
Port of Albany Transfer Facility

Facility Manual

Port of Albany Transfer Facility
100 Boat Street
Albany, New York 12202

Prepared For

Waste Management of New York, LLC

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December 2019
Revised December 2020

Barton & Loguidice

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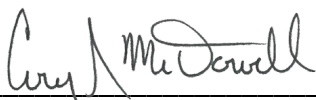
Waste Management of New York, LLC
Port of Albany Transfer Facility

Facility Manual

Certification Statement

The material and data in this report were prepared under the supervision and direction of the undersigned. Barton & Loguidice, Inc. certifies to the best of our knowledge and belief that the information provided herein is accurate and is in accordance with sound engineering practice.

Barton & Loguidice, Inc.



Cory J. McDowell, P.E.
Associate
NYSPE License No. 083501

Designation of Responsibility

Barton & Loguidice, Inc. is the principal author of this document and assumes responsibility for the engineering design, calculation, and processes included herein.

Barton & Loguidice, Inc.



Cory J. McDowell, P.E.
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1.0 Introduction

This Facility Manual is submitted on behalf of Waste Management of New York, LLC (WMNY) to the New York State Department of Environmental Conservation (NYSDEC) to support the modification of the existing 6 NYCRR Part 360 permit for the WMNY Transfer Station in Albany, New York to include the acceptance of putrescible municipal solid waste (MSW) to the list of the materials currently accepted. This plan generally follows the outline of the operational requirements of 6 NYCRR Part 360, including 360.16(c)(4) (Facility Manual), 360.19 (Operating Requirements), 361-1 (Recyclables Handling and Recovery Facilities, and 362-3 (Transfer Facilities).

The buildings, open parking areas, and processing areas at the Port of Albany Transfer Station (herein referred to as the facility) are permitted by NYSDEC under Permit 4-0101-00185/00002.

This Facility Manual replaces all other previous O&M Manuals for the site. All previously approved modifications to the facility and other pertinent facts for the site are included in the body of this report.

2.0 Waste Control Plan

In accordance with 6 NYCRR Part 360.16(c)(4)(i), the following details the facility's waste control plan. The perimeter of the Port of Albany facility is secured against unauthorized vehicle entry with a metal fence and sliding gates, as shown on the Site Plan on Figure 1 of the Engineering Report. Access to the facility is monitored by facility personnel and limited through lockable gates at the truck entrance/exit. The following sections detail the facility's service area, waste acceptance requirements, waste destination facilities, unauthorized waste program, and recyclables management.

2.1 Facility Service Area

Material received at the facility is collected by private and public haulers from within Albany County and surrounding counties. These additional counties include, but are not limited to Schoharie, Columbia, Fulton, Greene, Montgomery, Rensselaer, Saratoga, Schenectady and Washington Counties in New York.

2.2 Waste Acceptance

Material is accepted at the facility only during operating hours when attendants are on duty. Signs are posted at the main entrance stating the hours of operation, types of material accepted, and those not accepted, as discussed below. Loads are accepted from commercial haulers and contractors, as well as private residents with large loads, as approved by facility personnel. The facility personnel are equipped with cellular phones for communication among the offices, equipment operators, and the loading areas. As noted in the Emergency Response Plan (Section 5.0), telephone numbers for police and fire departments and emergency responders will be posted prominently by all telephones and in the office.

Visitors to the Port of Albany facility proceed to the main office located at the existing facility entrance. Visitors are escorted through the facility by WMNY personnel.

A sign is conspicuously located at the facility entrance specifying:

- **Waste Management of New York, LLC**
- **Port of Albany Transfer Station**
- **Hours of operation:** Monday through Friday: 6 a.m. to 5 p.m.
- **Saturday:** 6 a.m. to 3 p.m.
- **Sunday:** Closed

- **Waste Accepted**

Residential and Commercial Waste; Source Separated/Single Stream Recyclables (Glass, Metals, Plastics Corrugated Cardboard, and Paper); Construction and Demolition Debris, Municipal Solid Waste

- **Waste Not Accepted**

Asbestos, Hazardous Waste, Medical Waste, Radioactive Waste, Liquid Waste, Petroleum-contaminated Waste

- **NYSDEC Permit #4-0101-00185/00002**

The facility is permitted to accept 749 tpd of waste material and recyclables.

For the purposes of this report, the term “material” refers to all materials accepted at the facility as listed above, including recyclables.

An additional sign will be installed at the facility entrance indicating that vehicles are prohibited from queuing off-site outside of the hours of operation. This sign will be enforced by rejecting loads from vehicles that queue off-site.

2.3 Waste Destination Facilities

All material will be disposed of at a permitted disposal facility, primarily those listed below (360.16(c)(4)(i)(c)). All receiving facilities for solid waste and C&D will be located within New York State.

Table 2- 1 - Disposal Facilities

Name of Facility	Address	Type of Material
Green Ridge RDF	424 Peters Road Gansevoort, New York 12831	MSW, C&D
High Acres Landfill	425 Perinton Parkway Fairport, New York 14450	MSW, C&D
Chaffee Landfill	10860 Olean Road Chaffee, New York 14030	MSW, C&D
Mill Seat Landfill	303 Brew Road Bergen, New York 14416	MSW, C&D
Wheelabrator Hudson Falls LLC	61 River Street Hudson Falls, New York 12839	MSW
MSW = Putrescible Material C&D = C&D Debris		

Table 2- 2 - Recycling Facilities

Name of Facility	Address	Type of Material
Ben Weitsman of Albany	300 Smith Boulevard Albany, New York 12202	Metal
Sierra Processing	865 South Pearl Street Albany, New York 12207	OCC, SSR
WM Ft. Edward	12 Wing Street Fort Edward, New York 12828	OCC, SSR
ReCommunity Recycling	508 Fishkill Avenue Beacon, New York 12508	OCC, SSR
WM Recycle America	4550 Steelway Boulevard South Liverpool, New York 13090	OCC, SSR
WM Recycle America	Springfield MRF 84 Bernie Avenue Springfield, MA	OCC, SSR
WM Recycle America	Automated Material Handling Tremont Street Springfield, MA	OCC, SSR
SSR = Single Stream Recyclables OCC = Old Corrugated Cardboard		

2.4 Unauthorized Waste Program

Only material which this facility is permitted to handle is accepted. Generators and transporters of material received at this facility are informed in writing of the acceptable material types by WMNY. Pursuant to **360.19(c)(1)(i)**, signs are posted at the entrance

to the transfer station stating, among other things, the types of material accepted and the types not accepted. The signs are posted at the entrances and exits to the facility and again at the inbound scale house. Loads not permitted for handling at this facility will be rejected and turned away. All facility staff will be trained to identify acceptable material and instructed to report any unacceptable material to the manager on duty.

In regards to WMNY Collection vehicles, WMNY has a program in place to encourage and monitor customer compliance with material acceptance and sorting guidelines. All new WMNY collection customers are given paperwork informing them of acceptable and unacceptable materials to be placed at the curb, and which materials should be separated for recycling. This same information is periodically mailed to existing customers to remind them of the guidelines. Whenever changes in the accepted waste or recyclables streams are made (with NYSDEC approval); customers will receive additional mailing to inform them of these changes.

WMNY haulers are also directed to use the WMNY procedures to enforce compliance with these guidelines. Generally, these programs outline protocols for identifying unauthorized wastes or other waste collection issues prior to collecting the material.

As collection vehicles enter the facility, information such as vehicle type, company, and source of material is recorded either electronically, by visual identification of regular vehicles, or by interviewing the drivers. Visual evidence of unauthorized material will be cause for rejecting a load. Employees are trained to identify all types of material. This will include, but will not be limited to, hazardous and regulated medical materials, asbestos, and petroleum-contaminated soil.

When a collection vehicle reaches the tipping floor, it is unloaded in the presence of facility workers who will observe the contents of the load for unauthorized materials. If such materials are identified, the matter will be addressed with the responsible driver and company. All incidents of unauthorized material being inadvertently deposited at the Port of Albany Facility will be reported to NYSDEC in the annual report, as required by NYS regulations **(360.19(c)(4)(i))**. The Emergency Coordinator is responsible for alerting the appropriate authorities if the material is hazardous or regulated medical material, except for incidental or “de minimis” quantities. A “de minimis” quantity of unauthorized material means that it is non-radioactive and incidental to the load. Examples of “de minimis” quantities would include small paint cans and aerosol cans.

The material will be further examined for unauthorized materials as it is pushed into the processing/loading areas. In the event unauthorized materials are delivered to the facility, such material will be adequately segregated and secured in a designated area within one hour of the discovery.

The Unauthorized Material Storage Area (UWSA) is located in a designated area in the southwest corner of the transfer station building. Separated material may be segregated from the rest of the tipping floor using temporary concrete barriers or a 2-yd roll-off container as needed.

Common items, such as automobile batteries and tires, will be removed regularly as needed. Dangerous unauthorized materials, such as hazardous and regulated medical material, asbestos, and petroleum-contaminated soil will be removed from the facility within 24 hours after the discovery or as soon as possible. WMNY will notify the NYSDEC in advance if the dangerous unauthorized materials cannot be removed within 24 hours. Removal will be performed by a material transporter permitted to handle such material pursuant to 6 NYCRR Part 364.

A logbook will be maintained by the Emergency Coordinator to record events, date, time, description, actions/repairs, etc. All incidents of receipt of unauthorized material will be recorded in the respective daily log with such information included in the subsequent annual report to the Department.

Unauthorized material encountered at the facility will be handled in accordance with WMNY's Unauthorized Waste Procedures (see Appendix A). These procedures are intended to meet the requirements set forth in Title 6 NYCRR Paragraph 360.19(c). Acceptable materials tipped within the processing building will include MSW, C&D debris, OCC, and source separated single stream recyclables.

2.5 Recyclables Management

Recyclables managed at the facility are primarily source-separated single stream recyclables and pre-sorted OCC. Recyclable material is managed separately from the MSW and C&D waste streams to avoid potential contamination. Recovered recyclables include single stream and corrugated pre-sorted recyclables. Additional detail on recyclables handling can be found in Section 3.11.

3.0 Operations and Maintenance Plan

In accordance with 6 NYCRR Part 360.16(c)(4)(ii), the following describes the operations and maintenance plan for the Port of Albany Transfer Station. WMNY, as the facility operator, engages in a program of monitoring employees and customers for compliance with the regulations pertaining to the facility. The Facility Manager monitors and inspects the facility for malfunctions, deteriorations, and possible environmental discharges. Areas to be inspected include, but will not be limited to: material handling areas; mobile equipment; air ventilation systems; unauthorized material control program and containers; scales and recordkeeping; dust, vector and odor control; site drainage; access roads; structural components; readiness of firefighting equipment; and the integrity of the security system, including fences and gates. Problems will be promptly addressed and remedial action will be taken when necessary. A logbook will be maintained for inspections, identifying the specific equipment and structures inspected, and recording observations as well as the date and nature of any remedial actions or repairs implemented.

3.1 Facility Operation

The transfer station operates Monday through Friday, from 6 a.m. to 5 p.m. and 6:00 a.m. to 3:00 p.m. on Saturday. Loading of trailers is performed during regular operating hours but can also be performed inside the transfer building as late as 11 p.m. Monday through Friday and 6 p.m. Saturdays. Attendants are on duty during all hours of operation. The manager is available during normal business hours and whenever other employees are working. The facility entrance gate will be closed when the facility is not open for operation.

Trucks access the facility via Boat Street where facility personnel document the type of truck, type of material being delivered and material quantity. The site truck scale is used to record the weight of all inbound and outbound materials. If any evidence of unauthorized material is detected (including asbestos), facility personnel will follow WMNY's unauthorized waste plan included in Appendix A.

Dust in outdoor operations areas may occasionally be generated by sand used for deicing roadways, by windblown deposition from other areas of the development, and by tracking of vehicles through the facility. Paved areas are swept as needed, with the use of water spray during dry periods as necessary to facilitate dust suppression and removal.

Inside the facility, dust may be generated by tracking of road dirt by collection vehicles, and the tipping, processing, and loading of materials. The sweeper and hoses used for floor wash down will also be available for dust control operations.

3.2 Storage and Processing Areas

MSW, C&D, and source-separated single stream recyclables are processed in the existing transfer station building. In accordance with 6 NYCRR Part 362-3.5(f), the tipping floor must be cleared of MSW and C&D at the end of each working day. Containerized putrescible waste must be removed by the end of the next business day after a transfer container becomes full or within seven calendar days of receipt, whichever comes first.

Non-putrescible recyclables for marketing may be stored for a maximum of 180 days. Unrecoverable recyclables must be removed within 14 calendar days. Incidental putrescible waste or residues may be stored for a maximum of seven calendar days following receipt.

3.3 Process Flow

Authorized collection vehicles proceed to one of the tipping bays and enter the processing building through a high speed overhead door, which is closed after entry. Trucks are directed to back into one of the bay doors depending on which type of material they contain (see Figure 2). Trucks tip their load and then exit the building through the same door they entered through, as they proceed to the facility exit. Material is pushed from the tipping floor to the processing/loading area using a wheel loader and/or grapple. The equipment operators visually inspect the loads for any unauthorized waste. Large unidentified, suspicious, or leaking containers are removed using mobile equipment and managed as discussed below.

The wheel loader may be used to pre-crush or compact the material to improve the density for shipment. This process involves the wheel loader driving over material to crush it and reduce voids contained in the material. The process occurs on the tipping floor. The pre-crushing of material serves to reduce the size of bulky material and increase the density of the material. Pre-crushing of the material is not always necessary, and, as such, this step is not always included in the process.

For open-top loading, the wheel loader and/or grapple lifts the material into open-top trailers. The grapple uses the arm and grapple to compact the material into the trailer. Once the trailer is fully loaded, it proceeds to the tarping rack to be tarped. After the cover is pulled over the top of the trailer, the cover can be properly fastened, to prevent it from coming loose or coming off during transit. The trailer is then weighed on the scale prior to transport.

The tipping floor is separated into areas for C&D and MSW handling, and recyclables handling as indicated on Figure 2. A separate handling area for clean pre-sorted recyclables is located in the designated area adjacent to the C&D and MSW handling area. Each handling area will be exclusively dedicated to handling its designated material stream so as to prevent contamination of the recyclables stream.

As noted above, the facility accepts material 6 days per week. The facility can also operate equipment within the transfer building until 11 p.m. on week days in order to perform loading and cleanup activities. At the end of every operating day, the tipping floor will be inspected and cleaned of all material and debris. A skid steer will be used to pick up all material and place it in its designated areas. If the size or consistency of residual material on the floor require they will be swept up or washed down as needed.

3.4 Equipment

Adequate equipment will be maintained at the facility at all times for proper functioning of the transfer station operations. A list of equipment and machinery to be utilized is provided below. Mobile equipment is diesel-powered. Equipment fueling will take place as needed from the on-site diesel fuel storage tank on the paved area adjacent to the tank. Fueling of equipment may also occur on the tipping floors, in the maintenance bay, or in exterior paved areas using a fuel truck provided by contract with an outside vendor. A mechanic will be on duty during operating hours to provide on-site maintenance of mobile and stationary equipment. All equipment will be maintained in good working order, and the facility will be operated in accordance with the terms of the permit. Spare equipment from the other WMNY facilities or local equipment companies could be brought to the facility, if necessary.

West of the designated transfer station area there is a maintenance area used for the maintenance of equipment as shown on the site plan.

The table below provides a description of the major types of mobile equipment that is used at the transfer station, as well as major items of fixed equipment used to support the operation of the facility. It should be noted that the types of equipment listed in Table 3-1 are typical, and the listed equipment may be replaced by equal equipment should maintenance be required, the equipment breaks down, etc.

Table 3- 1 - Equipment List

Item (Qty)	Manufacturer	Model No.	Function
Mobile Equipment			
Wheel Loader (1)	CAT	938H	Pushing material, loading material, compaction
Skid Steer (1)	John Deere	JD 320	Pushing material, loading material cleaning floor and
Excavator (1)	CAT	323	Loading material, compaction
Yard Horse (2)	Capacity	TJ 6500 and TJ 700	Moving empty and loaded trailers around on site
Fixed Equipment			
Scale (1)	Mettler - Toledo	N/A	Truck weighing
Note: The equipment listed in this table may be replaced with equal equipment should the listed equipment require maintenance, the equipment breaks down, etc.			

