

Mill Seat Landfill Expansion

Facility ID No. 8-2648-00014

Town of Riga, New York

Draft Supplemental Environmental Impact Statement



April 2015

Draft Supplemental Environmental Impact Statement

For The Proposed Mill Seat Landfill Expansion
303 Brew Road
Town of Riga, Monroe County, New York

DSEIS Prepared for:

Monroe County, as Lead Agency
39 West Main Street
Rochester, New York 14614

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April 2015

Date of Acceptance of DSEIS by Lead Agency: April 1, 2015

Date of Public Hearing: April 16, 2015 at 7:00 p.m.

Location of Public Hearing:

Riga Town Hall
6460 East Buffalo Road
Churchville, NY 14428

Deadline for Submittal of Written Comments: May 1, 2015

Submit written comments by mail to:

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Attachments

- Volume 1: Attachment A – Final Scoping Document
Attachment B – Site Selection Report Summary & Evaluation of Alternatives (August 2014)
- Volume 2: Attachment C – Hydrogeologic Report
- Volume 3: Attachment D – Ecological Correspondence and Reports
Attachment E – Threatened and Endangered Species Correspondence
Attachment F – Supporting Air Quality Analysis Data
Attachment G – Visual Impact Assessment
- Volume 4: Attachment H – Archaeological Reports and Correspondence
Attachment I – Traffic Report
Attachment J – Operating Noise Impact Assessment

Submitted Permit Applications

An extensive set of permit application documents, as listed below, were submitted to the NYSDEC for the Proposed Landfill Expansion on February 27, 2015.

- **6 NYCRR Part 360 Permit Application;**
- **Joint Application for Permit Application; and**
- **Title V Air Facility Permit Application.**

The 6 NYCRR Part 360 Permit Application, which includes the documents listed below, has been submitted to the NYSDEC to demonstrate the Proposed Landfill Expansion's compliance with 6 NYCRR Part 360.

- Engineering Report (Part 360-2.7), including Appendix A to the *Engineering Report* that includes the application form and requested variances;
- Construction Quality Assurance/Construction Quality Control Manual and Technical Specifications (Part 360-2.8), Appendix B to the *Engineering Report*;
- Operation and Maintenance Manual (Part 360-2.9), Appendix C to the *Engineering Report*;
- Contingency Plan (Part 360-2.10), Appendix D to the *Engineering Report*;
- Supporting Landfill Design Calculations and Data, Appendix E to the *Engineering Report*;
- Hydrogeologic Report (Part 360-2.11), Appendix F to the *Engineering Report* and Attachment C to this *DSEIS*;
- Environmental Monitoring Plan (Part 360-2.11), included in Appendix F to the *Engineering Report* and Attachment C to this *DSEIS*;
- Stormwater Pollution Prevention Plan, Appendix G to the *Engineering Report*;
- Operating Noise Impact Assessment (Part 360-1.14(p)), Appendix H to the *Engineering Report* and Attachment J of this *DSEIS*; and
- Construction and Operation Plans (Part 360-2.4, 2.5 and 2.6) or Permit Drawings:

1. Service Area Plan
2. Vicinity Plan
3. Overall Site Plan
4. Bedrock Surface Plan
5. High Groundwater Plan Subgrade Grading Plan
7. Top of Intermediate Cover Plan
8. Final Cover Grading Plan
9. Landfill Grid Tables (Sheet 1 of 2)
10. Landfill Grid Tables (Sheet 2 of 2)
11. Landfill Sections (Sheet 1 of 2)

12. Landfill Sections (Sheet 2 of 2)
13. Liner Details
14. Anchor Trench Details
15. Intermediate Cell Tie-In and Termination Details
16. Existing Liner Tie-in Details
17. Leachate Collection and Conveyance Plan
18. Existing Leachate Conveyance Infrastructure Modification Plan
19. Leachate Conveyance Header Profiles (Sheet 1 of 2)
20. Leachate Conveyance Header Profiles (Sheet 2 of 2)
21. Leachate Pump Station and Valve Pit Details
22. Leachate Infrastructure Modification Details
23. Sideriser Building Plan, Sections and Details
24. Sideriser Piping Details and Sections
25. Sump and Cleanout Details
26. Stormwater Management Plan
27. Stormwater Pond Grading Plans
28. Stormwater Details
29. Landfill Final Cover Details
30. Landfill Gas Collection Plan
31. Landfill Gas Collection Details (Sheet 1 of 2)
32. Landfill Gas Collection Details (Sheet 2 of 2)
33. Fill Progression Plan (Sheet 1 of 3)
34. Fill Progression Plan (Sheet 2 of 3)
35. Fill Progression Plan (Sheet 3 of 3)
36. Boundary Survey Plan
37. Initial Construction Plan

The *Joint Application for Permit Application* was also submitted to the USACE for the Proposed Landfill Expansion on February 27, 2015.

Glossary of Terms

6 NYCRR Part 360 – NYSDEC’s solid waste management regulations, codified at 6 NYCRR Part 360 (Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York), effective May 12, 2006.

6 NYCRR Part 360 Permit Application – In order to modify the permit, the County must demonstrate compliance with the design, construction, operation, and closure requirements of 6 NYCRR Part 360. The plans and reports listed in Section 2.4 have been submitted as the 6 NYCRR Part 360 Permit Application to demonstrate the expansion’s compliance with current regulations.

ADC – Alternative Daily Cover material

AMSL – Above Mean Sea Level

Area of Potential Effect - Areas of proposed disturbance within the Proposed Site. These areas are depicted in the Powers & Teremy, LLC report in Attachment H of this *DSEIS*.

Bergen Host Community Agreement – The Amended and Restated Host Community Agreement by and between Monroe County, New York and the Town of Bergen, New York, the Village of Bergen, New York, the Byron-Bergen Central School District, and the Bergen Fire Department, Inc. dated December 21, 2011.

B&L – Barton & Loguidice

BTU – British thermal units

BUD – Beneficial Use Determination. BUD is a designation made by the NYSDEC as to whether the 6 NYCRR Part 360 regulations have jurisdiction over waste material which is to be beneficially used. Once the NYSDEC grants a BUD, the waste material ceases to be considered a solid waste (for the purposes of 6 NYCRR Part 360) when used in accordance with the NYSDEC’s BUD determination.

C&D – Construction & Demolition debris

CEA – Critical Environmental Area

cfm – cubic feet per minute

cfs – cubic feet per second

County – Monroe County, New York

CQA / CQC – Construction Quality Assurance / Construction Quality Control

CY – cubic yard(s)

DAR-1 – NYSDEC Guidelines for the Control of Toxic Ambient Air Contaminants

Disposal Capacity – The amount of capacity available in the solid waste management facility available for the disposal of waste.

dB – Decibel. A measurement of sound.

dBA – A weighted decibel. A sound level measurement that corresponds to the portion of the sound frequency spectrum to which the human ear is most sensitive.

DSEIS – Draft Supplemental Environmental Impact Statement

EAF – Environmental Assessment Form

FSEIS – Final Supplemental Environmental Impact Statement

GCL – Geosynthetic clay liner

gpad – Gallons per acre per day

Greenfield Site – A landfill in a new, relatively undisturbed location. Due to the need for several hundred acres of land for a new landfill, including buffer areas, this would typically consist of undeveloped land that is currently agricultural or sparsely developed land.

HDPE – High density polyethylene

HMP – Habitat Management Plan

Hydrogeologic Investigation Area – The area studied for bedrock and groundwater characteristics for siting the Proposed Action. This area stretches across the Proposed Site over the existing monitoring well network and various borings, test pits, and piezometers installed as part of previous and current hydrogeologic investigations. This area stretches north to the existing landfill infrastructure, south across Bovee Road to the Proposed Wetland Mitigation Area, and is bounded to the east and west by Wetlands RG-7 and RG-5, respectively and the Proposed Wetland Mitigation Property.

Joint Application for Permit Application – Permit application for wetland and stream impacts submitted to NYSDEC and USACE.

KW – kilowatt

KWh – kilowatt hour

Landfill Lease Agreement – The Agreement by and between Monroe County, New York (Lessor) and WMNY (Lessee) dated January 14, 2002 and any Amendments thereafter.

Lessee – In an agreement between Monroe County, New York and WMNY, WMNY took responsibility for landfill operations for a 49-year period. WMNY operates the Mill Seat Landfill on behalf of Monroe County.

Lessor – In an agreement between Monroe County, New York and WMNY, the County is the owner of the Mill Seat Landfill.

