTE MGMT.
<input type="checkbox"/> ARTICLE 15, TITLE 15: WATER SUPPLY	<input type="checkbox"/> ARTICLE 19: AIR POLLUTION CONTROL	<input type="checkbox"/> ARTICLE 34: COASTAL EROSION MANAGEMENT
<input type="checkbox"/> ARTICLE 15, TITLE 15: WATER TRANSPORT	<input type="checkbox"/> ARTICLE 23, TITLE 27: MINED LAND RECLAMATION	<input type="checkbox"/> ARTICLE 36: FLOODPLAIN MANAGEMENT
<input type="checkbox"/> ARTICLE 15, TITLE 15: LONG ISLAND WELLS	<input type="checkbox"/> ARTICLE 24: FRESHWATER WETLANDS	<input type="checkbox"/> ARTICLES 1, 3, 17, 19, 27, 37; 6NYCRR 380: RADIATION CONTROL
<input type="checkbox"/> ARTICLE 15, TITLE 27: WILD, SCENIC & RECREATIONAL RIVERS	<input type="checkbox"/> ARTICLE 25: TIDAL WETLANDS	<input type="checkbox"/> ARTICLE 27, TITLE 3, 6NYCRR 364: WASTE TRANSPORTER
<input type="checkbox"/> 6NYCRR 608: WATER QUALITY CERTIFICATION	<input checked="" type="checkbox"/> ARTICLE 27, TITLE 7: 6NYCRR 360: SOLID WASTE MANAGEMENT	<input type="checkbox"/> OTHER:

PERMIT ISSUED TO City of Albany		TELEPHONE NUMBER (518) 432-1144	
ADDRESS OF PERMITTEE One Connors Boulevard, Albany, NY 12204			
CONTACT PERSON FOR PERMITTED WORK Willard Bruce, Commissioner, Department of General Services		TELEPHONE NUMBER (518) 432-1144	
NAME AND ADDRESS OF PROJECT/FACILITY City of Albany Yard Waste Composting Facility			
LOCATION OF PROJECT/FACILITY End of Erie Boulevard, Old North Albany Demo			
COUNTY Albany	CITY Albany	WATERCOURSE/WETLAND NO.	NYTM COORDINATES E:604.1 N:4725.4

DESCRIPTION OF AUTHORIZED ACTIVITY:

Continued operation of a yard waste composting facility serving the cities of Albany, Cohoes, Watervliet and Green Island. The facility will be operated in accordance with the terms and conditions of this permit, current State Solid Waste Regulations 6 NYCRR Part 360, Subpart 360-1 (General Provisions) and Subpart 360-5.7 (Yard Waste Composting Facilities), and the approved plans and specifications for this facility.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified (see page 2) and any Special Conditions included as part of this permit.

DEPUTY PERMIT ADMINISTRATOR: Michael T. Higgins	ADDRESS NYS DEC, Region 4 Headquarters 1130 North Westcott Road, Schenectady, NY 12306
AUTHORIZED SIGNATURE 	DATE 6/26/07



NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

GENERAL CONDITIONS

1. Facility Inspection by the Department

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications for Permit Renewals or Modifications

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

The permittee must submit a renewal application at least:

- a) 180 days before expiration of permits for State Pollutant Discharge Elimination System (SPDES), Hazardous Waste Management Facilities (HWMF), major Air Pollution Control (APC) and Solid Waste Management Facilities (SWMF); and
- b) 30 days before expiration of all other permit types.

Submission of applications for permit renewal or modification are to be submitted to:

NYSDEC Regional Permit Administrator, Region 4		NYSDEC Deputy Regional Permit Administrator, Region 4
1130 North Westcott Road, Schenectady, NY 12306		Stamford Field Office, Rte. 10, Stamford, NY 12167
(for: Albany, Columbia, Greene, Rensselaer,		(for: Delaware, Otsego, & Schoharie Counties)
Montgomery, & Schenectady Counties)		

4. Permit Modifications, Suspensions and Revocations by the Department

The Department reserves the right to modify, suspend or revoke this permit in accordance with 6 NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;



Special Conditions

FOR ARTICLE 27 , Title 7: 6NYCRR 360: Solid Waste Management

1. All activities authorized by this permit must be in strict conformance with the approved plans and specifications submitted by the applicant or his agent as part of the permit application. Such approved plans were prepared by Hershberg and Hershberg Consulting Engineers on 4/16/90.
2. Operation of the facility must be in conformation with current State Solid Waste Regulations 6 NYCRR Part 360, Subpart 360-1 (General Provisions) and Subpart 360-5.7 (Yard Waste Composting Facilities). Operations must also follow the approved document titled "Operations Manual, Yard Waste Facility for the City of Albany, NY" prepared by Hershberg and Hershberg Consulting Engineers, April 16, 1990.
3. *Compost Pad Repair.* Any damage to the gravel/clay layer in the composting pad/landfill cap must be repaired within 48 hours of discovery unless an alternate repair schedule is approved in writing by the Region 4 Division of Solid and Hazardous Materials.
4. In accordance with Part 360-5.7 (c)(5), the permittee must submit an annual report to the department's central office (address listed below) and appropriate regional office no later than March 1 of each year covering the previous calendar year, on forms prescribed by or acceptable to the department. The report must include, at a minimum:
 - (I) the type and quantity, by weight and volume, of waste received at the facility;
 - (ii) the turning frequency (if applicable) and the timing and amount of any water addition;
 - (iii) the quantity, by weight and volume, of total compost produced;
 - (iv) any monitoring that occurred during the operation;
 - (v) the quantity, by weight or volume, of compost removed from the facility; and
 - (vi) a description of the end-product distribution;
 also: the quantity and timing of any seed material used.