3.5 Noise

The facility is designed to minimize sound resulting from the facility's operations that could exceed the allowable levels at or beyond the property line. The majority of noise generating operations, such as the operation of heavy mobile and processing equipment, is designed to take place within the building. None of these activities generate excessive noise. Any noise produced from the facility operations is reduced significantly either by the walls of the transfer building or the buffer between the operations and surrounding properties. Historically, noise levels have not been an issue at the facility.

All equipment owned by WMNY of New York, LLC are regularly maintained and serviced. The mufflers for internal combustion-powered equipment are maintained and serviced as needed so the original noise control features of the equipment are not degraded. The facility is therefore capable of complying with Part 360.19(j).

3.6 Odor

Odor control and minimization at the facility will be accomplished by both design and operational features. The facility will be equipped with high speed overhead doors to limit the escape of odors from the facility when trucks enter and exit the building. All waste delivery and loading procedures will take place within the building enclosure.

Operationally, steps will be taken to eliminate the generation of odors; all putrescible waste will be removed from the floor of the facility daily and loaded containers will be removed from the site within 24 hours of filling. Any specific loads of waste found to be overly odorous will be rejected from the facility before tipping and repeat offenders will be restricted from use of the site. Material controlled by WMNY collection operations will be flagged as odorous at the source and routed for alternate disposal. As described further in section 3.14.2, if prevention measures are not effective, the use of odor mitigation measures such as granules and sprays will be used, as needed.

3.7 Site Drainage

Facility features and operational procedures are designed to prevent introduction of material into the surface or groundwaters of the State. Material is unloaded, processed, and loaded onto trailers within a building designed to prevent escape of refuse or water into the environment. In addition, tarps are placed on the trailers before they leave the enclosed areas to avoid escape of the material from the trailers (as well as to contain odors). Receiving and processing areas are swept regularly and properly drained such that runoff generated from the interior of the building is collected for discharge to the sewer line.

A metal fence is present along the boundary of the property. Although rare, this physical boundary assists in the control of blowing litter, as well as providing security against unauthorized vehicle entrance. Exterior paved areas are patrolled and swept as necessary to remove accumulated litter or other refuse. As discussed in the Emergency Response Plan (Section 5.0), means will be available to handle accidental spills of refuse or unauthorized liquid material.

3.8 Monitoring, Maintenance, and Inspection Procedures

All processing activities take place within an enclosed building, elevated and isolated from the ground surface by a concrete slab. All concrete surfaces are maintained in good condition, and sacrificial thicknesses replaced when appropriate. As a result, there is no need for routine monitoring of groundwater or soil at the facility.

3.9 Interruptions in Operations

In the event that a mechanical problem, fire, or other unforeseen circumstance requires an unscheduled shutdown, all material which is on-site will be processed and loaded for transport, if possible. Incoming material will be rerouted to other WMNY facility or permitted third party locations. If necessary, material already delivered may be

reloaded into containers on trucks and carted to one of these alternate WMNY or third party transfer stations, within 24 hours of receipt.

Emergency Coordinators will organize personnel to secure the material and shutdown all equipment, unless dangerous conditions prohibit such action, and will advise emergency responders, as appropriate. Recommended spare parts for the mobile and mechanical equipment will be kept available to facilitate repairs and bring the facility back on line in the event of mechanical difficulties. An Emergency Response Plan (Section 5.0), outlines the appropriate procedures to be followed during unscheduled shutdowns caused by fire or other non-equipment related emergency.

3.10 Schedule of Operations

Initiation of daily processing activities is preceded by an inspection of all mechanical equipment. Equipment operators will engage the machinery and establish that it is functioning properly. The facility's mechanics will perform routine equipment and facility maintenance throughout the workweek.

At the conclusion of daily operations, the offices and maintenance building and all doors and gates will be closed and locked.

3.11 Equipment Calibration and Schedule

The only equipment requiring calibration is the weigh scale near the site's entrance. Weigh scale calibration and maintenance will follow the procedures and schedule as recommended by the manufacturer to ensure accurate inbound and outbound material tracking.

3.12 Traffic

Transfer station access and service road layout has been planned to accommodate the expected traffic flow, including peak flow, in a safe and efficient manner. The relatively low traffic levels at the site do not typically require vehicles to queue at the entrance to the site. Since approximately 15-20 vehicles can queue within the facility property and approximately 30 vehicles can be processed an hour, the expected peak volume can be managed safely and efficiently.

3.13 Part 361-1 Operating Requirements (Recyclables Handling and Recovery Facilities)

3.13.1 Material Accepted

Source-separated OCC and non-putrescible single stream recyclables will be accepted at the Port of Albany Transfer Station. Recyclables will be handled in the same manner as MSW and C&D material, which will be kept completely separate from these materials during acceptance, processing, storage, and transport. All recyclables transfer activities will be performed inside the transfer structure. Materials containing refrigerants (refrigerators, air conditioners, etc.) are not accepted at this facility and will be handled as unauthorized waste if discovered. All procedures outlined in this Facility Manual apply to all materials accepted at the facility, including recyclables. Under no other circumstances will recyclable materials be commingled with MSW or C&D waste materials or vice versa.

3.13.1.1 Pre-Sorted Recyclables Processing

In addition to single stream recyclables, Port of Albany Transfer Station also accepts pre-sorted recyclables from commercial and industrial sources.

Presorted recyclables are processed in designated areas. The pre-sorted recyclables processing area is separated from the other transfer station activities by a concrete block wall. This separate area prevents moisture and contamination from other waste as this is non-putrescible material, no vector, odor, or leachate issues are anticipated. Loading of pre-sorted recyclables is by grapple and/or wheel loader directly into open top trailers. Material is loose and not baled.

3.13.2 Material Storage

The capacity of the designated area is sufficient to accommodate the anticipated daily recyclables acceptance, and empty trailers or roll off containers are always available at the site. In the rare event that a transfer trailer is unavailable to provide transfer services, a trailer or roll off container would be staged to accommodate additional material quantities for storage as necessary.

Residues and processed recyclables are stored separately to maintain marketability of recyclables. Unprocessed and processed recyclables intended for recovery may be stored a maximum of 180 calendar days unless otherwise

approved by the department. Unprocessed non-putrescible recyclables not intended for recovery can be stored for a maximum of 14 calendar days. Incidental putrescible waste or residue can be stored for a maximum of seven calendar days following receipt or generation.

3.13.3 Unauthorized Material

Unauthorized material will be monitored for and handled in accordance with the site's Unauthorized Waste Program (Section 2.4). Recyclables containing refrigerants will not be accepted at the site and will be treated as unauthorized waste.

3.13.4 Recordkeeping and Reporting

In order to complete the recyclables handling and recovery facility annual report required by the Part 360 permit, all material received at the site, and transported from the site must be quantified and recorded by material type. All recyclables delivered to the site will be weighed in the collection vehicle with the on-site truck scale and its weight recorded. Transfer vehicles hauling recyclables from the handling facility will be documented using their recorded weight at the destination facility.

3.14 Part 362-3 Operating Requirements (Transfer Facilities)

3.14.1 RHRF

Pursuant to Part 362-3.5(a), Port of Albany Transfer Station is authorized as a recyclables handling and recovery facility under 6 NYCRR Part 361-1 in order to accept source-separated and single stream recyclables. See Section 3.11 for more detail.

3.14.2 Transfer Operations

All material received at the facility will be tipped, processed, and loaded within the enclosed/covered areas of the facility. In addition, tarping of the trailers will take place inside the boundaries of the facility. Consequently, minimal dust and blowing litter will result. As discussed in the Emergency Response Plan (Section 5.0), means will be available to handle accidental spills of refuse or unauthorized liquid material on access road. Perimeter fences serve to confine blowing litter which may escape from vehicles or the enclosed facility. Exterior paved areas are patrolled and swept as needed to remove accumulated litter or other refuse.

Since all materials are processed indoors and putrescible material is processed by the end of the operating day, material does not constitute an odor nuisance. Routine facility sweeping and wash downs of the putrescible material handling areas also prevent significant odor generation.

When needed, appropriate routine measures for the control of odors also includes, but is not limited to, the use of deodorizing granules and/or odor neutralizing agents.

3.14.3 Leachate Collection

All materials are processed on an impervious concrete floor equipped with drainage to a sewer line. The sewer line is directly connected to a wastewater treatment facility that treats the MSW leachate for discharge.

3.14.4 Tip Floor Maintenance

The tipping floor is cleaned at the end of every operational day and between changes in material streams. Material is pushed from all areas of the floor (i.e., unloading area, and processing/loading area), loaded for off-site disposal, and a sweeper may be used for cleaning the floor. If liquid cleaning is required, water from the hose bibs located within the structure will be used for wash down. Surfactants or deodorizers may be used with the water spray to improve the cleaning.

The operation of the facility will not constitute an opportunistic environment for the breeding of vectors. Putrescible material is handled indoors and the tipping floor is completely emptied at the end of each operational day, and deodorized as necessary. Outdoor paved areas are swept as needed to remove windblown litter which happens to escape from the building.

The exterior paved surfaces, including access roads and scales are swept as needed (except during snow removal) for control of dust, litter, and any refuse which may have exited the facility despite precautions. Water spray will be used as necessary during dry periods. Provision is made in the Emergency Response Plan (Section 5.0 for cleanup of spills on the access roads.

Collection vehicles will normally be cleaned elsewhere.

3.14.5 Waste Storage

Pursuant to 6 NYCRR Part 362-3.5(f), putrescible waste is removed from the facility within one business day of a transfer container becoming full or within seven calendar days of receipt, whichever comes first. Incoming waste is typically processed within 24 hours of receipt.

The capacity of the facility is sufficient to accommodate the maximum waste acceptance rate of 749 tons/day, and empty trailers or roll off containers are always available at the site. In the rare event that a transfer trailer cannot be obtained to come to the site and provide transfer services, a trailer or roll off container would be staged to accommodate additional waste quantities for storage as necessary, within the allowable storage timeframes.

3.14.6 Recordkeeping and Reporting

In order to complete the transfer facility annual report required by the Part 360 permit, all material received at the site, and transported from the site must be quantified and recorded by material type. All waste material of a non-homogenous nature, such as MSW and C&D, delivered to the site will be weighed in the collection vehicle with the on-site truck scale and its weight recorded. Transfer trailers hauling these materials off site will either be weighed using the onsite scale or, if transferring waste to a WMNY disposal facility, their recorded weight at the destination facility can be used. Records from the destination facility must be obtained for use in the facility annual report.

All recyclables delivered to the site will be weighed in the collection vehicle with the on-site truck scale and its weight recorded. Transfer vehicles hauling recyclables to the handling facility will be documented using their recorded weight at the destination facility.

3.14.7 Financial Assurance

In accordance with 6 NYCRR Parts 362-3.5 and 360.22, the Port of Albany Transfer Station maintains financial assurance in amount sufficient to cover the cost of closure of the facility. Closure costs are updated annually and submitted with the transfer station annual report.

4.0 Training Requirements

The Waste Management of New York, LLC Health and Safety Plan is kept on site and readily available at all times.

The operation of the facility is conducted under the direction of a manager who has the responsibility, authority and knowledge to make and implement decisions regarding operating conditions at the facility.

The transfer station is operated under the oversight of a manager, who is available during normal business hours, Monday through Friday, and Saturday. A scale attendant on duty during the same hours keeps time cards and maintains facility records.

Personnel operating within the transfer station and scale house are trained in all operational and safety aspects of the facility. This includes protocols for the safe tipping, compaction, and loading of materials, recognizing and handling unauthorized materials (see Appendix A for copies of the Unauthorized Waste Procedures), etc.

Descriptions of the duties of each of these staff are provided below.

Transfer Facility Manager: Overall responsibility for all aspects of operations. Conducts facility self-inspections, and plans and oversees all remedies of malfunctions. Prepares or approves all reports associated with facility operations. Authorized to implement contingency plan. Participates in the development and implementation of training and safety programs. Responsible for staffing, terminations, and all personnel matters. Direct authority over all facility personnel. Responsible for purchasing decisions and equipment readiness, within company guidelines.

Scale Attendant: Responsible for computer data entry, word processing, filing, maintaining purchasing records and employee timecards, and switchboard/reception.

Equipment Operator: Operates mobile equipment used in handling and processing material. Operates sweeper. Responsible for equipment inspection and requests for maintenance or repair. Trained in proper inspection and safety procedures. Identifies unauthorized materials.

Laborer: Sorts through material to identify unauthorized materials; segregates such material and transfers it to designated storage areas. Performs sweeping and wash down, as needed, of the emptied tipping floor if necessary. Assists with spill cleanup and other miscellaneous tasks as necessary.

Mechanic: Responsible for on-site maintenance and repairs of equipment/ machinery.
Helper assists in all assigned activities.

5.0 Emergency Response Plan

This Emergency Response Plan addresses the hazards most likely to be encountered during the operation of the facility. This plan is not, however, to be construed as a compilation of all possible emergencies or hazards which might occur or exist at the site. It is the sole responsibility of the facility operator to ensure that the facility is operated, at a minimum, in conformance with applicable regulations so that the health and welfare of all workers is adequately safeguarded. This facility does not accept any hazardous, liquid, radioactive, regulated medical, contained gaseous, or other materials not specifically identified previously. Therefore, the hazards for which a potential exists at this facility and which this plan addresses are fire, explosion, equipment breakdown, plant shutdown, unusual traffic conditions, and receipt of unauthorized material. The detailed procedures regarding receipt of unauthorized material are included in Section 2.4 and Appendix A.

This Emergency Response Plan is included in this Facility Manual in accordance with 6 NYCRR Part 360.16(c)(4)(iv) to provide description of the actions that facility personnel would take in response to emergencies that could occur at the facility. This Emergency Response Plan replaces all other previous Contingency Plans for the site. All previously approved modifications to the facility and other pertinent facts for the site are included in following.

5.1 Emergency Responder Arrangements

Arrangements will be coordinated with the respective emergency response teams in the event that their service is required at the facility. WMNY maintains contact with the local fire department, police department, and first aid/ambulance squads as listed below. Prints of the facility layout showing location of site features and processing areas, doors, hose bibs, hydrants, and standpipes are provided to each responder, if desired.

The following emergency numbers will be conspicuously posted at the site near telephones:

- | | |
|---|-----------------------|
| 1. <i>Fire Department</i> (Emergency) – | 911 |
| Nearest Engine Company | |
| Port of Albany Fire Department – | 911 |
| 2. <i>Police Department</i> | |
| City of Albany Police Department – | 911 or (518) 462-8012 |

3. Nearest Hospital

St. Peter's Hospital
315 S Manning Blvd
Albany, New York 12208
Main Phone Number: (518) 525-1550

4. Government Response Agencies

New York State Department of Environmental Conservation
Spills Hotline: (800) 457-7362

New York State Department of Environmental Conservation – Region 4
Division of Material Management: (845) 256-3000

5.2 Emergency Coordinators

Emergency coordinators for the site are as follows:

Primary: Warren Harris
Business Phone: 518-636-2141
Cell Phone: 518-248-2809

Secondary:
Dave Allen
Business Phone: 518-533-3304

At all times during hours of facility operation, there will be at least one Emergency Coordinator on site or on call, with the authority to commit the necessary resources of the facility to carry out the provisions of this Contingency Plan.

The Site Manager is designated as the primary Emergency Coordinator for the facility. Office and cell telephone numbers for this individual are listed above. It is the responsibility of this person to identify and coordinate any special or emergency activities during operating hours. Events that require the attention of the Emergency Coordinator include fire, explosion, air/soil releases, unscheduled facility shutdown, power failure, and delivery of unauthorized material to the facility (other than an incidental amount).

Should an incident take place, the Emergency Coordinator or Site Manager will secure the facility by closing off the affected area. Once the area has been isolated from traffic,

appropriate actions will be taken, for example, activation of fire extinguishers, or removal of combustible material. A logbook will be maintained by the Emergency Coordinator to record events, date, time, description, actions/repairs, etc.

The Emergency Coordinator will be responsible for contacting any additional support teams as needed to assist in responding to an event. If evacuation of the facility is necessary, the Emergency Coordinator will activate the alarm, direct employees to evacuation routes and oversee roll calls at assembly areas.

5.3 Emergency Equipment

Potential safety hazards presented by the operation of this facility consist of fire and smoke or exposure to hazardous chemicals. Occupational hazards could result from the use of mechanical equipment, as well as slip/trip/fall hazards.

General Personal Protective Equipment and Procedures - All employees engaged in the processing of material will be required to wear work boots, dust masks, gloves, goggles or face shields, and ear protection as appropriate. Mobile equipment will have environmentally controlled cabs for protection of the operators. All employees will be shown the location of all safety equipment (including equipment emergency shut-offs) during their training.