Leq – Equivalent steady-state sound level which contains the same acoustic energy as the time varying sound level during a selected time period.

LFG – Landfill gas

LFGTE Facility – Landfill Gas to Energy facility that utilizes LFG in internal combustion engines to generate electricity.

Limits of Disturbance – The total area impacted permanently or temporarily as part of the development of the Proposed Action, including landfill construction and operation, stormwater management, access roads, the removal of a portion of O'Brien Road and Brew Road, and the development of the wetland mitigation area.

LLDPE – Linear low density polyethylene

Local Solid Waste Management Plan – A planning document prepared by Monroe County, as the solid waste planning unit, pursuant to Section 27-0107 of the Environmental Conservation Law. It includes future solid waste management and recycling goals for the County.

LOS – Level of Service

MCRRF – Monroe County Resource Recovery Facility/Transfer Station, 1845 Emerson Street, Rochester, NY 14606

mil – One thousandth of an inch

Mill Seat Landfill – Currently permitted landfill and associated operations.

Mill Seat Pump Station – Pump station located on the northern portion of the Permitted Site owned and operated by the Monroe County Pure Waters District. This pump station handles all sanitary wastewater and leachate from the Permitted Site for disposal in the Pure Waters District and treatment at the F.E. Van Lare WWTF. This pump station will also handle leachate from the Proposed Landfill Expansion.

MSW – Municipal solid waste

MW – megawatt

Non-RPW – Non-Relatively Permanent Water

NYCRR – New York Official Compilation of Codes, Rules and Regulations

NYSDEC – New York State Department of Environmental Conservation

NYSDOH – New York State Department of Health

NYSDOT – New York State Department of Transportation

O'Brien Road Culvert Removal and Stream Improvements – An element of stream mitigation including removal of an existing culvert under O'Brien Road, stream daylighting, and floodplain restoration. This work is a component of the O'Brien Road Wetland Restoration.

O'Brien Road Wetland Restoration – The removal of O'Brien Road within the limits of Wetland RG-7 to allow the reconnection of the wetland and the hydrologic continuity of Hotel Creek's Tributary b. This restoration plan is described in Applied Ecological Services, Inc.'s *Ecological Restoration and Management Plan*, which has been submitted to NYSDEC and USACE as part of the *Joint Application for Permit*.

Owner – Monroe County is the owner of the Mill Seat Landfill

Permitted Footprint – The existing 98.6 acres of the Permitted Site allocated for solid waste disposal within a double composite liner system.

Permitted Site – The land on which the Permitted Footprint and associated support features (including a Maintenance Building, Administration Building, Scale House, LFG collection system, leachate collection and storage facility, stormwater management features, access roadways, two (2) soil borrow areas, three (3) petroleum aboveground storage tanks, and a LFGTE Facility) is located, and the land included as part of the Landfill Lease Agreement. The Permitted Site totals 485 acres.

Permitted Waste Acceptance Rate – The NYSDEC Approved Design Capacity for the Mill Seat Landfill is 1,945 tons per day, which equates to 597,000 tons per year. This threshold is a daily average and is based on the quantity of solid wastes accepted at the Mill Seat Landfill during a calendar year. Solid wastes that have been approved for use as a beneficial use are not included in this limit.

Positive Declaration – A determination made by the lead agency that an action may result in one (1) or more significant environmental impacts and will require the preparation of an environmental impact statement before agency decisions may be

made regarding the action. The positive declaration starts the environmental impact statement process.

Primary Water Supply Aquifer or Primary Aquifer – Highly productive aquifers presently utilized as sources of water supply by major municipal water supply systems.

Principal Aquifer – Aquifers known to be highly productive or whose geology suggests abundant potential water supply, but which are not intensively used as sources of water supply by major municipal systems at the present time.

Proposed Action – The Proposed Landfill Expansion; final cover design modifications to the Permitted Footprint; the proposed wetland impacts and mitigation; the proposed RG-6 Tail impact and mitigation; as well as required actions, including extension of the Landfill Lease Agreement between Monroe County and WMNY, abandonment of a portion of O'Brien Road and a portion of Brew Road, County and Town of Riga approvals of land transfers, and receipt of noise easements.

Proposed Footprint – The 118.3 acres allocated for solid waste disposal within the proposed double composite liner system in addition to and directly adjacent to the Permitted Footprint.

Proposed Landfill Expansion – The addition of a contiguous footprint to the south of the Permitted Footprint. This defined term is specific to the Proposed Footprint of an additional 118.3 acres, 39.2 acres of overlay onto the Permitted Footprint, and any support features (stormwater management structures, access roads, LFG collection and control infrastructure, and leachate conveyance infrastructure).

Proposed Site – The land on which the Proposed Action will be located, including the 485-acre Permitted Site, the Proposed Wetland Mitigation Property, the O'Brien Road abandonment, and any land acquisitions included in the Proposed Action. The Proposed Site totals approximately 828 acres.

Proposed Stream Mitigation Area – A section of the Churchville Park Tributary to Black Creek approximately 1,965 linear feet in length. Improvements to the riparian buffer adjacent to this unnamed tributary are proposed as a component of mitigation for impacts to the RG-6 Tail.

Proposed Stream Mitigation Plan – The proposed plan, as required by federal regulations, to provide satisfactory compensation for impacts to the RG-6 Tail. This plan has been submitted to the NYSDEC and USACE in the *Joint Application for Permit Application*. The proposed plan consists of two (2) elements: riparian buffer enhancement along the Churchville Park Tributary and culvert removal at O'Brien Road.

Proposed Wetland Mitigation Area – The existing and proposed wetland areas within the Proposed Wetland Mitigation Property proposed as remediation to mitigate wetland impacts. Details related to the mitigation are provided in Applied Ecological Services, Inc.'s *Ecological Restoration and Management Plan*, which has been submitted to the NYSDEC and USACE in the *Joint Application for Permit Application*.

Proposed Wetland Mitigation Property – Parcels located south of the Permitted Site across Bovee Road. The property is proposed as the primary location for wetland mitigation activities to offset impacts to wetlands from the Proposed Landfill Expansion.

Pure Waters District – The County's network of piping and conveyance systems that ultimately reaches the Northwest Quadrant WWTF or the F.E. Van Lare WWTF.

RG-6 Tail – Non-Relatively Permanent Water (stream) that constitutes approximately 1,500 linear feet of stream habitat that receives surface water flow from Wetland RG-6.

Riga Host Community Agreement – The Amended and Restated Host Community Agreement by and between Monroe County, NY and the Town of Riga, NY dated January 4, 2011.

RPW – Relatively Permanent Water

SEIS – Supplemental Environmental Impact Statement

SEQRA – State Environmental Quality Review Act, codified in Article 8 of the New York State Environmental Conservation Law with implementing regulations codified at 6 NYCRR Part 617 (Title 6 of the Official Compilation of Codes, Rules, and Regulations of the State of New York).

SHPO – New York State Historic Preservation Office

SPDES – State Pollutant Discharge Elimination System

SRP – Stormwater Retention Pond

Stage – A discrete drainage area of a landfill which uses a liner and leachate collection system to provide operational isolation from adjacent stages.

State – New York State

Subcell – A sub area of the Stage

TPY – Tons per year

USACE – United States Army Corps of Engineers

USEPA – United States Environmental Protection Agency

USFWS – United States Fish and Wildlife Service

Wetlands – A land area that is inundated or saturated (or meets other primary or secondary indicators of hydrology) by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions. Under normal conditions, an area needs to satisfy three (3) criteria to be deemed a wetland: presence of wetland hydrology indicators, presence of hydric soil indicators, and a dominance of hydrophytic (water-loving) vegetation.

WMNY – Waste Management of New York, LLC operates the Mill Seat Landfill under a lease agreement with Monroe County.

WMNY Parcel A – The parcel, totaling 133.6 acres, currently used as a buffer area between the Permitted Site and adjacent residents. It is currently owned by WMNY.