A copy of the annual report shall be submitted to the attention of the Director, Division of Solid & Hazardous Materials, at the Department's Headquarters, 625 Broadway, Albany, NY 12233-0001, and a copy is to be sent to the attention of the DEC Region 4 Solid & Hazardous Materials Engineer at the department's Region 4 office located at 1130 North Westcott Road, Schenectady, NY 12306.

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Special Conditions
FOR ARTICLE 27, Part 360 Solid Waste Management

5. *Finished Compost Testing.* In accordance with subpart 360-5.7 (c) Monitoring, Record Keeping and Reporting, paragraph (3), an Annual analysis of the compost is required for the parameters outlined in Table 11 of Section 360-5.10 below:

Table 11 Annual Product Analyses - Yard Waste Compost

- Total Kjeldahl Nitrogen
- Ammonia
- Nitrate
- Total Phosphorus
- Total Potassium
- pH
- Total Solids
- Total Volatile Solids

(i) all samples must be representative of the product that will be distributed. With the exception of pH and total solids, all results must be reported on a dry weight basis; and

(ii) all analyses must be performed by a laboratory certified by the New York State Department of Health, using methods acceptable to the department, unless an alternate laboratory is approved by the department. Acceptable methods are listed in paragraph 360-5.5(a)(1). Copies of the original laboratory results must be included.

c: Thomas Reynolds, P.E., Div. Solid & Hazardous Materials, Region 4

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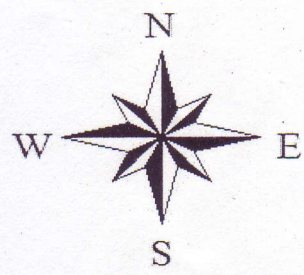
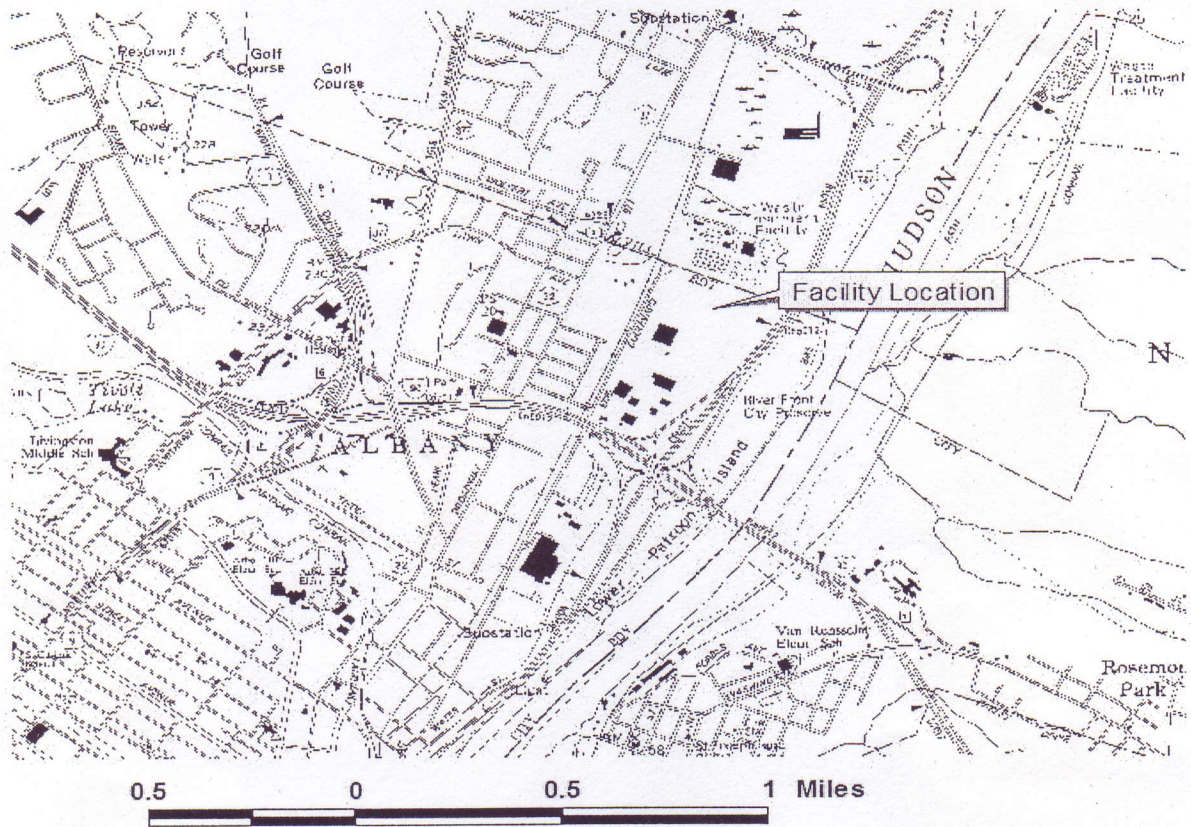
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Special Conditions
FOR ARTICLE 27, Part 360 Solid Waste Management



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