Fire Protection Equipment and Procedures - Fire Protection equipment is provided as fire extinguishers within each building and most mobile equipment. All material is handled indoors. This material is moved through the facility using mobile equipment in a quick and efficient manner minimizing the possibility of heat buildup and spontaneous combustion.

In the event of a fire, the following steps will be taken:

- 1) The person first observing the fire will notify his supervisor immediately. The manager will notify the Port of Albany Fire Department.
- 2) Area personnel will secure the nearest fire extinguishers and apply these to the fire.
- 3) Machine operators will turn the material pile so as to expose any combusting material.
- 4) Hoses will be deployed from hose stations.
- 5) Fire Department personnel will extinguish any fire not controllable by site personnel.
- 6) Evacuation will be implemented if this is necessary.

- 7) Until clearance is given by the Fire Department no material will be tipped within the facility.

Fire extinguishers will be available outside the transfer station building, at the on-site office, and on vehicles. All fire extinguishers will be capable of fighting Class A, B, and C fires as defined by the Underwriters Laboratories. All operating personnel will receive periodic training in the proper use of firefighting equipment. Facility personnel will be trained in the use of fire extinguishers and to immediately call for professional assistance when necessary.

Spill Response Equipment and Procedures

After emergency services are contacted for any potential injuries, an employee at the location of the spill will check if the spill meets all of the following criteria and inform a WM Environmental Protection Manager.

- The spill is known to be less than 5 gallons; and
- The spill is contained and under the control of the spiller; and
- The spill has not and will not reach the State's water or any land; and
- The spill is cleaned up within 2 hours of discovery.

If the petroleum spill does not meet all the above criteria, the spill is reportable and must be reported to the DEC spill hotline (1-800-457-7362). If the spill does meet all of the above criteria, the spiller will follow up with the WM Environmental Protection Manager, and the manager will determine if the spill will be reported to the DEC.

The Environmental Protection Manager may need to notify other State and Federal agencies depending on the material that is spilled. A table of guidelines for State and Federal Reporting Requirements for Petroleum Spill, Leaks and Discharges is provided in Appendix E.

For spills not deemed reportable, the Spill Information Worksheet found in Appendix B will be completed by the supervisor on initial call-in and a record of the incident will be maintained onsite for one year.

Spill control gear and materials and personal protective equipment will be kept inside the facility. Base stocks of materials will be maintained by the designated individuals and inventories checked on a regular schedule. Missing or consumed items will be restocked. Stock items include oil absorptive pillows and dams,

absorptive powders, neutralizing agents, shovels, and brooms, and cleanup support items such as drums. Personnel protective equipment (PPE) items may include poly-coated TYVEK protective coveralls, protective gloves, and splash shields. For more serious situations, contractors trained in hazardous materials handling will supply air purifying respirators with cartridges or self-contained breathing apparatus to perform their work, if needed.

Managers and mobile equipment operators will receive training in handling unauthorized materials in containers and managing limited spills of other materials, as appropriate, while awaiting aid from a HazMat team, if necessary. These staff will be trained to identify substances which may require outside assistance. If no special control is required, then operations at the facility will continue. If special controls are required, then part or all of the activities at the facility may need to be halted. In the case of violent chemical reactions, fire, or dangerous vapors resulting from a spill evacuation procedures will be followed.

Depending on the nature of the spill, affected areas of the transfer station may need to be segregated. Solid material spills, such as soils or muds may be easily scooped up with a shovel or a wheel loader, and placed into a containment drum labeled and staged for alternative off-site disposal. Sweeping or washing of the area may be all that is required to complete the cleanup.

For liquid material spills, such as for chemicals or petroleum products, cleanup may be performed by: segregating the spilled material from the surrounding material by pushing the materials away with a shovel or wheel loader; placing an absorptive barrier (such as absorptive pillows) around, or on the down slope side of the spill, or on the spill; identifying and neutralizing the material with spill control powders; and finally, scooping the material into containment drums using shovels or a wheel loader. Final cleanup of the floor residue may be performed by working dry absorptive powders into the material and drumming the material.

Other response procedures may include the following: bulging or rusted drums and containers of unknown liquid materials may be kept segregated for a licensed hazardous material handler to over pack, remove and dispose; unlabeled electrical transformers may be segregated for removal and disposal by a licensed PCB material handler; fuming liquids, moist fuming solids, materials spontaneously producing heat (exothermic materials) and bulk chemicals may require notification of a HazMat team for control and removal.

Asbestos Cleanup Procedures - Asbestos is not accepted at the facility; however, suspect asbestos containing materials (ACM) may be segregated by pushing away adjacent materials and covering the ACM with 6 mil polyethylene sheets prior to removal by third-party trained asbestos abatement personnel, who would handle proper containment, disposal, and any necessary decontamination.

General Safety and Emergency Equipment - Emergency equipment will be placed and stored at the facility and will include the following:

1. First Aid kits, portable eye washes, safety glasses, work gloves.
2. Fire extinguishers, Type ABC and CO2 type (Type BC) Fire extinguishers will be located throughout the site.
3. Equipment for moving containers or debris.
4. Two way communication radios, as needed.
5. Worker protective gear includes safety goggles, ear protectors, hard hats, gloves, rain gear, and boots. This equipment will be examined for defects daily by the individual workers. The supply of this gear will be examined weekly by the RTS supervisors.
6. Protective barriers, temporary signage and traffic cones – to be used throughout the facility for worker protection.

Spill response equipment.

Vehicles on location may be used to transport persons to hospitals when the need arises.

5.4 Evacuation Plan

In the event that the emergency response gear maintained at the facility is inadequate for the task at hand and the nature of the emergency is such that there is a real and present risk of injury to the site personnel, the site will be evacuated. Such an evacuation will be announced by use of an alarm horn and verbal instructions from managers. Appropriate agencies, specifically the Albany Police Department and the Port of Albany Fire Department shall be immediately notified of such a decision so that any dangers to the public at large may be promptly and adequately assessed. The senior person at the site will make the decision to evacuate the site and will, at that time, indicate her/his decision by verbally notifying all personnel, should such action be

possible, and activating an alarm. The evacuation will proceed according to posted evacuation routes; personnel will assemble at the entrance gate. Roll calls will be performed at the assembly areas so that all personnel may be accounted for.

During emergency situations, evacuation signals will be given through the onsite communications system, or alternately, through the use of bullhorns. The manager will direct all trucks to exit the facility to make room for emergency responders.

Upon hearing the evacuation alarm, all employees will shut off and leave operations equipment, and proceed calmly to the nearest personnel door. Tipping floor operators will direct all collection vehicle drivers to discontinue unloading, shut off all engines, and exit the building with facility employees. Evacuation routes from the building and the site are shown on Figure 2. All employees will assemble outside the administrative building area for further instructions and assistance by emergency responders. Evacuation routes will be labeled as per 29 CFR 1910.145 and any applicable local rules and regulations.

Fire drills, as well as initial safety training, will be conducted for all employees to rehearse these procedures.

5.5 Operational Contingencies

If an unscheduled total facility shutdown exceeds 24 hours, the facility will immediately notify the Department describing the incident and the proposed waste management activities in accordance with 360.19(d)(9). This section discusses the operational issues that may arise and alternatives to handling the wastes that are present at, or enroute to, the transfer station. In the event that a mechanical problem, fire, or other unforeseen circumstance requires an unscheduled shutdown, all material which is on-site will be processed and loaded for transport, if possible. Incoming material will be rerouted to the other WMNY or third party facilities in the Capital Region in a contingency situation. If necessary, material already delivered may be reloaded into containers on trucks and carted to one of these alternate WMNY or third party transfer stations, within 24 hours of receipt.

5.5.1 Equipment Breakdown

Most equipment failures will not cause a facility shutdown due to the availability of replacement equipment and available storage volume for material. In the event an equipment malfunction prompts a shutdown, several alternatives are available depending on the magnitude of the malfunction. The following options for mechanical equipment items are listed in order of preference. Should a

certain action be inadequate to address the malfunction, the next action listed will be attempted. The following actions will be taken, as appropriate, to remedy equipment malfunction:

- troubleshoot and repair;
- obtain alternate equipment from another WMNY facility;
- rent alternate equipment; and
- bypass the affected operation.

In the event of facility shutdown, commercial material could be turned away at the gate. An attempt may be made to cancel scheduled deliveries. In some instances, equipment failure will not cause an interruption of an extended nature because equipment repairs can be made or alternate equipment obtained quickly. In such instances, the facility may implement a suspension of affected processing operations and if necessary suspend acceptance of certain type(s) of material, without implementing a full facility shutdown. During this suspension, material may still be accepted provided that the facility's daily cutoff for incoming material will not be exceeded. However, processing operations affected by the equipment breakdown and, if necessary, acceptance of certain type(s) of material would be temporarily suspended. Staffing and controls sufficient to handle the material in accordance with Part 360 would be maintained at the facility during the period when affected processing operations are suspended. Under the circumstances described above, the facility will continue to comply with all documents supporting the permit application, including operating the facility as described in the NYSDEC-approved engineering report and as shown on all NYSDEC-approved plans as per Part 360-1.7(a)(1)(i).

Mechanical equipment to be used at the facility will consist of the following:

1. Rubber Tire Loader
2. Excavators with Grapple attachment
3. Scale
4. Skid Steer
5. Yard horse(s)

In the event of equipment breakdown, several alternatives are available, depending on the degree of malfunction and the time required for repair. The Contingency Plan calls for the following (in order to priority):

A. Rubber Tire Loader (RTL), Grapple, Yard Horse(s) and Skid Steer

1. Service and repair of RTLs;
2. Use other RTLs at the facility;
3. Obtain alternate equipment from another WMNY facility or through rental;
4. Divert material to an alternate site for processing;
5. Direct transport of material to an approved disposal site.

B. Scales

1. Service and repair of scale;
2. Use of nearby off site certified scales
3. Obtain alternate scale through retail at facility;
4. Quantify material by estimated volumes and verify with weights at delivery points

5.5.2 Utility Shutdown

The Port of Albany facility is serviced National Grid and public water from the City of Albany.

In the event of a widespread interruption of utility services due to weather damage, material could still be accepted, since there is available storage volume at the site. The facility's lights, ventilation, odor control systems, and other critical equipment can be powered by generators. Monitoring of incoming material would be accomplished by maintaining a record of all trucks entering and leaving the facility including information on the type and capacity of the trucks or containers, and the type and volume of the material it is carrying. The facility will keep a running total of material processed to ensure that the NYSDEC permitted capacity for the facility is not exceeded.

In the event of an electrical shutdown the facility will be served by backup generators. However, if these generators cannot be used, material will be loaded into open-top trailers until power is restored.

5.5.3 Unusual Traffic Conditions

WMNY maintains a fleet of vehicles to transport material to and from its facility. Unusual traffic conditions will be handled in accordance with State DOT standard procedures and the terms of the transporters Contingency Plan. Street traffic in and around the facility is directed at all times by WMNY equipment operators. During periods of unusually high traffic with the facility, other site personnel will

assist with traffic control. However, the material haulers are responsible for all plans and procedures for handling unusual traffic conditions outside of the facility. WMNY does maintain contracts with many licensed material trucking companies in the event that an unusual traffic condition prevents certain haulers' transfer trailers from reaching the Port of Albany facility. By maintaining contracts with many trucking companies, the facility has multiple options available to help maintain an adequate supply of trailers to remove the material from the facility.

5.5.4 Hauler Breakdown

In the event of a mechanical breakdown either from the generator to the transfer facility or the transfer facility to the disposal facility, the driver is instructed to remove his truck from the road, to the extent possible, leaving the trailer/container closed at all times. He/she will remain with the truck at all times.

The driver will contact the Port of Albany transfer facility with either an on-board telephone or a CB or two-way radio to notify WMNY of the situation. The transfer facility or disposal facility (depending upon which is closer) will then dispatch a repair crew, either from the transfer facility or landfill directly, or through contracted emergency response crews. These crews are available 24 hours per day, seven days a week.

WMNY will notify the local police and fire department in the event that the truck cannot be rendered operational within 24 hours of the original notification from the driver.

If the truck cannot be made operational, it will be towed to the transfer facility or disposal facility and the material will be off-loaded.

5.5.5 Accidents

In the event of an accident, the following procedures shall be followed:

- a. For accidents resulting in damage only to the truck, the procedures set forth above in Section 5.5.4, shall be followed.
- b. In the event of an accident which results in damage creating any potential for release of material a replacement truck will be dispatched in addition to the above procedures.

5.5.6 Fire Prevention and Control

Open burning is expressly prohibited at all times. Spills will be attended to immediately and removed using dry methods. Access to all areas of the facility will be maintained at all times for fire-fighting and emergency response equipment. In the event that the facility requires evacuation, operators will activate the alarm and supervisory personnel will verbally direct personnel to posted evacuation routes.

Outdoor operations are restricted to tarping and weighing of collection vehicles. All material tipping, processing, and loading activities, are conducted within enclosed buildings. All exterior paved areas are swept as needed to capture loose litter which escapes the enclosed facility, minimizing fire hazards. Portable extinguishers are located in all site facilities, including the transfer building. "No Smoking" signs will be posted in accordance with the requirements.

Exhaust fans are present for emergency purging of smoke. As shown on Figure 2, a hose bib is located inside the building. Public water is supplied to the building.

Periodic inspections of the serviceability of portable extinguishers and an annual maintenance check of fire extinguishers by a qualified person/vendor will be performed. Also, periodic inspections of areas known to contain fire hazards will be performed. Employees will be informed of fire hazards in their work area or job duties. The Fire Prevention Program includes procedures for notifying workers and the Fire Department, fire extinguisher usage training, and a posted evacuation route.

5.5.7 Natural Disasters (Secondary Services)

In accordance with 6 NYCRR Part 360.16(c)(4)(iv)(b), the emergency response plan must include a description of the facility's ability to respond to a natural or manmade disaster that may call for expanded or non-standard services with department approval. Even if a natural disaster does not directly impact the facility's operations, additional services may be required to accommodate the facility's service area. Any other secondary services provided by the facility, such as accepting materials over the maximum permitted acceptance rate or bulk storm debris, will be approved by the Department prior to implementation.

6.0 Closure Plan

The purpose of facility closure is to ensure that the facility operations will be terminated in an organized manner that will preclude or minimize the need for further site maintenance or corrective actions and to prevent or remedy adverse environmental or health impacts. Properly implemented, the closure procedures must ensure that adverse environmental or health impacts such as, but not limited to, contravention of surface and groundwater quality standards, gas migration, odors and vectors, are minimized after site closure.

Facility closure will be implemented in the event of a situation where the facility has not received solid waste for more than one year, unless otherwise authorized by the NYSDEC, or if the facility's Part 360 permit has legally expired. Facility closure will also be implemented in the event of termination of use of the facility resulting from permit renewal denial or an order of the NYSDEC or of a court.

This Closure Plan will be modified anytime during the active life of the facility whenever changes in the operating plans or facility design affect the Closure Plan. In these cases the proposed revised Closure Plan will be submitted to the NYSDEC for review and closure prior to finalization.

6.1 Closure Procedures

Since the facility operations do not correspond to an ultimate or finite on-site disposal capacity, a specific closure date is not specified. Presently, active facility operations are anticipated to occur for an indefinite time period.

The facility will notify the NYSDEC in writing at least 30 days prior to the date that the facility is expected to begin routine closure. Within 30 days after final waste receipt, an annual report will be submitted to the NYSDEC. Within 60 days after final waste receipt, all remaining waste will be removed and delivered to an authorized solid waste management facility. All remaining closure activities will be completed within 90 days after receiving the final quantity of solid waste or recyclables.

All solid waste and recyclables present in the facility at the time the final inbound load is received will be routinely processed and removed from the facility. Recyclables will be shipped to the appropriate reuse markets and all solid waste not amenable to reuse or recycling will be delivered to authorized disposal sites.

All mobile facility equipment pieces involved with the solid waste and recyclables management activities will be thoroughly cleaned and washed, as necessary, for purposes of decontamination. This equipment washing will occur within the Transfer Station building to take advantage of the liquid handling system provided for this

building. The interior floors and walls of the Transfer Station building will be thoroughly cleaned and washed. In addition to this general wash-down step, additional washing, using high-pressure water, steam cleaning and/or detergents, may be provided for the interior of the Transfer Station building, as necessary, to ensure that this building is adequately cleaned and decontaminated. All wash water generated within the interior of the Transfer Station building by these routine closure activities will be collected and managed in accordance with the facility's liquid management procedures (Section 3.5).