WWTF – Wastewater Treatment Facility

Numbers Referenced in DSEIS

Number Referenced in DSEIS	Number Defined
828 acres	The Proposed Site. Total acreage dedicated for the Proposed Action including any land transactions. It includes parcels of 485 acres, 133.6 acres, 206 acres, 2.91 acres, and 0.8 acres.
485 acres	Total acreage owned by the County. Identified as the Permitted Site.
385 acres	Total acreage included in the Landfill Lease Agreement between WMNY and the County.
98.6 acres	Permitted Footprint of the Mill Seat Landfill.
133.6 acres	WMNY owned property identified as WMNY Parcel A (Tax Parcel ID 183.01-1-1). Includes a house and surrounding area to be subdivided out and maintained under WMNY ownership (22 acres).
206 acres	WMNY owned property identified as Proposed Wetland Mitigation Property. (Tax Parcel IDs 183.01-1-12.1 and 183.01-1-8). Includes a house and surrounding area to be subdivided out and maintained under WMNY ownership (15 acres).
254 acres	Acreage designated for landfill use (within the 485 acres).
370 acres	Approximate total acreage currently owned by WMNY.
303 acres	Approximate acreage expected to be transferred to the County by WMNY.
2.91 acres	Approximate acreage of parcel expected to be transferred from the Town of Riga to the County (Tax Parcel ID 183.01-01-002).
29.9 million cubic yards	Disposal Capacity associated with the Proposed Landfill Expansion.
31 years	Site Life associated with the Proposed Landfill Expansion.
118.3 acres	Proposed Footprint.
39.2 acres	Proposed Landfill Expansion overlay.
216.9 acres	Permitted and Proposed Footprints.
30 acres	Support facilities associated with the Proposed Landfill Expansion (stormwater management structures, access roads, LFG collection and control infrastructure, and leachate conveyance infrastructure).
0.8 acres	O'Brien Road Wetland Restoration limits of disturbance.
0.7 miles	Length of Brew Road abandonment from O'Brien Road to Bovee Road.
0.4 miles	Length of O'Brien Road abandonment from Brew Road to a location west of the O'Brien Road Turnaround (a separate action being completed by the Town of Riga)
13.5 acres	Proposed impacts to Wetland RG-6.
1,500 linear feet	Proposed impacts to the RG-6 Tail.
1,965 linear feet	Proposed Stream Mitigation Area in Churchville Park.
86 acres	Proposed Wetland Mitigation Area (excludes existing or delineated wetlands); based on Applied Ecological Services, Inc. <i>Ecological Restoration and Management Plan</i> dated February 2015 that has

Number Referenced in DSEIS	Number Defined
	<p>been submitted to the NYSDEC and USACE as part of the <i>Joint Application for Permit Application</i>.</p> <p>Includes restoration and creation of: 2 acres of emergent wetland, 4 acres of wet mesic meadow wetlands, 9 acres of wet meadow wetlands, 27 acres of forested wetlands, and 44 acres of native grassland buffer.</p>
136 acres	Existing and proposed wetland areas within the Proposed Wetland Mitigation Property; includes Proposed Wetland Mitigation Area (86 acres) plus existing wetlands or upland woods within the mitigation property (1.4 acres of farmed wetland delineated, 11.5 acres of scrub-shrub wetland , 22.7 acres of wet woods delineated, 5 acres of upland scrub-shrub, 6.4 acres of mesic forest, 2.4 acres of disturbed woods, and 1.6 acres of young disturbed woods).
243.6 acres	Limits of Disturbance associated with the Proposed Landfill Expansion, Proposed Wetland Mitigation Area and Proposed Stream Mitigation Area.

P.0 Preface

The Mill Seat Landfill was permitted by Monroe County in 1991 after a 20 year planning and public decision making process. Since beginning operations in 1993, the Mill Seat Landfill has provided environmentally sound, cost effective disposal capacity to residents, businesses, and institutions in the County and regional communities. In 2002 the County privatized operations and WMNY became the operator of the facility through a long term Landfill Lease Agreement. The Mill Seat Landfill satisfies the public need to provide local, consistent and reliable management of waste from the City of Rochester and biosolids from the County's two (2) WWTFs. The City of Rochester and surrounding areas are a large population center requiring a substantial amount of residential, industrial, and commercial waste Disposal Capacity. On average 90% of the waste managed at the Mill Seat Landfill originates from within the borders of the County.

The County's integrated environmental infrastructure includes residential single-stream recycling, industrial, commercial and institutional recycling, leaf composting, wood waste processing, waste water treatment, renewable energy production, and resource recovery. These processes still require landfilling for the disposal of the byproducts or non-recoverable end products, which are currently managed at the Mill Seat Landfill. The County's ownership and continued control of its long term environmental infrastructure, which includes the Mill Seat Landfill and its WWTFs, is critical to support a high quality of life and economic development in the County. If additional Disposal Capacity is not provided by the County through the Proposed Landfill Expansion, local waste generators such as environmental infrastructure facilities, residents, and businesses could be subject to increased waste disposal and transportation costs as well as the liability of transporting solid wastes to more distant disposal facilities.

Recognizing that the Mill Seat Landfill has a finite permitted capacity, in 2008 the County and WMNY began discussions with the local community regarding their interest in pursuing life beyond the projected 2018 closure. As a result, Town of Riga leadership commissioned a town wide survey to gain insight into residents' attitudes towards the potential expansion of the Mill Seat Landfill. Direct 2 Market Sales Solutions, in conjunction with BRX Global Research Services Inc., conducted the survey and compiled the results. The survey, with an exceptionally high response rate of 47%, concluded that:

- Residents and other respondents clearly support the continuation of the Mill Seat Landfill.
- Residents see it as providing needed revenues, and most feel that it has little impact, or a positive impact, on their lifestyle.

- Support is also strong for the continued management by WMNY, and ownership by the County.

In 2008 the Town of Riga, the County, and WMNY initiated the process of modifying the existing Riga Host Community Agreement, taking into consideration the potential for the expansion of the Mill Seat Landfill. In January, 2011 an Amended and Restated Host Community Agreement between the County and the Town of Riga was approved by Mill Seat Landfill's Citizen's Advisory Board, the Riga Town Board, and the Monroe County Legislature. In addition, an Amended and Restated Host Community Agreement was executed between the County and the Town of Bergen, the Village of Bergen, the Byron-Bergen Central School District, and the Bergen Fire Department in December, 2011.

The Proposed Landfill Expansion was designed to incorporate certain criteria that were important to the local community. Consistent with the host community agreements, the Proposed Landfill Expansion is:

- Contiguous to the Permitted Footprint;
- No higher than the existing permitted elevation of the Mill Seat Landfill
- No greater than 120% of the existing Permitted Footprint.

If the above criteria are not met, it is grounds to reopen negotiations with the Town of Riga.

The Proposed Landfill Expansion allows for the continuation of operations, consisting of necessary services to manage local waste, which have been taking place since 1993. It is therefore important to note what is not changing, which includes the commitment to:

- Maintain the Permitted Waste Acceptance Rate.
- Maintain site operating conditions.
- Maintain the same origin and type of materials managed.
- Maintain the current hours of operation.
- Maintain commitment to safety and environmental compliance.

The Proposed Landfill Expansion will allow the Mill Seat Landfill to continue to operate beyond 2018 to an anticipated date of 2049. The Mill Seat Landfill has been a community partner for over 20 years and has a proven safety track record and demonstrated environmental compliance history. Host community agreements regarding the Proposed Landfill Expansion were approved in 2011 by the Citizen's

Advisory Board, the County, the Town of Riga, the Town of Bergen, the Village of Bergen, the Byron-Bergen Central School District, and the Bergen Fire Department.

The Mill Seat Landfill is a primary component of County's integrated environmental infrastructure and the Proposed Landfill Expansion will allow for continued long-term, environmentally sound, and cost effective Disposal Capacity. The following *DSEIS* is the result of a planning process, grounded in community-based data, that took place over the course of several years.

S.0 Summary

S.1 Introduction

The County is the Owner and permittee of the Mill Seat Landfill. The Mill Seat Landfill is operated by WMNY under a Landfill Lease Agreement with the County. The County and WMNY have been community partners for over 20 years. The Mill Seat Landfill's Solid Waste Management Facility NYSDEC Permit I.D. number is 8-2648-00014. The Permitted Site is located in the Town of Riga, Monroe County, New York. The mailing address is 303 Brew Road, Bergen, New York 14416. The location of the Permitted Site and the Permitted Footprint are shown on Figure S-1.

The County currently owns 485 acres that includes the Permitted Footprint and associated support features (including buildings and structures, stormwater ponds, access roads, and borrow areas). Landfilling operations are still occurring in the Permitted Footprint. The Permitted Footprint covers a total area of 98.6 acres within the roughly 485 acres owned by the County that are dedicated for solid waste management. A general site location map is included as Figure 1.