The paved portions of the facility will be cleaned as needed by sweeping, using either hand brooms or a broom attachment to a mobile equipment piece. All pavement sweepings as well as any extraneous trash and litter that may be present across the facility will be collected and containerized for offsite disposal.

It is anticipated that the facility's mobile equipment pieces will be utilized offsite at other material processing facilities or salvaged offsite as recoverable scrap metal. Dismantling and cleaning of such equipment will be to the extent necessary for this actual offsite use.

The building will not be dismantled; rather, it will remain for alternate continuing use of the property. Likewise, the various asphalt and concrete pavement present in the yard areas will remain after cleaning, for continuing site use. Similar facility appurtenances, such as perimeter fencing and gates, lighting, etc., will remain after facility cleaning and closure. All facility signs specific to solid waste management operations will be removed.

Following completion of the described closure activities, a closure report will be prepared and certified by a New York State Licensed Professional Engineer and submitted to the NYSDEC. The Closure Report will certify that the facility was properly closed in accordance with the NYSDEC-approved Closure Plan.

Since the Closure Plan provides for offsite removal of all solid waste and recyclables and facility cleaning and decontamination, no routine post-closure measures will be required.

6.2 Closure Cost Estimate

Appendix D contains cost estimates corresponding to the closure steps detailed above. For purposes of estimation of costs for closure, it is conservatively assumed that a total of 749 tons of material will be onsite that will require offsite disposal by a third party.

This figure corresponds to the facility's currently-proposed approved design capacity. These third-party closure cost estimates will be reviewed and updated yearly within the facility's Part 360 annual report.

Appropriate updated financial assurance corresponding to the closure cost will be submitted to the NYSDEC by the facility in accordance with the requirements of the facility's Part 360 permit.

7.0 Recordkeeping and Reporting

Operational logs are kept including the date, signature of the recorder, the quantity, description and origin of material received; the quantity and destination of material sent from the facility, and the quantity and the destination of unauthorized material removed from the processing area, by category, and sent from the facility for disposal. In addition, records are kept of all self-inspection activities and any significant events at the facility, such as spills, security problems, contingency transfer events, unscheduled shutdowns, and malfunctions and remedies. Copies of shipping documents, including manifests as needed for unauthorized materials, will be retained in accordance with applicable regulations. Appendix B shows typical operations logs for the facility.

Annual reports will be prepared which will identify equipment additions and facility changes, which detail the volume of various types of material handled. These reports are completed on forms supplied by the Department, which are submitted to the NYSDEC Central Office as well as to the NYSDEC Region 4 office no later than March 1st of each year for the previous year of operation. These records are maintained on site and at WMNY's New York office.

WMNY retains copies of all records relating to the operation of the facility. Copies of all documentation supporting all NYSDEC permit applications will be retained throughout the active life of the facility.

Most records to be retained by WMNY are maintained in files for current reference and as repositories. Files are located based on easy access for the major user. Using this principle the major files maintained by the company can be divided into the following categories:

1. Administrative Files
2. Operational Files
3. Maintenance & Equipment Files
4. Engineering Drawings Files
5. Regulatory Files

These files are set up in either chronological or alphabetical order. Additional records are stored on computers for easy access. Retention periods are set up for each type of file depending on company requirements as well as those of different government agencies. The sole purpose of all the foregoing effort is to enable information to be retrieved accurately and economically within a reasonable time.

Most files are retained in one of two states:

- a) Active such files are retained in readily accessible locations.
- b) Inactive these files are usually stored in less accessible location (i.e., in archives or secured storage area).

The state of activity is determined for various categories of documents through standardized retention periods and starting dates. At the end of the active period, the files may be transferred to an inactive file. At the end of the inactive period, the files may be destroyed.

Retention Time For Records

The retention time for each record is chosen based on the following considerations:

- 1. The frequency and extent of reference to the record by employees.
- 2. The existence of the same information elsewhere.
- 3. The extent to which the record is transcribed or summarized in another record to be retained for a longer period of time.
- 4. The necessity of the record as a support or explanation of another record to be retained for a longer period of time.
- 5. The importance of the record as an integral segment of the historic documents of the organization.
- 6. The usefulness of the record in its original state for purpose of reporting data, legal activities, and regulatory compliance.
- 7. The effect that a change of law, regulation, or procedure may have on the value of the record.
- 8. Retention periods mandated by government agencies (i.e., IRS, USEPA, OSHA, NYSDEC, NYSDOH, etc.)

Records Security

WMNY will use two types of record security:

- 1. Protection from unauthorized use (e.g., theft, espionage, etc.). The usual practice is to maintain these records under lock and key. Most personnel and medical records are considered as secured files. These records are released only to authorized individuals.

2. Protection against damage from natural causes (e.g., heat, water, dust, etc.). This protection is provided by selection of adequate file cabinets. In addition, redundant copies of important documents are retained in separate offices.

Inventory of Pertinent Records

The table below provides a list of pertinent records and their location at the facility:

Table 7- 1 - Record Locations & Retention Period

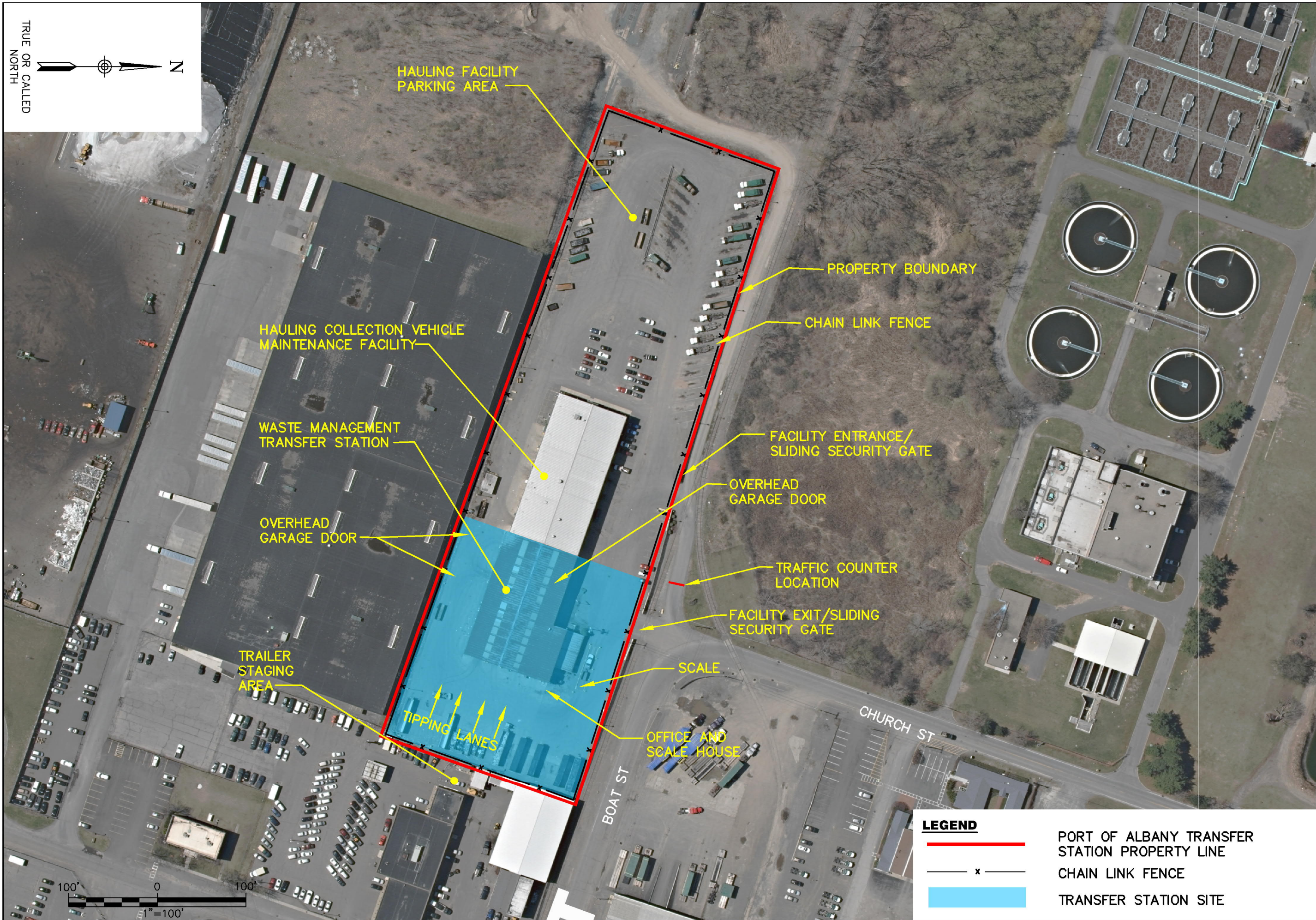
Type of Record	Retention Period	Location of Record
Permits	*Historic	Administrative/ Manager/Engineer/ Environmental Manager
Annual Reports	7 years	Manager/Environmental Manager
Quarterly Reports	7 years	Manager/Environmental Manager
Engineering Report	*Historic	Manager/Engineer/ Environmental Manager
Equipment Specifications	For current equipment only	Manager/Environmental Manager
Construction Drawings	*Historic	Manager/Engineer/ Environmental Manager
Correspondence with Agencies	7 years	Manager/Engineer/ Environmental Manager
Training Records	7 years	Manager
Medical Records	*Historic	Administrative/Manager
Maintenance Logs	7 years	Manager
NOTE: *Historic records are maintained for the life of the facility.		

Figures

Figure 1

Site Plan

Plotted: Oct 20, 2020 - 8:04AM SYR By: gmeverson
Z:\BL-Vault\02\18217AD2-1C71-4823-8927-99D5C4054147\0\1737000-1737999\1737937\1\1242.062.002_Site Figure (ID 1737937).dwg



WASTE MANAGEMENT OF NY, LLC PORT OF ALBANY TRANSFER STATION TRAFFIC REPORT SITE PLAN	Barton & Loguidice	Date OCTOBER 2020
		Scale 1"=100'
		Figure Number FIGURE 1
		Project Number 1242.062.002
ALBANY COUNTY, NEW YORK		CITY OF ALBANY

Figure 2

Emergency Exit Plan

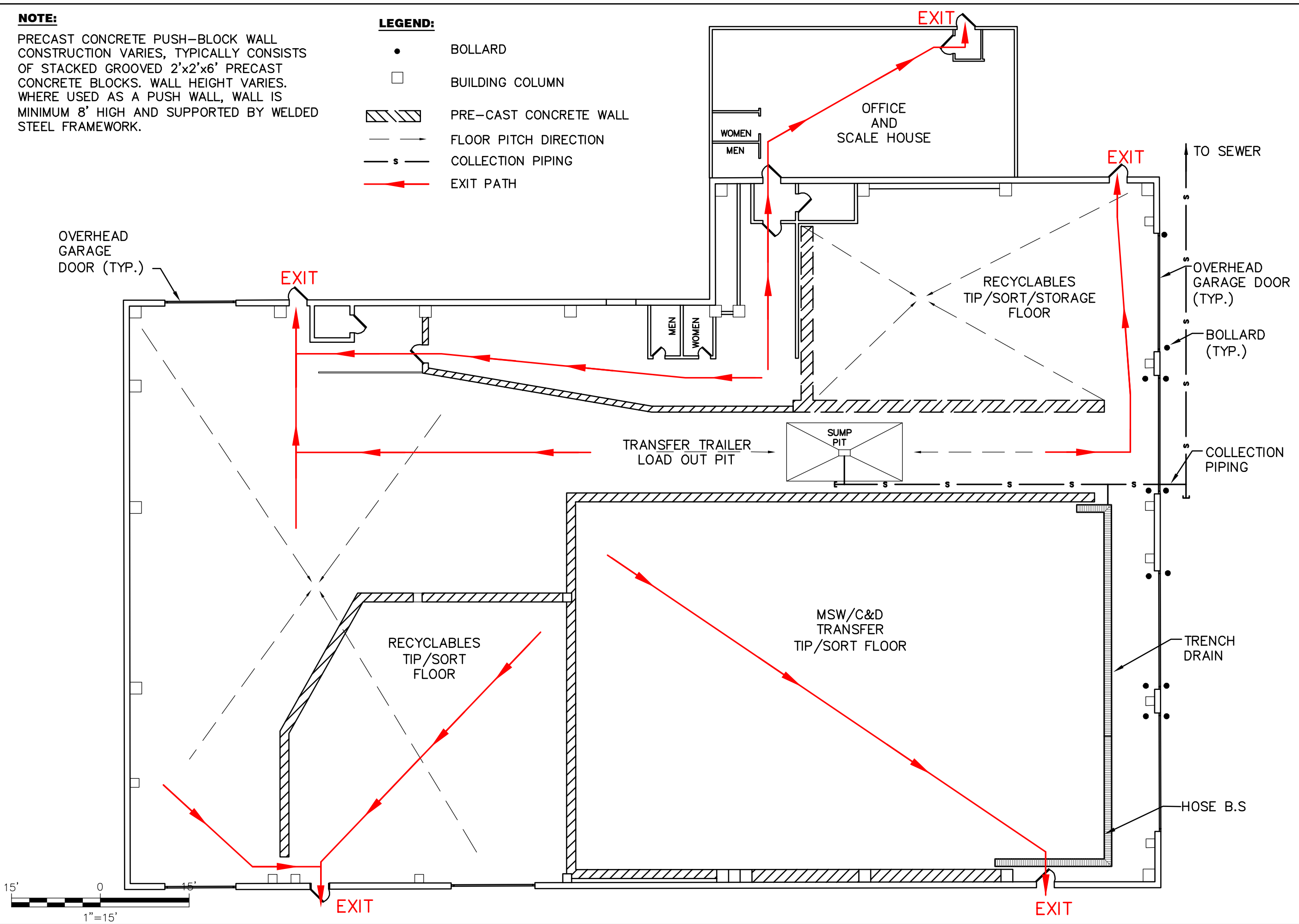
Plotted: Nov 26, 2019 - 4:42PM SYR By: pmm
Z: \\BL-Vault\\D2\\18217AD2-1C71-4823-8927-99D5C4054147\\D\\1432000-1432999\\1432767\\PORT OF ALBANY_FLOOR PLAN (ID 1432767).dwg

NOTE:

PRECAST CONCRETE PUSH-BLOCK WALL CONSTRUCTION VARIES, TYPICALLY CONSISTS OF STACKED GROOVED 2'x2'x6' PRECAST CONCRETE BLOCKS. WALL HEIGHT VARIES. WHERE USED AS A PUSH WALL, WALL IS MINIMUM 8' HIGH AND SUPPORTED BY WELDED STEEL FRAMEWORK.

LEGEND:

- BOLLARD
- BUILDING COLUMN
- ▨ PRE-CAST CONCRETE WALL
- FLOOR PITCH DIRECTION
- s- COLLECTION PIPING
- EXIT PATH



WASTE MANAGEMENT OF NY, LLC
PORT OF ALBANY TRANSFER STATION
FACILITY MANUAL
EMERGENCY EXIT PLAN

Barton & Loguidice

Date
AUGUST 2019

Scale
1"=15'

Figure Number
FIGURE 2

Project Number
1242.062.002

Appendices

Appendix A

Unauthorized Waste Procedures



Eastern NY
~~HUDSON VALLEY~~ DISTRICT
Unauthorized Waste Procedures
For Hauling and Transfer Stations

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Eastern NY
WM - ~~HUDSON VALLEY~~ DISTRICT

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TAB A



WASTE MANAGEMENT

Hudson Valley District

Policy Number: 8-3

Effective Date: 1/97

Revision Date: 1/98, 6/98, 6/99, 7/99, 4/00, 9/00, 12/01, 3/02, 4/03

PROCEDURES FOR UNAUTHORIZED WASTE FOUND IN CONTAINERS AND TRUCKS

PURPOSE: To establish a policy, procedures and work practices to be followed in the event that unauthorized waste is discovered in containers and trucks.

POLICY: To the extent possible all wastes shall be visually inspected and monitored to identify unauthorized wastes. Any identified unauthorized waste will not be accepted.

PROCEDURE:

1) **Responsibilities:** Due to the many people involved in hauling operations their responsibilities are as follows:

a) **Employee(s)**

- i) Report potential or actual unauthorized waste immediately to your Supervisor and Dispatch Operator
- ii) Do not dump container or leave location until cleared by the Supervisor and/or the District Manager.

b) **Supervisor**

- i) Notify District Manager
- ii) Respond to scene.
- iii) Check the potential or actual unauthorized waste to see if it is unauthorized waste.
- iv) Contact the appropriate agency if unauthorized waste is found. (Numbers are in Section II of the procedure).
- v) Complete Unauthorized Waste Report Form (UWR, Attachment A).

c) **District Manager**

- i) Respond to scene, if necessary.
- ii) Check the potential or actual unauthorized waste to see if it is unauthorized waste.
- iii) Contact the appropriate agency if unauthorized waste is found. (Numbers are in Section II of the procedure).
- iv) Complete UWR (Attachment A), if necessary.
- v) Ensure all evidence and information is gathered.

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d) Environmental Compliance Manager

- i) Ensure all evidence and information is gathered.
- ii) Submit final Report to Regulatory Agency

2) Notification Procedures for Unauthorized Waste Incidents

- a) Immediately notify the authorities according to the material found:

Note: If major body parts or human corpses are found, do not touch or move them. Call 911 immediately.

- i) For Hazardous Waste and Regulated Medical Waste (RMW):

New York State Department of Environmental Conservation (DEC):
(800) 847-7332 (TIPS-DEC, 24 hours)

Region 3: 845-256-3000 (office)
845-255-3414 (fax)

Region 4: 518-357-2234 (office)
518-357-2398 (fax)

Region 5: 518-897-1200 (office)
518-897-1394 (fax)

Region 6: 315-785-2239 (office)
315-785-2242 (fax)

Region 7: 315-426-7400 (office)
315-426-7408 (fax)

- ii) For Hazardous Waste and RMW originating from a hospital or other primary care facilities only (Article 28 facilities):

NYS Department of Health
Delton Courtney, Health Program Administrator for the Bureau of Hospital and
Primary Care Services
Phone: 518-402-1004
Fax: 518-402-1010

The MA Environmental Compliance Manager is verbally notified at (518) 469-8944 and the UWR is faxed to the MA Environmental Manager at (518) 456-2518. The UWR must be **completely** filled out paying close attention to filling out the name of the driver, the generator, the materials found, the times that each regulatory agency and the generator

UNAUTHORIZED WASTE PROCEDURES

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arrived, and the evidence taken by any party (write "Unknown" for data not obtained and the reason why such data was not obtained).

3) Identification for Categories of Unauthorized Wastes

a) Unauthorized Waste

- i) Identification: Wastes that a facility is not permitted to accept, including but not limited to RMW, Electronic scrap, Computer scrap, hazardous waste (paints, solvents, pesticides, etc.), high mercury content fluorescent light bulbs and lead acid batteries. To determine facility specific unauthorized wastes, review facility engineering reports, permits, and registrations. Contact the MA Environmental Compliance Manager for clarifications.

b) Hazardous Wastes

i) Identification:

- (1) A chemical waste in solid, gas or liquid form that can pose physical (body) and health hazards to employees and the public if disposed of improperly.
- (2) A material is hazardous if it has one of the following characteristics: ignitable, corrosive, reactive, or toxic. It is also hazardous if the waste is listed by the United States Environmental Protection Agency (EPA) and/or the New York State Department of Environmental Conservation (DEC) as being hazardous.
 - (a) **Ignitable**: a material that ignites at less than 100° F. Examples: gasoline, methane, propane, other natural gases, paint thinner, oil based paints, etc.
 - (b) **Corrosive**: a liquid or solid that "eats away" human tissue and/or corrode steel at a high rate. Example: battery acid,

Acids: chemicals with a pH less than 2.0

Bases: chemicals with a pH greater than 12.5

- (c) **Reactive**: a material that reacts with other chemicals.

Examples: Bleach and ammonia, etc.

- (d) **Toxic**: a material that is poisonous. Examples: lead, cadmium, etc.

- (3) **Explosives**: Any chemical compound, mixture or device that will detonate in the presence of heat or due to a shock. Example: dynamite, picric acid, etc.

- (4) **Contaminated Containers**: All empty containers that once held hazardous material. Example: a 5-gallon pail that once held ethanol, thinner, etc.

- (5) **Gas**: Any pressurized vessel containing a gaseous material or a liquid, which will readily become a gas when under normal room temperature. Examples: Freon 11, 12, 22, propane tanks, etc.

- (6) **Asbestos**: asbestos and asbestos containing materials are not accepted at Waste Management sites (unless the site is permitted to receive asbestos).

- (7) **Chemotherapy waste**. These wastes are usually generated when patients are under treatment for cancer. Although, these wastes are not radioactive, they are usually identified as dangerous drugs that even small amounts can pose a health hazard to workers. Chemotherapy wastes generated at health care facilities are not accepted at

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Waste Management sites. They can be identified by a yellow or white bag with the word "Chemo" or "Hazardous Drugs".

Note: If unknown chemicals are discovered in a container or truck, do not open any containers, **immediately notify the District Manager**. The manager shall notify the Environmental Compliance Manager so appropriate actions are taken (i.e., unknowns may have to be sent to a lab, etc.)

c) Regulated Medical Waste (RMW)

i) Identification: The following definition is in accordance with regulations from New York State.

(1) RMW is defined by the State of New York in 6NYCRR 360-17.2 as follows:

- (a) A regulated medical waste is any medical waste that is a solid waste generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals, that is not excluded or exempted below.
- (b) Cultures and stocks of infectious agents and associated biologicals, including: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures;
- (c) Human pathological wastes, including tissues, organs, body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers;
- (d) Liquid waste human blood, products of human blood, items saturated and/or dripping with human blood, or items that were saturated and/or dripping with human blood that are now caked with dried human blood, including serum, plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also included in this category;
- (e) Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips;
- (f) Contaminated animal carcasses, body parts, and bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals, or testing of pharmaceuticals;
- (g) Wastes from surgery or autopsy that were in contact with infectious agents, including soiled dressings, sponges, drapes, lavage tubes, drainage sets, underpads, and surgical gloves;

UNAUTHORIZED WASTE PROCEDURES**POLICY NUMBER: 8-3**

- (h) Laboratory wastes from medical, pathological, pharmaceutical, or other research, commercial, or industrial laboratories that were in contact with infectious agents, including slides and cover slips, disposable gloves, laboratory coats, and aprons
 - (i) Dialysis wastes that were in contact with the blood of patients undergoing hemodialysis or renal dialysis, including contaminated disposable equipment and supplies such as tubing, filters, disposable sheets, towels, gloves, aprons, and laboratory coats;
 - (j) Biological waste and discarded materials contaminated with blood, excretion, exudates, or secretion from humans who are isolated to protect others from certain highly communicable diseases, or isolated animals known to be infected with highly communicable diseases; and
 - (k) The following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.
- (2) Exclusions and exemptions:
- (a) Household waste is not RMW;
 - (b) Ash from incineration of RMW is not RMW once the incineration process has been completed;
 - (c) Residues from treatment and destruction processes are no longer RMW once the waste has been both treated and destroyed; and,
 - (d) Human corpses, remains, and anatomical parts that are intended for interment or cremation are not RMW.
 - (e) Samples of RMW transported off-site by EPA or State-designated enforcement personnel for enforcement purposes are exempt from the requirements of this Part during the enforcement proceeding;

For ENYMA a definition for regulated medical waste has been formulated from the most stringent definitions of the receiving disposal facility states, including New Jersey, Pennsylvania, Virginia, Ohio, Connecticut and Delaware. For the purposes of all ENYMA transfer station employees the definition of RMW is as listed below. There shall be no deviation from this definition.

- (3) Regulated Medical waste shall include the following:
- (a) Cultures and Stocks. Cultures and stocks of infectious agents and associated biologicals, including the following: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines except for residue in emptied containers; and culture dishes, assemblies and devices used to conduct diagnostic tests or transfer, inoculate and mix cultures.
 - (b) Sharps: This waste shall include but not be limited to used and unused sharps used in animal or human patient care, medical research, or in clinical or pharmaceutical laboratories. This also includes sharp or potentially sharp if broken items such as hypodermic needles, all syringes to which a needle can be attached (with or without the attached needle).

UNAUTHORIZED WASTE PROCEDURES

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Example: hypodermic, intravenous, or other medical needles. Scalpel blades, blood vials, broken and unbroken glass contaminated with blood, needles with attached tubing, culture dishes (regardless of the presence of infectious agents).

- (c) Pathological wastes: Human pathological wastes, including tissues, organs and body parts and body fluids that are removed during surgery, autopsy, other medical procedures or laboratory procedures. The term does not include hair, nails or extracted teeth.
- (d) Human blood and body fluid waste: These are liquid waste human blood, blood products such as serum and plasma, items saturated with and dripping human blood; items that were saturated or dripping with human blood and that are now caked with dried human blood, including serum, plasma and other blood components and their containers, which were used or intended for use in patient care, specimen testing, or the development of pharmaceuticals; intravenous bags that have been used for blood transfusions; items including dialysate that have been in contact with the blood of patients undergoing hemodialysis at hospitals or independent treatment centers; items contaminated by body fluids from persons during surgery, autopsy, other medical procedures or laboratory procedures; specimen of blood products or body fluids, and their containers.
- (e) Animal waste: This waste is carcasses, body parts, body fluids, blood or bedding generated from animals suspected or known to be contaminated with infectious agents. Ex: animals used for research that are injected with HIV.
- (f) Human tissue: Any human body parts except teeth and gum.
- (g) Isolation wastes: Biological waste and waste contaminated with blood, excretion, exudes or secretion from humans or animals isolated with virulent diseases. Isolated animals known or suspected to be infected with highly virulent diseases.
- (h) Laboratory wastes: Laboratory wastes that were, or are likely to have been, in contact with infectious agents that may present a substantial threat to public health if improperly managed.

Autoclaved waste will not be accepted at any WM of NYC transfer station. This material should be transported to the BFI facility located at Porter and Thames Streets in Brooklyn, NY.

- (4) Regulated Medical Waste shall not include:
 - (a) Meat or other food items being discarded because of spillage or contamination, unless as described above.
 - (b) Used products for personal hygiene, such as diapers, facial tissues, and sanitary napkins.
 - (c) Material, not including sharps, containing small amounts of blood or body fluids, and no free-flowing or unabsorbed liquid.
 - (d) Fecal matter and urine from animals and humans, unless the product is suspected of being contaminated with an animal or human pathogen.
 - (e) I.V. tubing, gowns, or any other medical items that are not saturated with blood, blood products (dripping blood) or body fluids or that are not contaminated with such blood and fluids.

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However, solid waste from health care facilities (hospital, nursing homes, etc.) containing materials listed in items iii) through v) must not be sent to Virginia.

Please note: *If you are unsure if the material is regulated medical waste or you think it might be regulated medical waste – **TREAT IT AS MEDICAL WASTE** and immediately contact your Supervisor for additional assistance. Medical Waste is to be managed within New York State.*

Any waste that has been in contact with or in the vicinity of RMW, but has been deemed MSW by the regulatory agencies must be incinerated within the state of New York.

d) Radioactive Wastes

i) Identification

Radioactive wastes are materials that are undergoing decay or transforming to a different chemical. While these materials are decaying, they emit energy that can pose a health hazard to workers and the general public. Radioactive materials are usually used in healthcare facilities such as hospitals and laboratories to treat patients suffering from cancer and to conduct research with cancerous tissues. Hauling Divisions may discover radioactive wastes in the following forms:

- (1) Liquid wastes. Liquid scintillation wastes generated from university hospitals, laboratories, etc: Example: scintillation cocktails, patient urine, etc.
- (2) Solid wastes. These can also be generated at the institutions mentioned above and also in households where patients are under treatment. Example: animals carcasses. Disposable or unusable contaminated labware, protective wear, spill clean up materials contaminated with radioactive materials; sharps such as needles; soiled diapers, gowns, gloves, and personal items.

4) Procedures

a) Container

- i) Open lid of container and visually look for any potential or actual unauthorized waste.
- ii) If potential or actual unauthorized waste is noted in the container, the driver and/or helper must immediately report to Dispatch and the Supervisor. **DO NOT** dump the container into the truck.
- iii) Upon arrival at the scene, the Supervisor must determine if the waste is unauthorized waste.
- iv) The determination of the waste will decide which action should be taken.
 - (1) If the load is not unauthorized waste the container can be dumped into the hopper of the truck. The supervisor must observe the entire contents of the container being dumped into the hopper of the truck. **If at any time there is any indication of unauthorized waste the dumping must be stopped and the actions of No. 2 below must be taken.**
 - (2) If the load is unauthorized waste, the container must not be dumped. The supervisor must contact the District Manager, the Environmental Director, the NYSDEC (RMW,

UNAUTHORIZED WASTE PROCEDURES

POLICY NUMBER: 8-3

hazardous waste, radioactive waste), and/or the NYSDOH (RMW and radioactive material from Article 28 facility only) at the phone numbers listed in Section III (B) of Policy Number 8-1.

- v) The supervisor must remain with the container until the appropriate agency arrives.
- vi) Follow the directions of the appropriate agency.
- vii) Take at least two (2) pictures of the unauthorized waste (mark date, time, and the name of the generator on the pictures)
- viii) In either instance the Supervisor or Manager is to fill out the UWR form.

b) Hopper of Truck

- i) If potential or actual unauthorized waste is found in the hopper, the driver and/or helper must immediately contact Dispatch and the Supervisor. **DO NOT** leave the scene.
- ii) Upon arrival at the scene, the Supervisor must determine if the waste is unauthorized waste.
- iii) The determination of the waste will decide which action should be taken.
 - (1) If the load is not unauthorized waste the hopper can be cycled and the truck may continue on it's route. The Supervisor must remain and observe the hopper being cycled. **If at any time there is any indication of unauthorized waste, the cycling must be stopped and the actions of No. 2 must be taken.**
 - (2) If the load is unauthorized waste, the hopper must not be cycled. The supervisor must contact the District Manager, the Environmental Director, the NYSDEC (RMW, hazardous waste, radioactive material), or the NYCDOH (radioactive material and RMW from an Article 28 facility only) at the phone numbers listed in Section III (B) of Policy Number 8-1.
- iv) The Supervisor must remain with the truck until the appropriate agency arrives.
- v) Follow the directions of the appropriate agency.
- vi) Take at least two (2) pictures of the unauthorized waste (mark date, time, and the name of the generator on the pictures).
- vii) In either instance, the Supervisor or Manager is to fill out the UWR form.

5) General Emergency Procedures

If a worker becomes heavily contaminated with radioactive waste, blood or bodily fluids, chemicals or sustains an injury such as needle stick while working, follow these steps:

1. Isolate worker from the source (radiation, liquid blood, chemicals), and ask him/her to disrobe and cover the worker with a clean blanket or change of clothes and call 911 for an ambulance.
2. If the injury is not life threatening (i.e., needle sticks), have the worker checked out at a clinic or hospital.
3. Fill out an accident/injury report, notify the insurance company at 1-800-WMI-1032 and contact the New York State Data Specialist.

TAB B

Policy Number: 8-1

Effective Date: 1/97

Revision Date: 1/98, 6/98, 6/99, 7/99, 4/00, 9/00, 3/02, 4/03

UNAUTHORIZED WASTE PROCEDURES including Hazardous, Regulated Medical and Radioactive Wastes

PURPOSE: To establish a policy, procedures and work practices to be followed in the event that unauthorized waste is discovered.

SCOPE: All Waste Management of New York, LLC transfer stations and recycling facilities in the Eastern New York Market Area

POLICY: All loads entering the facilities shall be visually inspected and monitored to identify unauthorized wastes. Any identified unauthorized waste will not be accepted.

PROCEDURE:

I. Responsibilities

1. The District Manager has overall responsibility for the implementation of the Unauthorized Waste Control Plan for transfer stations and recycling facilities. The MA Environmental Compliance Manager shall also provide technical assistance and support on matters pertaining to unauthorized wastes and related training.
2. The general workforce is responsible for carrying out the procedures and practices outlined in this document regarding the identification, segregation, and notification of unauthorized waste.
3. The MA Environmental Compliance Manager has the following responsibilities: developing and implementing waste control program and procedures, developing and coordinating the Unauthorized Waste Control Plan and procedures, performing environmental audits, reporting incidents, and compliance assurance.
4. Waste Management drivers are responsible for abiding by the practices and procedures outlined in this plan as well as the procedures contained in the Waste Management of New York, LLC "Procedure for Unauthorized Waste Found in Containers or Trucks".