Of the 485 acres owned by the County, approximately 385 acres is leased to WMNY under a long term Landfill Lease Agreement. The leased parcel includes the Permitted Footprint and associated support facilities for the disposal of MSW from households and commercial and institutional entities. It also accepts selected industrial wastes, biosolids, ash, asbestos, petroleum-contaminated soils, and C&D debris. In accordance with the Riga Host Community Agreement, the Mill Seat Landfill allows for waste generated in communities within the State with the exception of Kings, Queens, New York, Richmond and Bronx counties. On average about 90% of the waste disposed at the Mill Seat Landfill is generated within the County. The Permitted Site also includes operation of a LFGTE Facility that was opened in 2007.

S.2 Proposed Action

The Proposed Action includes an expansion of the Permitted Footprint and associated support facilities. The Proposed Action will allow the Mill Seat Landfill to continue to operate beyond the permitted Disposal Capacity, providing sufficient capacity to satisfy the community's long-term disposal needs. The Proposed Landfill Expansion is expected to include 118.3 acres of additional double composite lined landfill directly south of the Permitted Footprint, 39.2 acres of overlay on the Permitted Footprint, and associated support facilities for operation of the Proposed Landfill Expansion including stormwater management structures, access roads, LFG collection and control infrastructure, and leachate

conveyance infrastructure. Other actions included as part of the Proposed Action are final cover design modifications to the Permitted Footprint; the proposed wetland impacts and mitigation; the proposed RG-6 Tail impact and mitigation; as well as other required actions that include extension of the Landfill Lease Agreement between the County and WMNY, abandonment of a portion of O'Brien Road (O'Brien Road Wetland Restoration), abandonment of a portion of Brew Road, County and Town of Riga approvals of land transfers, and receipt of noise easements. The total Limits of Disturbance associated with the Proposed Landfill Expansion, Proposed Wetland Mitigation Area, and Proposed Stream Mitigation Area is calculated at 243.6 acres. The "Proposed Site", excluding the Proposed Stream Mitigation Area, is the land on which the Proposed Action will be located and includes the Permitted Site. The location of the Proposed Site is shown on Figure 1.

The Proposed Action will be designed in accordance with the requirements of 6 NYCRR Part 360 regulations. A multi-layer double composite liner system, including low-permeability soil and geomembrane layers, will be constructed beneath the Proposed Footprint, with the exception of areas overlaying the Permitted Footprint, which already has a double composite liner system. The double composite liner system will be installed over a prepared subgrade that will be designed to provide adequate support for the double composite liner system and waste materials. A cross-sectional detail of the proposed double composite liner system required by 6 NYCRR Part 360 is included as Figure S-2.

Primary and secondary leachate collection systems will be integrated into the double composite liner system. The primary leachate collection system will be used to collect liquids which drain to the base of the waste materials. The secondary leachate collection system will be used to collect and remove any liquids which may move through the primary liner system but are still contained in the underlying secondary liner system.

Leachate removal from the primary and secondary leachate collection systems will be directed through a dual-contained piping network. The leachate will be discharged into the Mill Seat Pump Station and subsequently to the County Pure Waters District at a predetermined rate to the WWTF. This leachate management process is consistent with current leachate collection, storage, and disposal techniques.

As the waste placement reaches the final permitted elevations, a multi-layer final cover system will be constructed. The final cover system will provide

isolation of the waste material from vectors and the elements and prevent stormwater infiltration into the waste mass. The top layer of the final cover system will be a vegetated topsoil layer to prevent erosion and LFG emissions while also maintaining the integrity of the final cover system.

Future LFG collection system components will continue to be constructed in the Proposed Footprint as more waste is placed in order to maintain LFG collection and combustion and renewable energy generation as required by the Mill Seat Landfill's Title V Air Facility Permit. The proposed LFG collection system components will tie into the Mill Seat Landfill's existing active LFG collection system, which conveys LFG generated in the landfill to the LFG combustion devices, including flares and the LFGTE Facility, for destruction and renewable energy generation. This system consists of an extensive network of vertical extraction wells and horizontal collection trenches connected by a series of HDPE lateral pipes to a main collection header.

A comprehensive series of temporary and permanent erosion and sediment control features will be installed throughout construction and operation of the Proposed Action. These measures will be designed and implemented to ensure that surface water flows from the Proposed Site will be controlled to prevent off-site sedimentation impacts. Protection of Hotel Creek will be a priority of site stormwater management. As part of the Proposed Action, the Mill Seat Landfill's *Stormwater Pollution Prevention Plan* has been updated to include the necessary erosion and sediment controls.

Development of the Proposed Footprint south of the Mill Seat Landfill will require modification to existing roads intersecting the Proposed Site. The southern portion of Brew Road and the western end of O'Brien Road will be abandoned to accommodate the Proposed Action. Brew Road has been previously modified to limit public access to the Mill Seat Landfill but will be completely abandoned from its intersection with the Proposed Footprint perimeter road and O'Brien Road, south to its intersection with Bovee Road. A private drive will be maintained to allow access to the residential driveway at the south end of Brew Road. The south end of Brew Road will be abandoned and will no longer serve as a connection between O'Brien Road and Bovee Road. O'Brien Road will be abandoned from the County's eastern property line to the existing Brew Road intersection.

Waste quantities for disposal may vary according to economic conditions, waste processing procedures, recycling and waste reduction measures, legal issues, and population changes. The Mill Seat Landfill can only accept a limited

amount of waste based on the Permitted Waste Acceptance Rate, regardless of waste quantities generated. The Mill Seat Landfill currently has a Permitted Waste Acceptance Rate of 1,945 tons per day, not inclusive of BUD material. No modification of the Mill Seat Landfill's Permitted Waste Acceptance Rate or waste acceptance origin is proposed as part of the Proposed Action.

According to a field survey performed January 2, 2015, an assumed waste placement density of 0.80 tons per cubic yard, and the current Permitted Waste Acceptance Rate including BUD materials of 776,000 tons per year, it is anticipated that the Permitted Footprint will no longer have usable airspace for waste placement beyond 2018. Construction of the first Stage of the Proposed Landfill Expansion is scheduled to commence in 2016 to allow for adequate construction time and contingencies. Overall, the Proposed Landfill Expansion will increase the available Disposal Capacity by approximately 29.9 million cubic yards, which is anticipated to provide adequate Disposal Capacity for an additional 31 years depending on actual waste acceptance rates and in-place waste density.

S.3 Purpose and Need

The purpose of the Proposed Action is to extend the life of the Mill Seat Landfill in order to continue to provide long-term, cost effective waste Disposal Capacity to the residents, businesses and institutional facilities of the County and other regional communities. The City of Rochester and surrounding areas are a large population center requiring a substantial amount of waste Disposal Capacity. While the County's Local Solid Waste Management Plan will continue to emphasize implementation of waste reduction and local recycling/reuse and composting programs, the region will still require a local, dependable facility for the disposal of non-recyclable and non-hazardous waste. By continuing to provide Disposal Capacity at its Mill Seat Landfill, the County will be able to continue to provide environmental and disposal cost security to the community. The County's ownership and control of its long term environmental infrastructure, which includes the Mill Seat Landfill and its WWTFs, is critical to support a high quality of life and economic development in the County. If additional Disposal Capacity is not provided by the County, then it would be subject to the inherent unreliability and unpredictability associated with a reliance upon others for waste disposal.

The County is committed to provide for the environmentally sound disposal of biosolids from the County's F.E. Van Lare WWTF, the County's Northwest Quadrant WWTF, and waste from the City of Rochester. These

treatment plants are critical components of the County's environmental infrastructure, as is the Mill Seat Landfill. Together, they provide environmentally sound and reliable wastewater disposal services to hundreds of thousands of residents and businesses in the community. Not only does the County have a responsibility to F.E. Van Lare WWTF and Northwest Quadrant WWTF, but they also have historical contracts with the City of Rochester that date back to the 1970s to provide Disposal Capacity for the City of Rochester's MSW. This long-standing relationship between the County and the City of Rochester provides a local, environmentally secure, cost effective disposal service to the City's approximately 210,000 residents.

S.4 Benefits

In accordance with the Riga Host Community Agreement and the Bergen Host Community Agreement, the County and WMNY provide revenue sharing and other community benefits, which include:

- Revenue sharing to the Town of Riga.
- Revenue sharing to the Town of Bergen.
- Free waste collection and recycling services to Town of Riga residents.
- Monetary payments to Bergen Fire Department and Byron-Bergen School District.
- Completion of a \$12 million water main capital improvement project.
- Reinstated Property Protection Plan.