II. Safe Work Practices

1. Do not expose yourself more than necessary to hazardous wastes, regulated medical wastes, and radioactive wastes.
2. Adhere to all company safety policies. Do not permit people on the tipping floor. If it is absolutely necessary (i.e. requested by a regulatory agency), turn off all equipment inside the transfer station before allowing persons on the tipping floor.
3. Don personal protective equipment (PPE) as described in further sections.
4. Do not wander around offices, lunchrooms, and other meeting places while wearing contaminated PPE.
5. Wash your hands with soap and water after removing PPE.
6. Once identified, isolate unauthorized waste from other waste to prevent further contamination without compromising your health or safety. Do not mix unauthorized wastes with other wastes.
7. Immediately report any injuries to your supervisor.

III. Notification Procedures for Unauthorized Waste Incidents

At Waste Management, in order for a load to be accepted, the hauler must have received both in-bound and out-bound tickets. The load is not accepted when it is tipped. WM reserves the right to reject any suspicious loads and any loads containing any of the wastes not permitted as per each facility's engineering report.

Note: If major body parts or human corpses are found, do not touch or move them. **Cease all operations. Immediately notify the District Manager.** The Manager shall immediately call 911 to report the finding.

When hazardous waste and/or regulated medical waste is found, follow these steps:

A. Non-WM Hauler:

1. If the incoming hazardous waste, radioactive waste and/or RMW is identified prior to being commingled with other materials on the tipping floor or the rest of the solid waste, the load is rejected and the hauling company is notified. Document the rejection on an Unauthorized Waste Report Form (UWR). See "Attachment A".
 - a. If the material is hazardous waste, the UWR form is faxed to the MA Environmental Compliance Manager within 24 hours and is maintained at

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the facility for NYSDEC staff review if requested. Verbal communication with the MA Environmental Compliance Manager is recommended at the time of the incident. The incident is to be included in the annual report.

- b. If the material is RMW or Radioactive waste, the UWR is to be faxed immediately, incomplete if necessary, to the NYSDEC Region Solid Waste Engineer, to the NYSDOH Health Program Administrator for the Bureau of Hospital and Primary Care Services (if the generator is an Article 28 facility) and to the MA Environmental Compliance Manager. See section III (B)(3) for contact information. Verbal communication with the MBA Environmental Compliance Manager is mandatory at the time of the incident. Notify the generator and the hauling company. Take at least two (2) pictures of the material and attach to the UWR. Make note of the time, date, and the name of the hauler/generator on the back of the picture. If a digital camera is used, write the disk number and picture number on the UWR. Follow-up reports (using the same UWR form) are to be submitted 24 hours after the incident and again one (1) week following the incident (or as soon as all information is available) to all regulatory agencies involved and to the MA Environmental Compliance Manager. Maintain the UWR form at the facility for future review by regulatory agency staff, if requested. The incident is to be included in the annual report.
2. If the hazardous waste, radioactive waste and/or RMW has commingled with other materials on the tipping floor and/or solid waste, isolate the area. Proceed as described in Section III (A)(1)(b) above.

B. WM Truck:

1. Follow the same steps as in Section III (A)(1)(b) above and ask the driver to witness the material found and sign the ticket (the ticket documents the material type and amount found).
2. Attach the pictures to the copy of the ticket in which the driver has already printed and signed his or her name on. Place the ticket on the unauthorized material or other container belonging to each generator, once the material has been segregated.
3. Regulatory Agency contact numbers:
 - a. For all Unauthorized Waste notify the Region Solid Waste Engineer:

New York State Department of Environmental Conservation
Region 3: 845-256-3000 (office)
845-255-3414 (fax)
Region 4: 518-357-2234 (office)

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Region 5: 518-357-2398 (fax)
518-897-1200 (office)
518-897-1394 (fax)
Region 6: 315-785-2239 (office)
315-785-2242 (fax)
Region 7: 315-426-7400 (office)
315-426-7408 (fax)

- b. For RMW or Radioactive waste originating from a hospital or other primary care facilities only (Article 28 facilities):

NYS Department of Health
Delton Courtney, Health Program Administrator for the Bureau of
Hospital and Primary Care Services
Phone: 518-402-1004
Fax: 518-402-1010

- c. For all Radioactive Waste:

Bureau of Radiation and Hazardous Site Management
Phone: 518-402-8579
Fax: 518-402-8646
Contact: John Zeh or John Abunaw

The MA Environmental Compliance Manager is notified at (518) 469-8944 and the UWR is faxed to the Environmental Director at (518) 456-2518. The UWR must be **completely** filled out paying close attention to filling out the name of the driver, the generator, the materials found, the times that each regulatory agency and the generator arrived, and the evidence taken by any party (write "Unknown" for data not obtained and the reason why such data was not obtained).

IV. Identification, Segregation and Handling Procedures for Categories of Unauthorized Wastes

The following section describes procedures for the identification, segregation and handling for each category of unauthorized waste.

A. Unauthorized Waste

1. **Identification:** Wastes that a facility is not permitted to accept, include but are not limited to RMW, Electronic scrap, Computer scrap, hazardous waste (paints, solvents, pesticides, etc.), high mercury content fluorescent light bulbs and lead acid batteries. To determine facility specific unauthorized wastes, review facility engineering reports, permits, and registrations. Contact the MA Environmental Compliance Manager for clarifications.

2. Segregation and Handling: Any unauthorized waste, except hazardous and RMW, which the facility is not permitted to accept, shall be managed by one of the following two methods. Document the method used to manage the material in the UWR form.

All Haulers (including WM)

- a. Reload the truck and reject the load and/or load rolloff and remove;
- b. If the truck cannot be reloaded and the waste is left on site, arrange with the hauler for the waste to be disposed of and charge the appropriate fees to the hauler. Material is to be stored in a secure manner away from normal operating activities while on site. See Attachment B for information on permitted handlers of various waste streams.

B. Hazardous Wastes

1. Identification:

- a. A chemical waste in solid, gas or liquid form that can pose physical (body) and health hazards to employees and the public if disposed of improperly.
- b. A material is hazardous if it has one of the following characteristics: ignitable, corrosive, reactive, or toxic. It is also hazardous if the waste is listed by the United States Environmental Protection Agency (EPA) and/or the New York State Department of Environmental Conservation (DEC) as being hazardous.

i. **Ignitable**: a material that ignites at less than 100° F. Examples: gasoline, methane, propane, other natural gases, paint thinner, oil based paints, etc.

ii. **Corrosive**: a liquid or solid that "eats away" human tissue and/or corrode steel at a high rate. Example: battery acid,

Acids: chemicals with a pH less than 2.0
Bases: chemicals with a pH greater than 12.5

iii. **Reactive**: a material that reacts with other chemicals.
Examples: Bleach and ammonia, etc.

iv. **Toxic**: a material that is poisonous. Examples: lead, cadmium, etc.

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POLICY NUMBER: 8-1

- c. *Explosives:* Any chemical compound, mixture or device that will detonate in the presence of heat or due to a shock. Example: dynamite, picric acid, etc.
 - d. *Contaminated Containers:* All empty containers that once held hazardous material. Example: a 5-gallon pail that once held ethanol, thinner, etc.
 - e. *Gas:* Any pressurized vessel containing a gaseous material or a liquid, which will readily become a gas when under normal room temperature. Examples: Freon 11, 12, 22, propane tanks, etc.
 - f. *Asbestos:* asbestos and asbestos containing materials are not accepted at Waste Management sites (unless the site is permitted to receive asbestos).
 - g. *Chemotherapy waste.* These wastes are usually generated when patients are under treatment for cancer. Although, these wastes are not radioactive, they are usually identified as dangerous drugs that even small amounts can pose a health hazard to workers. Chemotherapy wastes generated at health care facilities are not accepted at Waste Management sites. They can be identified by a yellow or white bag with the word "Chemo" or "Hazardous Drugs".
2. Segregation and Handling: If hazardous waste is found on the tipping floor, the following steps should be taken:
- a. **Non-WM Hauler:**
 - i. If the incoming hazardous waste has not contaminated the tipping floor and the rest of the solid waste, then reload the truck, reject the load, and document the rejection in a UWR form. Retain the UWR form at the facility for future review by NYSDEC staff if requested.
 - ii. If the hazardous waste has contaminated the tipping floor and other solid waste, then isolate the waste by constructing a barrier, cordoning off the area with cones and/or yellow barrier tape. Evacuate all personnel in the immediate area. Notify the NYSDEC Region office and the MA Environmental Compliance Manager.
 - iii. Take at least (2) two pictures of the hazardous waste (the date, time, and the name of the generator/hauler are marked on the pictures). If a digital camera is used, write the disk number and the picture number on the report. The pictures are attached to the copy of the UWR form.

b. **WM Truck:**

UNAUTHORIZED WASTE PROCEDURES

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- i. The driver is asked to witness the material found and sign the ticket (the ticket documents the material type and amount found).
- ii. Take at least (2) two pictures of the hazardous waste (the date, time, and the name of the generator/hauler are marked on the pictures). If a digital camera is used, write the disk number and the picture number on the report.
- iii. The pictures are attached to the copy of the ticket in which the driver has already printed and signed his or her name on, and the ticket is placed on the unauthorized material or other container belonging to each generator, once the material has been segregated as per section IV (B)(2)(a)(ii).
- iv. The agencies are notified as per section III (B)(3)(a) thru (c)
- v. If approved by the MA Environmental Compliance Manager and regulatory agencies, the hazardous waste is placed in the unauthorized waste storage area.
- vi. After all agencies and the generator have inspected the load, the hazardous waste is removed by an authorized licensed and permitted hauler and transported to an approved disposal facility. See Attachment B for a list of permitted hazardous waste haulers.

Note: If unknown chemicals are discovered on the tipping floor, do not open any containers, **immediately notify the District Manager**. The manager shall notify the MA Environmental Compliance Manager so appropriate actions are taken (i.e., unknowns may have to be sent to a lab, etc.)

3. Disposal: Hazardous wastes will be disposed of properly through a licensed hazardous waste disposal facility. Follow these steps when arranging for the transportation and disposal of hazardous waste.
 - a. See Attachment B to arrange for an authorized hazardous waste transporter to package and transport the hazardous waste to an authorized off-site disposal facility.
 - b. After the company has packaged the wastes, ensure that the generator's copies of the hazardous waste manifest remains with Waste Management. The hazardous waste manifest has eight (8) pages. One (1) goes to the Waste Management, two (2) to the NYSDEC (if disposed of in NY), the

rest go with the transporter to the final disposal site. It is the responsibility of Waste Management to mail the NYSDEC copies. It is the responsibility of the transporter and disposal facility to distribute the remaining copies of the manifest. The final disposal site sends Waste Management and the NYSDEC, one page of the manifest certifying that the waste was received and disposed. A copy of the manifest will be sent to Waste Management within 30 days of shipment. It is the facility's responsibility to track the receipt of all manifests is within the 30 days. Immediately notify the transporter and Environmental Compliance Manager if the manifest is not received within the 30 days.

- c. Retain all manifests indefinitely.

4. Personal Protective Equipment

- a. Although each chemical found may require different personal protective equipment, workers must wear chemical resistant apparel when there is a possibility of coming in contact with hazardous chemicals. However, the employee's primary role is to identify possible hazardous chemicals and notify the supervisor immediately.
- b. A minimum of safety glasses and nitrile gloves are available at all Waste Management transfer stations and recycling facilities. The District Manager will assess at the time of the incident the PPE employees will wear if they have to come in contact with hazardous chemicals.

C) **Regulated Medical Waste (RMW)**

- 1. Identification: The following definition is in accordance with regulations from New York State. RMW is defined by the State of New York in 6NYCRR 360-17.2 as follows:

- (a) A regulated medical waste is any medical waste that is a solid waste generated in the diagnosis, treatment (e.g., provision of medical services), or immunization of human beings or animals, in research pertaining thereto, or in the production or testing of biologicals, that is not excluded or exempted below.
- (b) Cultures and stocks of infectious agents and associated biologicals, including: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines; and culture dishes and devices used to transfer, inoculate, and mix cultures;
- (c) Human pathological wastes, including tissues, organs, body parts and body fluids that are removed during surgery or autopsy, or other medical procedures, and specimens of body fluids and their containers;
- (d) Liquid waste human blood, products of human blood, items saturated and/or dripping with human blood, or items that were saturated and/or dripping with human blood that are now caked with dried human blood, including serum,

plasma, and other blood components, and their containers, which were used or intended for use in either patient care, testing and laboratory analysis or the development of pharmaceuticals. Intravenous bags are also included in this category;

- (e) Sharps that have been used in animal or human patient care or treatment or in medical, research, or industrial laboratories, including hypodermic needles, syringes (with or without the attached needle), Pasteur pipettes, scalpel blades, blood vials, needles with attached tubing, culture dishes (regardless of presence of infectious agents). Also included are other types of broken or unbroken glassware that were in contact with infectious agents, such as used slides and cover slips;
- (f) Contaminated animal carcasses, body parts, and bedding of animals that were known to have been exposed to infectious agents during research (including research in veterinary hospitals), production of biologicals, or testing of pharmaceuticals;
- (g) Wastes from surgery or autopsy that were in contact with infectious agents, including soiled dressings, sponges, drapes, lavage tubes, drainage sets, underpads, and surgical gloves;
- (h) Laboratory wastes from medical, pathological, pharmaceutical, or other research, commercial, or industrial laboratories that were in contact with infectious agents, including slides and cover slips, disposable gloves, laboratory coats, and aprons
- (i) Dialysis wastes that were in contact with the blood of patients undergoing hemodialysis or renal dialysis, including contaminated disposable equipment and supplies such as tubing, filters, disposable sheets, towels, gloves, aprons, and laboratory coats;
- (j) Biological waste and discarded materials contaminated with blood, excretion, exudates, or secretion from humans who are isolated to protect others from certain highly communicable diseases, or isolated animals known to be infected with highly communicable diseases; and
- (k) The following unused, discarded sharps: hypodermic needles, suture needles, syringes, and scalpel blades.

(2) Exclusions and exemptions:

- (a) Household waste is not RMW;
- (b) Ash from incineration of RMW is not RMW once the incineration process has been completed;
- (c) Residues from treatment and destruction processes are no longer RMW once the waste has been both treated and destroyed; and,
- (d) Human corpses, remains, and anatomical parts that are intended for interment or cremation are not RMW.
- (e) Samples of RMW transported off-site by EPA or State-designated enforcement personnel for enforcement purposes are exempt from the requirements of this Part during the enforcement proceeding;

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For ENYMA a definition for regulated medical waste has been formulated from the most stringent definitions of the receiving disposal facility states, including New Jersey, Pennsylvania, Virginia, Ohio, Connecticut and Delaware. For the purposes of all ENYMA transfer station employees the definition of RMW is as listed below. There shall be no deviation from this definition.

(3) Regulated Medical waste shall include the following:

- (a) Cultures and Stocks. Cultures and stocks of infectious agents and associated biologicals, including the following: cultures from medical and pathological laboratories; cultures and stocks of infectious agents from research and industrial laboratories; wastes from the production of biologicals; discarded live and attenuated vaccines except for residue in emptied containers; and culture dishes, assemblies and devices used to conduct diagnostic tests or transfer, inoculate and mix cultures.
- (b) Sharps: This waste shall include but not be limited to used and unused sharps used in animal or human patient care, medical research, or in clinical or pharmaceutical laboratories. This also includes sharp or potentially sharp if broken items such as hypodermic needles, all syringes to which a needle can be attached (with or without the attached needle).
Example: hypodermic, intravenous, or other medical needles. Scalpel blades, blood vials, broken and unbroken glass contaminated with blood, needles with attached tubing, culture dishes (regardless of the presence of infectious agents).
- (c) Pathological wastes: Human pathological wastes, including tissues, organs and body parts and body fluids that are removed during surgery, autopsy, other medical procedures or laboratory procedures. The term does not include hair, nails or extracted teeth.
- (d) Human blood and body fluid waste: These are liquid waste human blood, blood products such as serum and plasma, items saturated with and dripping human blood; items that were saturated or dripping with human blood and that are now caked with dried human blood, including serum, plasma and other blood components and their containers, which were used or intended for use in patient care, specimen testing, or the development of pharmaceuticals; intravenous bags that have been used for blood transfusions; items including dialysate that have been in contact with the blood of patients undergoing hemodialysis at hospitals or independent treatment centers; items contaminated by body fluids from persons during surgery, autopsy, other medical procedures or laboratory procedures; specimen of blood products or body fluids, and their containers.
- (e) Animal waste: This waste is carcasses, body parts, body fluids, blood or bedding generated from animals suspected or known to be contaminated with infectious agents. Ex: animals used for research that are injected with HIV.
- (f) Human tissue: Any human body parts except teeth and gum.
- (g) Isolation wastes: Biological waste and waste contaminated with blood, excretion, exudes or secretion from humans or animals isolated with virulent

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diseases. Isolated animals known or suspected to be infected with highly virulent diseases.

- (h) Laboratory wastes: Laboratory wastes that were, or are likely to have been, in contact with infectious agents that may present a substantial threat to public health if improperly managed.

Autoclaved waste will not be accepted at any WM of NYC transfer station. This material should be transported to the BFI facility located at Porter and Thames Streets in Brooklyn, NY.

- (4) Regulated Medical Waste shall not include:

- (a) Meat or other food items being discarded because of spillage or contamination, unless as described above.
- (b) Used products for personal hygiene, such as diapers, facial tissues, and sanitary napkins.
- (c) Material, not including sharps, containing small amounts of blood or body fluids, and no free-flowing or unabsorbed liquid.
- (d) Fecal matter and urine from animals and humans, unless the product is suspected of being contaminated with an animal or human pathogen.
- (e) I.V. tubing, gowns, or any other medical items that are not saturated with blood, blood products (dripping blood) or body fluids or that are not contaminated with such blood and fluids.

However, solid waste from health care facilities (hospital, nursing homes, etc.) containing materials listed in items iii) through v) must not be sent to Virginia.

Please note: *If you are unsure if the material is regulated medical waste or you think it might be regulated medical waste – **TREAT IT AS MEDICAL WASTE** and immediately contact your Supervisor for additional assistance. Medical Waste is to be managed within New York State.*

Any waste that has been in contact with or in the vicinity of RMW, but has been deemed MSW by the regulatory agencies must be incinerated within the state of New York.

2. Identification of Health Care Facility Waste

All WM owned putrescible solid waste transfer stations are to have personnel in the inbound scale house that question the drivers as to whether or not their load contains waste generated at a health care facility. If the driver answers "yes", that load is identified and a thorough inspection of the load before and after tipping will be conducted. If unauthorized waste is found, the load is rejected. A UWR form is to be completed and faxed to the NYSDEC Region Office, the WM Compliance Manager and the State Department of Health.

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3. Regulated Medical Waste Segregation and Handling

- a. When health care facility waste is suspected, equipment operators should thoroughly inspect the load by looking for visible leads such as bags red in color, the biohazard symbol, and the "Infectious Waste" and "Regulated Medical Wastes" wordings. Also, items such as I.V. tubing and sharps containers will indicate that the load may contain RMW.
- b. If RMW is discovered on the tipping floor, follow the steps outlined in section IV (B)(1)(a)-(b) for hazardous waste.
- c. The regulatory agencies are notified according to section III (B)(3)(a)-(c).
- d. Contact an approved permitted hauler of RMW to segregate, package and transport the material for off site disposal at a permitted facility in New York State. Allow no more than 24 hours for all agencies and the generator to visually inspect the load before off site transportation.

Note: Do not release regulated medical waste or manifests to the generator unless authorized by the DEC. Refer them to the MA Environmental Compliance Manager for any questions. Agencies such as DEC require that haulers be licensed to carry RMW and any other type of hazardous wastes.

4. Discovery of Regulated Medical Waste on Sorting Lines and Balers

Often times, loose sharps, sharps in rigid and non-rigid containers show up on sorting lines. The sharps are usually generated in households or collected from the streets and are usually dumped with the commingled materials. Follow these steps for household sharps:

- a. Sealed sharps containers and/or loose sharps or other RMW:
 - i. Stop the line and call a supervisor.
 - ii. The supervisor directs an experienced employee (employee has started series of Hepatitis B shots) to wear nitrile or latex gloves and a dust mask to remove the sharps and place them in the rigid sharps containers located in a strategic place close to the sorting lines.
 - iii. If there is not an experienced employee available, contact a licensed contractor to conduct the segregating and packaging of the RMW.
- b. If body parts, free flowing blood and/or other RMW are discovered, the District Manager stops line and alerts the MA Environmental Compliance Manager immediately.

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d. **Regulated Medical Wastes in Bales**

If regulated medical waste is found in bales, remove the material and place it in the RMW box. If sharps materials are found, insert in sharps container. Contact the MA Environmental Compliance Manager

e. **Treated (Autoclaved) Regulated Medical Waste**

Waste Management does not accept autoclaved regulated medical waste. Follow the procedure for segregating and handling RMW above. Contact the MA Environmental Compliance Manager

Under no circumstances can autoclaved waste go to Virginia.

If any of the above listed instances are noted on sorting lines or in bales, a UWR form should be completed and faxed to the MA Environmental Compliance Manager.

5. **Disposal**

- a. After the material has been inspected by all parties (allow the generator 24 hours to inspect the load), arrange for disposal of the RMW by calling a hauler licensed to transport RMW as per NYSDEC and EPA regulations. The RMW shall be removed within the period specified in the facility Engineering Reports. All material involved must be managed in New York State.
- b. The hauler must provide a Medical Waste Tracking Form or an equivalent manifest at the time of disposal. Within 30 days, the ultimate disposal facility must send the same MWT form signed and dated. Waste is to be managed from cradle to grave (from generation to final disposal).

6. **Training**

- a. All supervisors, manager, operators, and tipping floor staff are trained in the definition, identification, segregation, handling, storage, and proper disposal of RMW and other unauthorized materials. This training also includes instruction in the recognition and hazards associated with other unauthorized wastes such as radioactive waste, hazardous waste, and non-hazardous wastes.
- b. Managers and Supervisors receive additional training consisting of the following:

RMW:

- Bloodborne Pathogens Standard (29 CFR 1910.1030),

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- Exposure Control Plan, and

Other Unauthorized wastes:

- Chemical spills and radioactive material spills
 - Segregation, storage, handling, and disposal of these spills.
- c. WM will be conducting annual training for all operators, and supervisors on RMW issues. This training will be conducted by a qualified individual and the frequency of this training is subject to change.
- d. Training for new employees will be conducted on an as-needed basis; however all new employees working within a transfer station will be trained on RMW and other unauthorized waste definitions, identification, segregation, handling, and disposal during the first three months of employment.

WM developed a written program to address the requirements for employees who may be exposed to needles, blood, or other materials contaminated with these types of products. A copy of the Exposure Control Plan is included as "Attachment F".

7. Personal Protective Equipment

All employees who retrieve RMW, hazardous waste, and other unacceptable wastes must wear PPE and use the provided tools as follows:

- a. RMW Removal and other Unauthorized Wastes:
- Full body Tyvek suit
 - Disposable booties or washable boots
 - Non-puncture rubber gloves, or other material with equal or greater protection (i.e., latex, nitrile, plastic, etc.)
 - Helmets with splash shield or safety glasses and dust mask
 - Tools:
 - ✓ Tongs
 - ✓ Shovels
 - ✓ Brushes
 - ✓ Poles
 - ✓ Disinfectant solution

8. Decontamination

Any employee that retrieves RMW from a load shall follow these steps during and after the task:

- a. If the RMW is not in a sealed bag, apply a solution of bleach and water (1 part bleach and 10 parts water) to the discovered RMW before removing. Other disinfectants such as antiseptic sprays can also be used. The reason for this action is to avoid inhaling airborne contaminants being generated from the regulated medical waste.
- b. Dispose of tyvek suit, gloves and other contaminated PPE, as appropriate.
- c. Get rid of disposable booties. However, if the boots are washable, spray a bleach and water solution and let it sit for 5 minutes, then wear gloves and clean with a cloth or paper.
- d. If all the PPE show blood or have been in contact with bodily fluids, dispose of it in the RMW box, otherwise, it is regular waste.
- e. Wash hands with soap and water.

D. Radioactive Waste

1. Definitions:

- a. **Background Radiation:** radiation coming from sources other than the radioactive material to be measured. It usually comes from cosmic rays from the sun, the soil, and building materials.
- b. **Distance:** a means to protect oneself from radiation. By doubling the distance from the source of radiation, the exposure would be decreased by $\frac{1}{4}$ of the original amount.
- c. **Half-life:** A means of classifying the rate of decay of radioisotopes according to the time it takes them to lose half their strength (intensity). Half-lives range from fractions of a second to billions of years.
- d. **Ionizing Radiation:** energy emitted by radioactive wastes while decaying.
- e. **Radioactive wastes** are materials that are undergoing decay or transforming to a different chemical that is more stable. While these materials are decaying, they emit energy that, depending on their strength, can pose a health hazard to workers and the general public.
- f. **Shielding:** A barrier that protects workers from harmful radiation released by radioactive materials. Lead bricks, dense concrete, water, and earth are examples of shielding.

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- g. Time: The longer the exposure to the radiation source, the greater the chance for radiation injury.

2. Identification:

Waste Management will attempt to identify radioactive materials before arriving at transfer stations and recycling facilities. Such identification process will be conducted as follows:

- a. Waste Management has sent an indemnification letter to each customer informing them that they are not to dispose of any unauthorized waste, including radioactive wastes at WM facilities.
- b. WM Hauling Division has re-routed customers that may generate radioactive materials such as healthcare facilities.

Additionally, Waste Management screens waste before tipping the waste in the following manner:

- c. Radiation detectors have been installed at some solid waste transfer stations to monitor for radioactive materials.
- d. Scale House Operators ask outside haulers as they come in, if the load contains any unauthorized waste, which includes radioactive wastes.

3. Visual Inspection:

- a. After the load has been tipped, operators visually survey the load to determine if there are any unacceptable materials in the load (i.e. radioactive waste).

4. Segregation and Handling

If a load triggers the radiation detectors or if radioactive waste is discovered on the tipping floor, the following steps shall be taken:

Non-WM Hauler:

- a. If the load triggers the radiation detectors, reject the load and document the rejection on the UWR form (make sure to get the name of the hauler, the truck plate #, and model). Notify the DOH and the other WM solid waste plants in the vicinity of the rejection ASAP, via telephone or Nextel and fax the UWR form to the Ma Environmental Compliance Manager.
- b. If the load bypasses the radiation detectors or detectors are not installed and waste is discovered with the radiation symbol or wording, the District Manager has to determine if it is an empty bag or container using a hand

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held Geiger Counter. Ensure that the radiation detectors are operational (the monitors should show the background on the digital display). If it is an empty bag or container, remove it from the load and give it to the driver to take back.

- c. If the District Manager feels that there may be radioactive material in the load that was not detected by the radiation detectors, then contact the MA Environmental Compliance Manager and the State Safety Specialist for further determination.
- d. If radioactive material was confirmed in the tipped load, isolate the area and keep employees away from that area; then contact the NYSDOH and the NYSDEC and arrange for a complete clean up with the hauler at the hauler's expense.

WM Trucks:

- e. If the truck triggers the radiation detectors, contact NYSDOH, the NYSDEC, the MA Environmental Compliance Manager, and dispatch. When they arrive, tip the load and allow regulatory agencies to look for the radioactive material. The District Manager is to keep the employees away from the area. A pay loader may be used to spread the waste to look for the radioactive source(s).
- f. Once the material is found, take two pictures and arrange for disposal with a company licensed to transport radioactive wastes.
- g. Fill out the UWR form and fax it according to section III (B)(3)(a)-(c).
- h. If a radioactive load bypasses the radiation detectors, follow steps b-d in the Non-WM truck part.

5. Rejected Radioactive Waste Loads:

If a truck is rejected because of radiation at a WM or non-WM transfer station, landfill, or incinerator, follow these steps:

- a. Contact the MA Environmental Compliance Manager.
- b. Survey the truck by driving it through the scale house and through the radiation detectors. For facilities with no radiation detector system, use a hand held Geiger Counter.
- c. If the radiation detectors are triggered, follow a-d in the WM Trucks section.

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- d. If the radiation detectors are not triggered, still fill out a UWR form for verification and documentation purposes and treat the waste as regular waste.

6. Personal Protective Equipment

Radioactive incidents don't frequently take place in Waste Management transfer stations but when they do, the employees who handle and retrieve radioactive waste, RMW, hazardous waste, and other unacceptable wastes must wear PPE and use the provided tools as follows:

Removal of RMW and other Unauthorized Wastes (the PPE needed will depend on the unauthorized waste discovered, check with the Safety Specialists on chemical and radioactive waste incidents):

- Full body Tyvek suit
- Disposable booties or washable boots
- Non-puncture rubber gloves, or other material with equal or greater protection (i.e., nitrile coated, plastic, etc.)
- Helmets with splash shield and safety glasses
- Dust mask
- Tools:
 - ✓ Tongs
 - ✓ Shovels
 - ✓ Brushes
 - ✓ Poles
 - ✓ Disinfectant solution

7. Decontamination

Any employee who is contaminated with radioactive waste shall follow these steps during and after the task:

- a. The employee must stay in the contaminated area to be surveyed with a Geiger Counter by the Health and Safety Department. Once surveyed, follow these steps:
 - i. If the employee is contaminated, dispose of Tyvek suit and other PPE or have the employee remove the pieces of clothes that are contaminated (this should eliminate about 90% of the contamination) and bag the clothes to be surveyed again later.
 - ii. If the employee is still contaminated, he/she must wash the contaminated area with soap and water. Try not to use too much water to avoid having a lot of contaminated water.

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- iii. If after surveyed again, the employee is still contaminated, call 911 for the Fire Department Hazardous Materials Unit for assistance and send the employee to the hospital to be examined.
- iv. If the PPE show blood or have been in contact with bodily fluids, dispose of it in the RMW box, otherwise, it is regular waste.
- v. Wash hands with soap and water.

8. Alarm Set Points

The Bicon detectors should be set between twice (2) and four (4) times the background. This setting can be verified by turning the knob to alarm set and reading the digital display. At this time, the detectors will be set at twice (2) the background but WM reserves the right to change it at any time.

9. Testing and Calibration of Radiation Detection Units

Radiation detectors are sensitive units that need to be tested and calibrated periodically and in accordance with the manufacturer's instructions.

1. *Daily Background Reading*

Facilities that currently have Bicon detectors must ensure that those units are working properly. At the beginning of each shift, the supervisor or his/her designee must read the background radiation on the monitor and write it on the table on Attachment C (Daily Background Reading). Full tables must be replaced and kept for at least a year.

2. *Calibration*

The radiation detector units must be sent out for calibration annually and as necessary. JRT Associates is currently performing all repairs and calibration services for Waste Management of New York. They can be reached at (800) 221-0111.

10. Disposal

Waste Management is not licensed to transport or store radioactive waste, therefore; any radioactive waste that is discovered must be disposed of as soon as possible. Contact a hauler that is licensed to transport and store radioactive materials for proper disposal.

11. Training

All supervisors, managers, scale operators, and operators are trained in the definition, identification, hazards, segregation, handling, and proper disposal of radioactive wastes. This training also includes instruction in the recognition and hazards associated with other unauthorized wastes such as hazardous waste and regulated medical wastes. No employee should handle radioactive wastes without the appropriate training and personal protection.

Managers and Supervisors receive additional training consisting of the following:

- Radioactive material spills.
- Segregation, storage, handling, and disposal of these spills.
- Actions to take in case of contamination.

E. Mixed Unauthorized Wastes

If at any time, mixed waste is discovered, manage the incident according to severity of the hazard. That is, a radioactive waste is managed first, then hazardous wastes and last regulated medical waste. Notify both the NYSDOH and NYSDEC for mixed waste incidents.

VI. General Emergency Procedures

If a worker becomes heavily contaminated with radioactive waste, blood or bodily fluids, chemicals or sustains an injury such as needle stick while working, follow these steps:

1. Isolate worker from the source (radiation, liquid blood, chemicals), and ask him/her to remove contaminated clothing and wash contacted areas immediately with disinfectant soap and water.
2. As soon as practical escort the individual to a hospital for treatment. Call 911 if necessary.
3. If the injury is not life threatening (i.e., needle sticks), call the company doctor if necessary. (See the Exposure Control Plan in Attachment F for more details).
4. Fill out the accident/injury report and notify the State Safety Specialist Staff by both phone and fax.

TAB C

FACILITY ORIGINATING REPORT:

Name: _____ Date: _____
Address: _____ City: _____ State: _____
Zip: _____ Phone: _____ Time: _____ am or pm

COMPANY TIPPING UNAUTHORIZED WASTE:

Name: _____
Address: _____ City: _____ State: _____
Zip: _____ Phone: _____ Vehicle Type/Plate # _____
Driver's Full Name: _____

PRINT

SIGN

Generator's Name: _____
Address: _____

INCIDENT DESCRIPTION:

Location where waste was first discovered: _____
(Container, Tipping Floor, etc.)