The host community benefits will be extended upon issuance of all required permits associated with the Proposed Action.

S.5 Existing Environmental Setting, Potential Significant Environmental Impacts and Proposed Mitigation Measures

Potentially significant environmental impacts associated with the Proposed Action, which were not addressed in previous SEQRA analyses prepared for the Mill Seat Landfill, are addressed in this *DSEIS*. This *DSEIS* describes the existing environmental setting, potential significant impacts, and proposed mitigation measures relating to the Proposed Action. Potential significant impacts and mitigation measures described include any that may be anticipated within 30-years after final closure of the Proposed Landfill Expansion, which is the minimum post closure monitoring period required by 6 NYCRR Part 360. A public scoping process was undertaken for the Proposed Action, which resulted in a final scoping document that identified the issues to be addressed in this *DSEIS*.

Presented below is a summary of the Proposed Action's potential significant impacts on the environment and the measures proposed to mitigate such potential impacts.

S.5.1 Land Use and Agricultural Resources (Section 3.1 of the *DSEIS*)

Land uses adjacent to the Proposed Site include agricultural fields, residential and vacant lots. The Permitted Site and Proposed Site are located on land previously developed for landfill uses or are rural or agricultural in nature. Due to the location of the Proposed Action, changes to land use in the area will be minimal.

Approximately 139 acres of farm fields are located within the Limits of Disturbance, with 36 of these acres located within the Proposed Footprint and 103 acres located within the Proposed Wetland Mitigation Property. Compared to the approximately 37,000¹ total acres of land within the South Western Agricultural District currently within the Town of Riga and neighboring Towns of Chili and Wheatland, and over 139,000² total acres of land within an agricultural district within the County, the loss of approximately 139 acres of farmed fields is not considered to be significant.

The Proposed Action will result in 306 acres of land currently located in the South Western Agricultural District being used for non-agricultural purposes. The landowners of these 306 acres of land in the South Western Agricultural District have consented to the non-agricultural use of their land by signing Agricultural District waivers.

S.5.2 Geologic Resources (Section 3.2 of the *DSEIS*)

Based on the existing elevations within the Proposed Footprint, the majority of Proposed Landfill Expansion activities will involve the excavation of soils to establish subgrade at the proposed depths and soil placement to construct the Proposed Footprint perimeter berm. Excess soils obtained from subgrade cuts that are not used in berm construction will be stockpiled and utilized for daily cover. Construction will take place in phases, thereby limiting the area of exposed soils and reducing the potential for erosion.

¹ 2006 Agricultural District Review of the South Western Agricultural District #2, Monroe County, New York prepared by The Monroe County Agricultural and Farmland Protection Board and the Monroe County Planning Board.

² Monroe County Farmland Protection Resource Center. <http://www2.monroecounty.gov/planning-farmland.php>

The landfill design complies with 6 NYCRR Part 360, which requires a separation of ten (10) feet between the landfill subgrade and bedrock. As such, no impacts to bedrock geologic resources are anticipated as part of the Proposed Action.

Excavation of soils and construction of the Proposed Landfill Expansion subgrade and other landfill slopes for the Proposed Landfill Expansion will be performed in a manner that will create stable slopes. Laboratory geotechnical testing of soil samples will be conducted during construction to ensure that soil properties meet specifications required for stability and environmental protection.

Since the Proposed Landfill Expansion is located within a seismic impact zone, a stability analysis was conducted to ensure that the proposed design will prevent impacts related to potential seismic events. The design of the Proposed Landfill Expansion will withstand the type of seismic event expected of the area with a factor of safety greater than one (1.0), as required by 6 NYCRR Part 360.

S.5.3 Groundwater Resources (Section 3.3 of the *DSEIS*)

The regulations that govern siting, construction, operation, and closure of the Proposed Landfill Expansion (6 NYCRR Part 360) are designed to provide maximum protection to the environment including groundwater resources. The installation of a double composite liner system over relatively low permeability soils, along with a network of groundwater monitoring wells that will continue to be sampled and tested in accordance with an *Environmental Monitoring Plan*, will ensure protection of groundwater resources.

Construction of the Proposed Landfill Expansion will have a negligible impact on groundwater flow rates to Wetlands RG-5 and RG-7. Wetland mitigation activities on the Proposed Wetland Mitigation Property will have minor effects on groundwater flow directions.

There are no primary, principal, or sole source aquifers in the vicinity of the Proposed Site.

S.5.4 Surface Water Resources (Section 3.4 of the *DSEIS*)

The Proposed Action will incorporate stormwater management features which will protect both water quality and quantity, so that adjacent

wetlands and streams will not be adversely impacted. Continued implementation of operational practices to prevent the excessive release of sediment and other materials to Hotel Creek will also help to mitigate potential water quality (turbidity) impacts. In addition, surface water monitoring of Hotel Creek and its Tributary b, which flows through a cross culvert under O'Brien Road, will continue.

The Proposed Action will result in impacts to 13.5 acres of regulated wetlands, referred to as Wetland RG-6, and will also impact 1,500 linear feet of an intermittent stream that is herein referred to as the RG-6 Tail. Impacts to these water resources cannot occur without first obtaining permits from the USACE and the NYSDEC. A *Joint Application for Permit Application* has been submitted to the USACE and NYSDEC, which includes a *Proposed Stream Mitigation Plan* for the RG-6 Tail and an *Ecological Restoration and Management Plan* for the Wetland RG-6 impacts.

The *Ecological Restoration and Management Plan* includes the restoration and creation of approximately 42 acres of wetlands on existing agricultural fields at the Proposed Wetland Mitigation Property, along with approximately 44 acres of native grassland buffer enhancements, to offset the loss of 13.5 acres of wetland as shown in the table below.

Mitigation Acreages and Proposed Credits for the Proposed Wetland Mitigation Area

Community	Acres Impacted	Acres Restored	Proposed Credit Ratio	Total Credits Proposed
Forested wetlands	13.5	27	(1:1)	27
Emergent wetlands	0	2	(1:1)	2
Wet meadow wetlands	0	9	(1:1)	9
Wet Mesic meadow wetlands	0	4	(2:1)	2
Native Grassland Buffer	0	44	(10:1)	4.4
Totals	13.5	86	-	44.4

Impacts to the RG-6 Tail will be mitigated by establishing riparian buffer enhancements for approximately 30 feet on each side of the Churchville Park Tributary to Black Creek, for a distance of approximately 1,965 linear feet. Due to the limited ecological functions and values

associated with the RG-6 Tail in its existing condition, the proposed RG-6 Tail mitigation will compensate for these impacts at slightly more than a one to one (1:1) ratio.

Additional mitigation will be provided as a result of the O'Brien Road Wetland Restoration, which will result in an enhancement of Wetland RG-7 by restoring eight tenths (0.8) of an acre of wetland and an improved hydrologic connection to Hotel Creek's Tributary b.

S.5.5 Stormwater Resources (Section 3.5 of the *DSEIS*)

The change in land use will increase the amount of stormwater runoff, necessitating the need for the construction of one (1) new SRP (new SRP-7) and the modification of the existing eastern borrow area SRP (modified SRP-8) to offset the increased stormwater runoff rates from the Proposed Landfill Expansion. Accurate sizing of the proposed SRPs will ensure that no increase in peak flow exiting the Proposed Site will occur following construction of the Proposed Landfill Expansion. In order to prevent impacts to the water temperature in Hotel Creek, SRP outflows will be routed to Wetland RG-5 or Wetland RG-7 to avoid direct flow into Hotel Creek.

In addition to the permanent final stormwater system design and implementation, interim and temporary measures will be taken to ensure the mitigation of potential erosion at the Proposed Site. This will include the design and construction of intermediate SRPs for each Subcell as well as temporary erosion and sediment controls installed during each construction project. An erosion and sediment control plan will be developed for each construction project utilizing accepted practices from the NYSDEC Practices for Erosion and Sediment Control. This plan will also outline an inspection schedule for a minimum of one (1) weekly inspection of the erosion and sediment control system.

Further mitigation measures include the continued monitoring of water quality in Hotel Creek, including surface water temperatures, both upstream and downstream of the Proposed Site to ensure the continued preservation of Hotel Creek's water temperatures. No adverse impacts from the Permitted Footprint's stormwater management system have been documented to-date and no further impacts are anticipated as part of the Proposed Action.

S.5.6 Ecological Resources (Section 3.6 of the *DSEIS*)

No impacts to State protected or rare species or natural communities are anticipated as part of, or as a result of, the Proposed Action. In addition, no observations of other protected species, unique plant assemblages, or significant natural communities were noted.

Habitat considered suitable for roosting or migrating individuals or colonies of northern long-eared bats is present within the Limits of Disturbance for the Proposed Action. Though suitable northern long-eared bat habitat was identified within the Limits of Disturbance, much of the Proposed Action will be constructed on lands dominated by non-woody habitats such as agricultural fields and meadows. This greatly minimizes any potential impacts that the Proposed Action may have on this candidate species. Regardless, to mitigate potential impacts on northern long-eared bats, any trees greater than three (3) inch diameter at breast height that require removal will only be felled within the USFWS' Time of Year Conservation Cutting Window: October 31 to March 31. This seasonal tree clearing is proposed as a conservation measure for the northern long-eared bat.

S.5.7 Critical Environmental Area (Section 3.7 of the *DSEIS*)

Hotel Creek, which crosses the Proposed Site south of the Proposed Footprint, was designated as a CEA by the Town of Riga in 1990. The entire length of Hotel Creek and its Tributary b located within the municipal limits of the Town of Riga are included in this CEA. Hotel Creek and its Tributary b were designated as a CEA due to their reported unique qualities as potential trout habitat and possible spawning grounds. Despite the reasons for the CEA designation, however, no trout species have been observed during ecological site visits within the segments of Hotel Creek or its Tributary b that are located within the limits of the Proposed Site.

Through stormwater management design elements, water quality within Hotel Creek is anticipated to remain the same as what had led to the stream's designation as a CEA. Water flow rates within Hotel Creek will also remain similar to existing conditions, despite the fact that Hotel Creek will no longer receive seasonal flows from the RG-6 Tail. Instead, flows from a proposed SRP (SRP-7) located south of the Proposed Footprint will occur and will mimic the current water flow path from the terminus of the RG-6 Tail to Hotel Creek (through Wetland RG-5). Water

quality monitoring of Hotel Creek will be continued, to assure that it is fully protected from potential adverse impacts.

S.5.8 Air Resources (Section 3.8 of the *DSEIS*)

The primary source of air emissions from the Proposed Action is LFG, which results from the decomposition of MSW. LFG at the Proposed Site will continue to be collected via an active LFG collection system that consists of vertical extraction wells and horizontal collectors. The collected LFG is conveyed in pipes to the LFGTE Facility, where it is combusted in eight (8) LFG to electricity generator-sets that produce approximately six and four-tenths (6.4) megawatts of electricity for sale to the electric grid. Flares are available to destroy any collected LFG that is above the capacity of the eight (8) engines, or during periods when one (1) or more engines are shut down (for maintenance, repairs, etc.).

An air impact analysis was performed via computer dispersion modeling, to determine the concentration of air emissions at off-site receptor locations. Utilizing a set of conservative modeling assumptions, the results of this air impact analysis indicate that all applicable air quality guidelines and standards will be met and that emissions will be below significant impact thresholds for criteria pollutants.

A slight reduction in greenhouse gas emissions is anticipated as a result of the Proposed Action, due to an anticipated reduction in on-site soil mining activities. Continued operation of the LFGTE Facility will also help offset greenhouse gases that result from the generation of electricity at fossil-fuel power plants.

S.5.9 Visual and Aesthetic Resources (Section 3.9 of the *DSEIS*)

To evaluate the potential visibility of the Proposed Landfill Expansion from ground level vantage points, a *Visual Impact Assessment* was completed within a five (5) mile study area. The Proposed Landfill Expansion was the focus of the analysis, as the other portions of the Proposed Action are expected to have little to no visual impacts. The visual impact assessment procedures utilized for the Proposed Landfill Expansion are consistent with methodologies developed by the NYSDEC. According to the analysis completed as part of the *Visual Impact Assessment*, portions of the Proposed Landfill Expansion will likely be visible from six (6) of the eight (8) vantage point locations examined. These vantage points also have visual impacts from the Mill Seat Landfill.

No historically significant sites are expected to be visually impacted by the Proposed Landfill Expansion. The existing Mill Seat Landfill is not visible from Riga Academy or the Lake Street Historic District. The balloons used in the visual analysis to simulate the Proposed Landfill Expansion were not visible either, so the Proposed Action is not expected to impact these historic sites. The proposed condition will be visually similar to current conditions. None of the affected sites are considered to be aesthetically significant.

Evaluations as presented in the *Visual Impact Assessment* indicate that the Proposed Action's overall impact on the visual character of the area will vary depending upon distance of the viewer from the Proposed Site.

S.5.10 Historic and Cultural Resources (Section 3.10 of the *DSEIS*)

There are no historic structures surrounding the general vicinity of the Proposed Site that are listed on the State and National Registers of Historic Places. Consultation of the National Register of Historic Places revealed two (2) National Register Listed places within five (5) miles of the Proposed Site: Riga Academy in the Town of Riga, Monroe County and the Lake Street Historic District in the Village of Bergen, Genesee County. These two (2) National Register Listed sites are located outside of the Proposed Site and will not be impacted. This has been confirmed through correspondence with SHPO. Furthermore, the Proposed Action is not visible from the Riga Academy and the Lake Street Historic District and therefore no impacts to these areas are anticipated

Cultural resource investigations were undertaken for the Proposed Site in accordance with SHPO protocols and procedures. The findings and documentation from these investigations will be reviewed further with SHPO to seek concurrence with a determination that the Proposed Action will not adversely impact significant cultural resources.

S.5.11 Transportation/Traffic (Section 3.11 of the *DSEIS*)

Traffic associated with the Proposed Action is anticipated to utilize the same routes as under existing conditions. Based on the current LOS of the roads in question as well as the maximum projected traffic volumes, based on worst case scenario conditions, the roads included in the haul route can accommodate the projected volumes with very little impact to through traffic.

Transportation and traffic related impacts identified in the traffic analysis are minor and do not warrant the implementation of any new transportation mitigative measures. The LOS analysis indicates that there will be minimal to no change in the LOS ratings for key intersections.

Traffic patterns may be impacted in the area surrounding the Proposed Site due to the proposed abandonment of portions of Brew Road and O'Brien Road. The western end of O'Brien Road intersects Brew Road within the limits of the Proposed Action. A portion of Brew Road intersects the permitted eastern borrow area; in which soil borrow activities have already begun. There is currently one (1) driveway access off of this southern portion of Brew Road and seven (7) driveway accesses on O'Brien Road. The abandonment of approximately seven-tenths (0.7) of a mile of the southern portion of Brew Road from O'Brien Road to Bovee Road will include providing a new driveway access off of Bovee Road for the Brew Road residence. Approximately four-tenths (0.4) of a mile of O'Brien Road will also be abandoned, which includes the O'Brien Road Wetland Restoration.

With regard to the proposed abandonment of portions of Brew Road and O'Brien Road, both are low volume rural roadways and the proposed traffic changes will have negligible impact on the surrounding roadway network.

S.5.12 Odor (Section 3.12 of the *DSEIS*)

Mill Seat Landfill odors have been effectively managed through proper landfill operations and progressive installation of an active LFG collection system. The potential for odor sources and levels associated with the Mill Seat Landfill are anticipated to be the same during operation of the Proposed Landfill Expansion. Odors may emanate from the working face as waste is placed and from fugitive gas emissions generated from the landfill. The Permitted Waste Acceptance Rate is not proposed to increase and, correspondingly, the size of the working face will not change. Fugitive LFG emissions, however, may increase because as more waste is placed and decomposes, more LFG will be generated from the Permitted Footprint and Proposed Footprint, with the potential to escape into the atmosphere. The impact to the surrounding area, however, is not expected to be significant due to the mitigation measures proposed and those currently in place. These mitigation measures include covering waste with six (6) inches of soil or an approved ADC at the end

of each working day, installing interim or final cover systems, and extending the LFG collection system as needed to capture and control LFG.

S.5.13 Noise (Section 3.13 of the *DSEIS*)

Working face operations will be the predominant source of noise at the Proposed Site. Working face operations include waste trucks entering the active waste disposal area, dumping waste, heavy equipment pushing and compacting the waste, and trucks exiting the area. In order to assess operational noise and community background sound levels, acoustical measurements were made with calibrated sound level meters at locations surrounding the Proposed Site, as well as at the working face of the Permitted Footprint to determine operational equipment and waste truck noise. The background monitoring locations correspond to the NYSDEC approved noise monitoring locations that are monitored quarterly in accordance with the Mill Seat Landfill's *Environmental Monitoring Plan*. These locations provide a representation of sound levels around the Proposed Site near off-site properties.

An assessment of potential noise impacts was undertaken in accordance with a NYSDEC guidance document for conducting such analyses. The assessment consisted of conservative noise propagation assumptions to determine sound levels from the Proposed Site at off-site receptor locations (nearby residential, vacant, and agricultural lands) and at the boundary of the Proposed Site.

The predicted increase in the sound level at all receptor locations is less than five (5) dBA, which is at levels in which human reactions to such noise increases ranges from unnoticed to tolerable. In addition, with the exception of the closest receptor location to the Proposed Footprint, predicted sound levels at off-site receptors are less than or equal to 55 dBA – which is the level deemed to be sufficient to protect health and welfare, and in most cases, not create an annoyance.

The worst case nature of this noise analysis should be noted – this analysis assumes that the working face is operating closest to the off-site receptor, with the loudest side of operations directed towards the receptor, during the loudest hour of daily activity --and yet at virtually all locations it is still well below the 55 dBA USEPA threshold specified to protect public health and welfare and not create an annoyance.

The applicable NYSDEC regulatory standard for landfill operations is an hourly Leq of 57 dBA at the Proposed Site property line. All but two (2) locations are projected to be in compliance with the 6 NYCRR Part 360 regulatory limit of 57 dBA at the Proposed Site boundary. The projected maximum Leq [one (1) hour] at the nearest southeastern property line is 58.3 dBA and the projected maximum Leq [one (1) hour] at the nearest southwestern property line is 59.0 dBA. As mitigation for these potential noise impacts, noise easements have been obtained from both of these property owners.

In an effort to reduce noise generation and propagation, the Proposed Action will also be designed and operated to minimize potential noise impacts to off-site receptors.

S.6 Alternatives Analysis

Alternatives to the Proposed Action have been analyzed in the *Site Selection Report Summary and Alternatives Analysis* (B&L, 2014), which is included in the *DSEIS* as Attachment B. Presented below is a brief overview of the alternatives considered.

- No Action/Waste Exportation

The current Mill Seat Landfill permit has a Permitted Waste Acceptance Rate of 1,945 tons per day. At this maximum tonnage, the Permitted Footprint is estimated to run out of Disposal Capacity by the end of 2018. Under the “no action” alternative, no additional solid waste would be accepted at the Mill Seat Landfill once its Disposal Capacity has been fully consumed. At that point in time, County waste would have to be disposed of elsewhere.

The waste exportation alternative is, therefore, the likely result of the “no-action” alternative. It would require that wastes generated within the County be disposed of at a facility not controlled by the County. Use of this alternative would subject County residents and businesses to the inherent unreliability and unpredictability associated with reliance upon non-County-controlled waste disposal. Such disposal would be subject to fluctuations in the solid waste and fossil fuel markets which could negatively impact waste disposal costs. Even though the High Acres Landfill and Recycling Center is located within the County and could accept a portion of waste that has historically been disposed of at the Mill Seat Landfill, it is not publicly-controlled.

The no action/waste exportation alternative fails to meet the need for local publicly-controlled solid waste Disposal Capacity, including capacity required by contract for the County's WWTFs and the City of Rochester.

- Greenfield Site

An alternative to the Proposed Action is to pursue the development of a new landfill at a Greenfield Site. Historically, the process of siting and permitting a new landfill site in the County has taken over 20 years. This means that the Mill Seat Landfill's Permitted Footprint will be out of available Disposal Capacity well before a new Greenfield Site disposal location could be ready to accept waste, which would mean that waste exportation would need to be implemented in the interim.

In addition to the drawbacks associated with the waste exportation alternative, pursuit of a Greenfield Site would eventually result in the cessation of all host community benefits that are currently associated with the Mill Seat Landfill and the Proposed Action.

The environmental benefits of consolidating the monitoring and environmental protection responsibilities to one (1) site and one (1) governing entity, as is the case with the Proposed Action, would also eventually end if the Greenfield Site alternative were to be implemented.

The Greenfield Site alternative fails to meet the need for an economical and community-accepted disposal location and would not meet local publicly-controlled waste Disposal Capacity requirements in the short term due to the lengthy siting and permitting process for another in-County landfill.

- Previous Siting Options

In 1988, an independent study of previous landfill siting data was undertaken, including a review of the 1979 study by the Committee to Evaluate Landfill Sites that ultimately resulted in the permitting and construction of the current Mill Seat Landfill. The 1988 study was performed upon inception of 6 NYCRR Part 360 and utilized 6 NYCRR Part 360 criteria that are still applicable today, which means that the results of that study are still valid as a siting tool.

Potential locations for new landfill sites that were previously eliminated from further consideration based on 6 NYCRR Part 360 requirements, for example, are still valid and would not provide an alternative in-County site for landfill development. In addition, the final two (2) locations previously considered as alternatives to the selected Mill Seat Landfill site location, the Bovee Road and Davis Road sites, remain impractical for development as landfill sites. Not only do these locations have additional undesirable characteristics, but developing either one as a new landfill site would involve an extensive investment of capital, time, and potentially significant adverse environmental impacts in comparison to the Proposed Action's contiguous expansion at the Mill Seat Landfill.

This alternative fails, therefore, to meet the need for an economical and environmentally sound disposal location, and would not be able to provide local publicly-controlled waste Disposal Capacity in the required time frame.

- Alternative Scale and Magnitude

Several on-site alternative layouts were developed and evaluated as part of the project development process. These alternatives were evaluated on a relative comparison basis. Environmental, cost and logistical considerations were analyzed for each alternative to determine practicability and ultimately to identify the least environmentally damaging practicable alternative that satisfies the project purpose and need. While some on-site expansion alternatives minimized impacts in one (1) area, they resulted in increased impact or conflicts in others.

Eight (8) conceptual footprint configurations were prepared for analysis as potential expansions of the Mill Seat Landfill. Each footprint configuration was analyzed for double composite liner acreage, disturbance acreage, potential Disposal Capacity, site life, and wetlands impacts. These criteria were used to determine which on-site alternative best satisfied the project's purpose and the County's need. Three (3) out of the eight (8) proposed alternatives met the site's 25-year Disposal Capacity requirement without inefficient use of resources. Of the three (3) potential alternatives, Alternative 7 (i.e., the Proposed Footprint) impacts the smallest area of wetlands.

The Proposed Footprint (Alternative #7) represents the least environmentally damaging practicable alternative for expansion of the Mill Seat Landfill due to a number of factors including acceptance by the host community, avoidance of environmental risks associated with overlaying existing leachate monitoring structures, and overall cost efficiency. Most importantly, this option provides the Mill Seat Landfill with sufficient Disposal Capacity outlined in the evaluation criteria so that this process will not need to be completed again for over 30 years. Also, the positive community acceptance related to this option is likely to result in a reasonable SEQRA and permitting review time frame, helping to ensure the availability of continuous local Disposal Capacity to the County.

While this alternative results in impacts to some wetlands at the Proposed Site, it avoids and will ultimately result in the protection of, the remaining wetlands on the Proposed Site. Protection of remaining aquatic resources along with restoration and enhancement activities, through the proposed wetland and stream mitigation plans, will ensure that there is no net loss of aquatic resource function as a result of the Proposed Action.

- Alternative Waste Disposal Technologies

Many waste disposal technologies are available as alternatives to landfilling. Some, such as plasma arc gasification, mechanical/biological treatment, and anaerobic digestion, have not been proven environmentally or economically feasible in the United States for MSW management. Others, such as waste-to-energy, MSW mixed composting, and ethanol production, are more proven technologies but they have other limitations and disadvantages (including the amount of time that would be required to find a suitable location and secure the necessary environmental permits and approvals to build a new MSW management facility). Furthermore, all would still require landfilling for the disposal of the byproducts or end products of the alternative technologies.

In summary, none of these alternative waste disposal technologies are suitable alternatives to the Proposed Action.

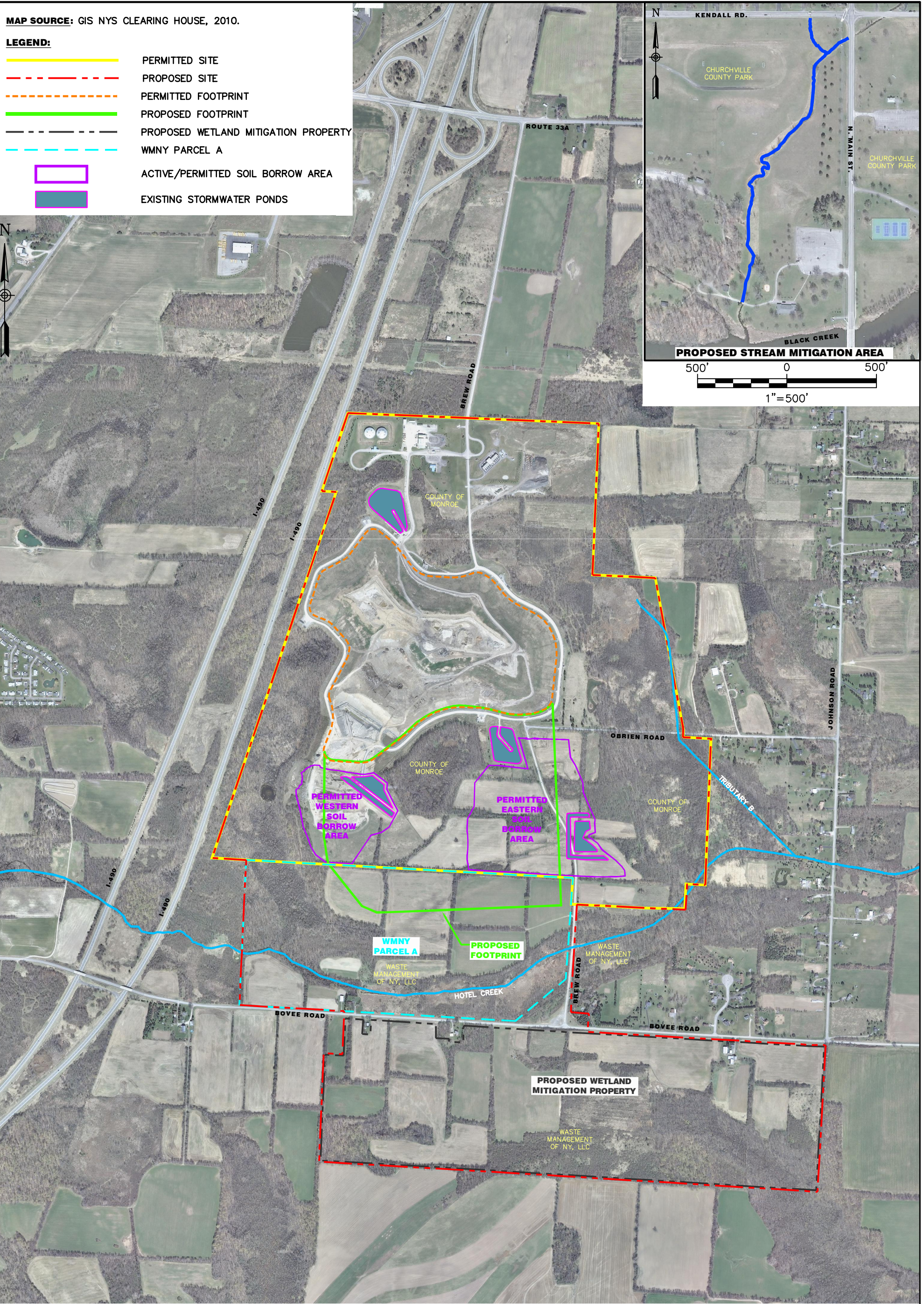
S.7 SEQRA

This *DSEIS* has been prepared in accordance with the requirements of SEQRA which, in general terms, is a process for the consideration of environmental factors in the planning stages of discretionary actions that are directly undertaken, funded, or approved by local, regional, and state agencies.

Several steps in the SEQRA review process remain. The public has an opportunity to comment on this *DSEIS*, either at the public hearing or in writing during the public comment period, as indicated on the inside cover of this *DSEIS*. The County, as SEQRA Lead Agency, will address all relevant and substantive comments received during the public comment period and incorporate these responses to comments into the FSEIS.

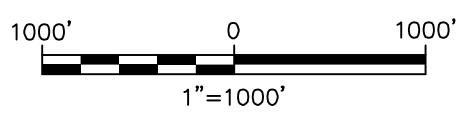
Once the FSEIS is prepared and accepted by the County, a Statement of Findings will be prepared that relies upon information contained in the FSEIS and that balances environmental, social and economic considerations with regard to the Proposed Action. The adoption of a Statement of Findings represents the County's final step in the SEQRA process for the Proposed Action.

In addition to its completion of the SEQRA process, the County will need to obtain permits from the NYSDEC and USACE before it can proceed with the Proposed Action. Those regulatory agencies have their own regulatory requirements that govern their review and consideration of permit applications. Both agencies will, however, provide opportunities for public review and comment as part of their permit review processes.



Barton & Loguidice, D.P.C.

Date	Scale
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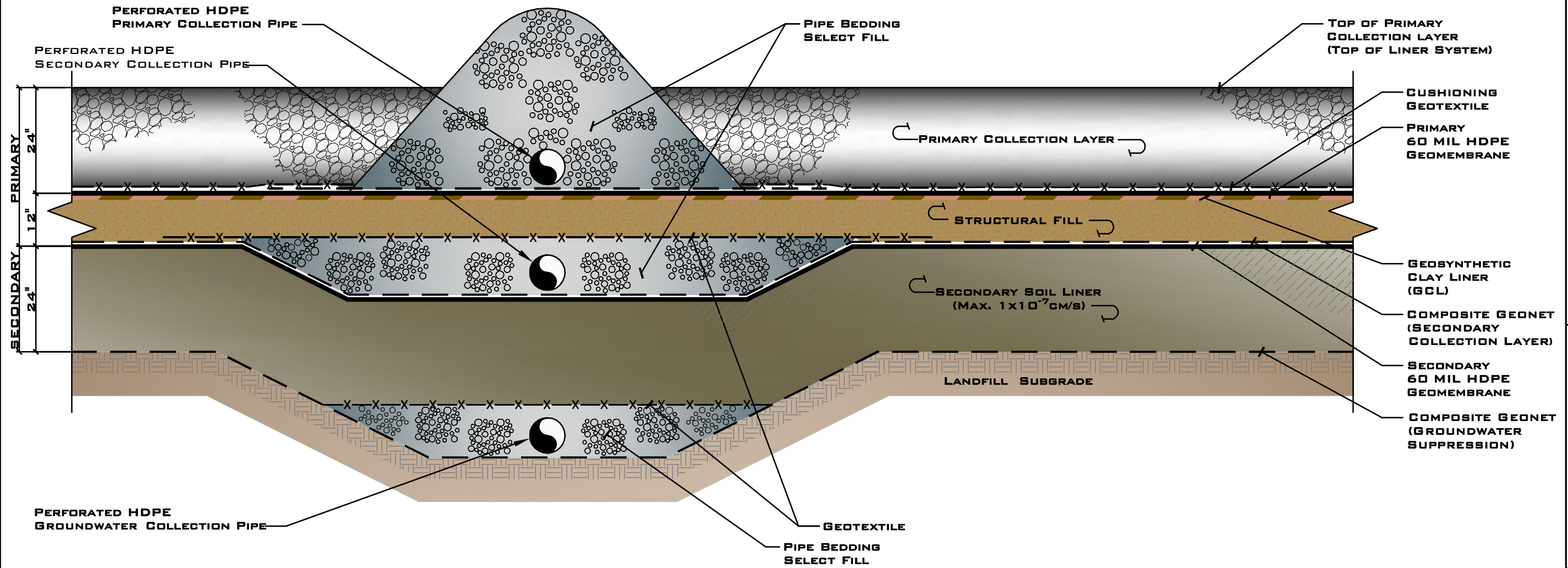


MILL SEAT LANDFILL
 PROPOSED LANDFILL EXPANSION DSEIS
 SITE LOCATION MAP

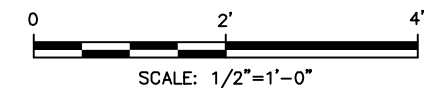
TOWN OF RIGA
 MONROE COUNTY, NEW YORK

Figure Number
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Project Number
1242.022

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DOUBLE COMPOSITE LINER SYSTEM DETAIL



MILL SEAT LANDFILL
 PROPOSED LANDFILL EXPANSION DSEIS

DOUBLE COMPOSITE LINER SYSTEM DETAIL

TOWN OF RIGA

MONROE COUNTY, NEW YORK



Date
 APRIL, 2015

Scale
 AS SHOWN

Figure Number
 S-2

Project Number
 1242.022