What was found: _____ Quantity Found (units): _____

Describe Actions Taken by WM, Generator, Regulatory Agencies, Etc. (Use additional sheets if necessary): _____

Was entire load reloaded and/or placed in a container? _____

If Yes, Who is paying reload charge? _____

Contracted Permitted Hauler and Final Disposal Facility: _____

Who is paying final disposal costs? _____

NOTIFICATION (include time called and time each person arrived)

DEC(name, phone # and Region): _____

Hauling Co. (name, phone #): _____

Compliance Manager contacted (name, phone#): _____

Generator's Representative (name, title, phone#): _____

REVIEW AND APPROVAL:

GENERATOR OF REPORT:

PRINT

SIGN

DATE

Reviewed by District Manager (name and date) _____

NOTE: Fax within 24 hours after each incident a completed report to Ann Santell at (518) 456-2518. Also, take two pictures of the Unauthorized Waste, write date, time and generator's name and attach to the ticket.

TAB D

UNAUTHORIZED WASTE PROCEDURES**POLICY NUMBER: 8-1****DAILY BACKGROUND READING**

Waste Management solid waste facilities are currently using the BICRON LFM 2 units. A background reading should be gathered each shift and as necessary.

Notify the Environmental Director at 518.469.8944 immediately, if there are any problems with the Bicon units.

Facility: _____

Date	Time	Background (kcpm)	Detector #: (A, B, 1, 2 etc.)	Write problem here if unit is out of service

TAB E

HUDSON VALLEY DISTRICT CONTACT INFORMATION



NAME	TITLE	PHONE NUMBER	CELL NUMBER
Ann Santell	Environmental Protection Mgr	518-218-2827	518-469-8944
Jess Ziccarello	Director of Operations/Hauling	718-533-5369	917-731-5089
Jim Van Woert	Director of Operations/ HV Transfer Stations		860-250-6705
Bill Curran	District Manager – Kingston Hauling	845-334-2696	845-629-3713
Jonathan Kaplan	Transfer Station Supervisor – Kingston	845-334-2690	
Chris Dolce	District Manager – HV Transfer Stations	845-294-1555	914-557-9388
George Novotny	Northern Recycling Supervisor	845-294-1555	
Steve Drouin	Orange Co. Newburgh Supervisor	845-567-9204	
Ray Regelski	USMA West Point Supervisor	845-446-6723	
Jack Slattery	Maintenance Manager – Chester Hauling	845-469-8407	845-656-7687
Gary Warcholak	Maintenance Manager – Kingston Hauling	845-334-2681	845-629-2673



HUDSON VALLEY DISTRICT

Contact Information

NAME	TITLE	Phone Numbers	Cell/NEXTTEL
Ann Santell	Environmental Compliance Manager	518-218-2827	518-469-8944
Ken Bevis	District Manager	518-218-2822	518-365-4684
Marvin Johnson	Sr. Route Manager Chester Hauling	845-469-8407 x322	315-374-4186
Chris Dolce	HV Transfer Station Manager	845-294-1555	914-557-9388
John Richards	SR. Route Manager Kingston Hauling	845-339-0694	845-629-1101
Ruben Garza	Route Manager Chester Hauling	845-469-8407	
Bill Curran	Route Manager Kingston Hauling	845-338-8011	914-388-1456
Jack Slattery	Maintenance Mgr. Chester Hauling	845-469-6414	845-656-7687
Gary Warcholak	Maintenance Mgr. Kingston Hauling	845-338-8011	914-466-3191



**Environmental Cleanup Contractors
Hudson Valley District**

PLEASE CONTACT THE FOLLOWING CONTRACTORS FOR ASSISTANCE WITH THE CLEANUP OF
UNAUTHORIZED MATERIALS.

ENVIRONMENTAL CLEANUP SOLUTIONS INC. (Medical Waste)

P.O. Box 2083
Scotia, NY 12302

Office: 518-887-2422
Pager: 518-342-5543

ECOSYSTEMS STRATEGIES, INC. Paul Ciminello

60 Worrall Ave.
Poughkeepsie, NY 12603
Paul@ecosystemsstrategies.com

Office: 845-452-1658
Fax: 845-485-7083

HMHTTC (Hazardous Waste)

24 HOUR DISPATCH
Port of Elizabeth, NJ
hmhttcpe@ix.netcom.com
www.HMHTTC.com

800-927-9303
Office: 908-558-0156
Fax: 908-558-0162

RHR - REACTIVE HAZARDS REDUCTIONS, INC

Thomas Gundlach (reactive and explosive materials)

P.O. Box 67
Newfoundland, NJ 07453

Office: 973-764-1781
Fax: 973-764-2312

MILLER ENVIRONMENTAL GROUP INC (Petroleum Spills)

501 Temple Hill Road
New Windsor, NY 12553

Office: 845-569-1200

REMTC - Reactive & Explosives Material Training Corp

133 Route 206
Branchville, NJ 07826

Office: 973-948-0270

TAB F

New York State Department of Environmental Conservation

Division of Solid and Hazardous Materials, Region 3

South Putt Corners Road, New Paltz, New York 12561-1696

Phone: (845) 256-3131 • FAX: (845) 255-3414

Website: www.dec.state.ny.us



Erin M. Crotty
Commissioner

Certified Mail

Return Receipt Requested

7003 1010 0004 0421 0050

January 8, 2004

ANN SANTELL
ENVIRONMENTAL COMPLIANCE MANAGER
WASTE MANAGEMENT OF NY, LLC
P.O. BOX 15009
ALBANY, NEW YORK 12212

Re: Household Medical Waste
December 31, 2003 Waste Management Letter

Dear Ms. Santell:

The Department of Environmental Conservation has received your December 31, 2003 letter regarding management of household medical waste. The Division of Solid and Hazardous Materials, Region 3 agree with the procedure you outlined in your letter (attached) with one proviso. The sorting and packaging of *any* medical waste must be performed by a qualified and independent contractor specifically trained for not only identification of but proper segregation and handling of medical waste. The proper documentation demonstrating the contractor's qualifications must be made available to the Department at the time of the medical waste incident. **The documentation must be in the form of copies of the training certification(s) or an equivalent demonstrating that the medical waste contractor is qualified to identify, segregate, and package medical waste.**

As a reminder, the Department is still awaiting a final version of Waste Management's "Unauthorized Waste Procedures" including radioactive wastes for all the transfer stations that Waste Management owns or operates in the Department's Region 3. The final version must be stamped and signed by a Professional Engineer licensed to practice engineering in the State of New York.

If you have any questions or comments please contact me at (845) 256-3131 or Dave Pollock,
at (845) 256-3138.

Sincerely,



Frank J. Kelly
Environmental Engineer I

attachment

cc: J. Decker (Waste Management)
T. Hemmer (Waste Management)

gw-cc: K. Grzyb
D. Pollock
W. Myers
D. Weiss
Z. Cogon



RECEIVED

JAN 8 2004

NYS-DEC
REGION 3-NEW PALTZ

WASTE MANAGEMENT

P.O. Box 15009
Albany, NY 12212-5009
(518) 218-2800
(518) 456-0139 Fax

RECEIVED

JAN 8 2 2004

NYS-DEC
REGION 3-NEW PALTZ

December 31, 2003

New York State Department of Environmental Conservation
Division of Solid and Hazardous Materials - Region 3
21 South Putt Corners Road
New Paltz, New York 12561
Attn: Mr. Frank Kelly

Re: Household Medical Waste

Dear Mr. Kelly:

As you are aware, the Orange County Transfer Station in Newburgh, NY, that is operated by Waste Management of NY, LLC (WMNY), has had three (3) incidents of unauthorized medical waste during the month of December. All three incidents involved diabetic syringes that could be traced back to either the residential drop-off area located at the facility, or to a load originating from a residential garbage truck.

In all three incidents WMNY managed the discarded sharps as regulated medical waste (RMW), even though household medical waste is not included in the definition of RMW and is therefore not subject to the regulations. According to a guidance document issued by the NYSDEC in February 1999, it is recommended that household medical waste that has been consolidated with other residential waste be packaged and managed as RMW, to minimize public exposure to the hazards associated with medical waste generated in the household (needle sticks, spill fluid containers, etc). A copy of the guidance letter is attached for your reference.

For similar incidents in the future, that involve known household medical waste, WMNY will implement the same procedures, and manage the material as RMW, to protect our employees and the general public from the hazards associated with the material. The procedures will include ceasing operations, securing the area, notifying the DEC, and contracting with a permitted hauler to have the material removed. It is the practice of WMNY not to perform any sorting or packaging activities. An approved environmental clean-up company performs such activities.

WMNY requests that the NYSDEC to either please confirm in writing that the procedures employed by WMNY, as described above in the event of household medical waste, are required by the department, or to please outline a specific alternative method for handling instances as those outlined above. Upon receiving the outlined management method for the household medical waste, it will be added as an amendment to the facility's Operation and Maintenance Manual.

If you require further clarification, or have additional comments, please contact me at 518-469-8944.
Thank you.

Sincerely,

Ann Santell
Waste Management of NY, LLC
Environmental Compliance Manager

Enc. (1)

CC: John Decker, WMNY

Appendix B

Inspection Logs

Month

Month

Date	Time/initials	Trash - Floor A Clear	Trash - Floor B Clear	Floor Condition OK?*	Equipment OK?*	Operation Concerns?*	Incidents?*
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							
21							
22							
23							
24							
25							
26							
27							
28							
29							
30							
31							

*If any equipment, floor condition, or operational concerns are noted, complete corrective action form

** If any incidents are noted, complete the necessary reporting form (unauthorized waste, injury, spill, etc.)

Monthly Facility Inspection Form
Port of Albany Transfer Station

Facility	Condition	Stormwater		
		Ponding?	Litter?	Odor?
Perimeter Fence		Y / N	Y / N	Y / N
Port Roadway		Y / N	Y / N	Y / N
Pavement		Y / N	Y / N	Y / N
Stormwater Drains		Y / N	Y / N	Y / N
Container Storage		Y / N	Y / N	Y / N
Loading Pit		Y / N	Y / N	Y / N
Truck Parking		Y / N	Y / N	Y / N
Scale		Y / N	Y / N	Y / N
Trailer Staging Area		Y / N	Y / N	Y / N

Comments:

Complaints:

Vectors:

Weather:

Date: Signature:

Corrective Action Log

Port of Albany Transfer

Corrective Action Item: _____

Date Identified: _____

Recommended Action: _____

Name: _____ **Signature** _____

Corrective Action Taken: _____

Date Performed: _____

Additional Action Needed?: _____

Name: _____ **Signature** _____



WASTE MANAGEMENT PORT OF ALBANY TRANSFER STATION

WASTE LOAD INSPECTION REPORT

Inspector: _____ Date: _____ Time: _____

Vehicle Information

Owner: _____ Driver: _____

Identification Code: _____

Type of Vehicle: _____

Capacity of Vehicle: _____

Source of Waste: _____

Transport Permit: _____

Inspection Items

Yes/No
(if Yes, note quantity)

Explosives, ammunitions, combustible liquid or gas cylinders and containers? _____

Bottles, barrels, cylinders, or cans? Unopened containers, the contents of which cannot be readily identified by visual observation? _____

Caustic acids, corrosives, chemicals, or other hazardous wastes prohibited by mandatory and binding laws or regulations of the United States Government and New York State? _____

Liquid or slurry wastes? _____

Tree trunks, stumps, branched, limbs or lumber over four inches in diameter or over five feet in length? _____
Lawn or leaf debris including grass, branches, leaves, etc.? _____

Waste electronic equipment, white goods (washers, dryers, refrigerators, etc.), or large amounts of other recyclables?? _____

Thick-walled or solid metallic objects such as castings, forgings, gas cylinders or large motors? _____

Septage? _____

Animal wastes or parts of animals (excluding normal household garbage)? _____

Vapors, liquids or unusual odors coming from the vehicle? _____

Automotive or large size tires? _____

Any material classified as Infectious Hazardous Wastes, (Contaminated hypodermic needles, syringes, broken glass, and scalpel blades; isolation wastes, cultures and stocks from hospitals and laboratories; human blood and blood products)? _____

Asbestos waste? _____

If "Y" was answered for any of the above items, a decision must be made by the supervisor to accept or reject the load. If the load is rejected, the waste must be segregated and contingency actions initiated. The waste is to be removed from the site by the vehicle owner at no cost to WMNY.

Additional Comments: _____

Continued

Waste Load Inspection Report, continued

Deposition of Waste Load

Accepted: _____

Rejected: _____

Reason for Rejection: _____

Contingency Action Initiated: _____

Signed: _____

Appendix C

Equipment Specifications

THE PREFERRED CHOICE FOR OPERATOR OF PORTS, RAIL YARDS AND TRUCK TERMINALS

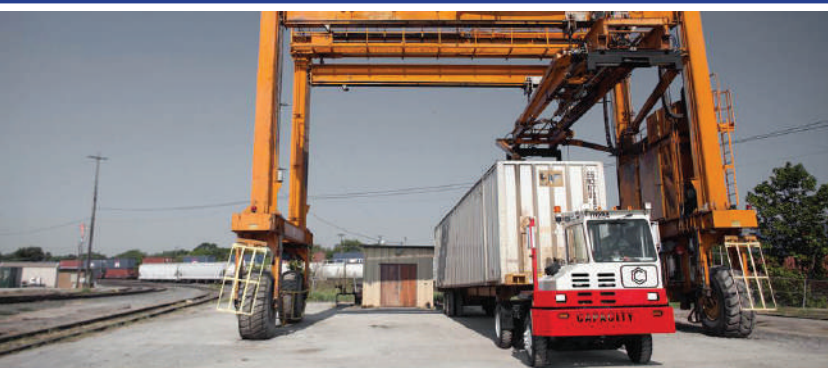
GIVING YOU THE LEADERSHIP EDGE

At any given moment, at port, terminals and distribution centers around the world, there is a Capacity Terminal Tractor taking command of a job.

For more than 40 years, we have earned the reputation for being a leader in design and durability because of our relentless pursuit to keep pushing the cargo industry forward. And while our name is synonymous with powerful terminal tractors, it's our high level of design and unique expertise that truly sets us apart.



WAREHOUSE

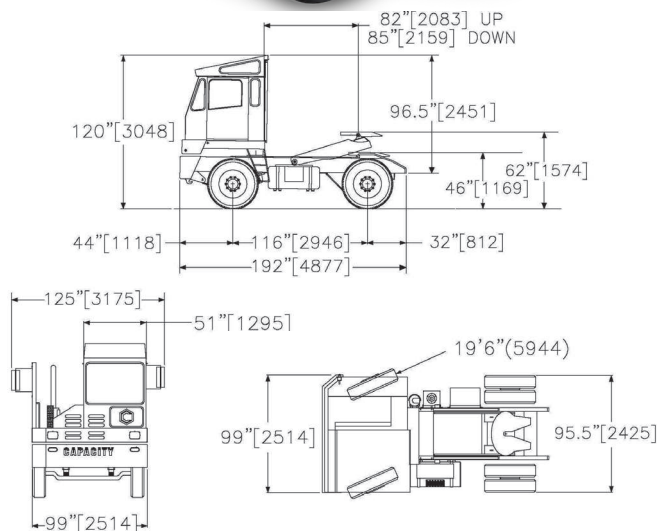


INTERMODAL



PORT

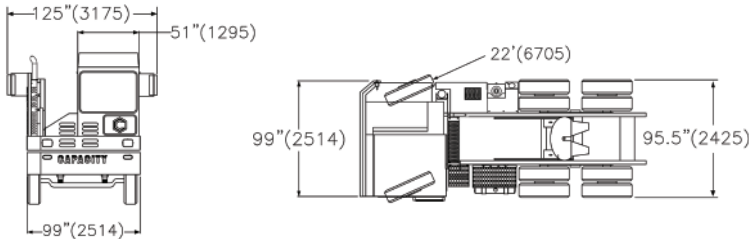
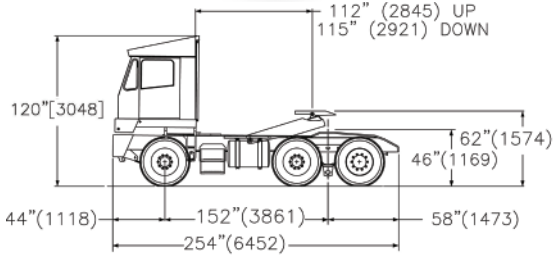
TJ5000



BUILT TO OUTPERFORM + OUTLAST THE COMPETITION

- The Capacity 5000 Series are comfortable, functional tractors, which include off-highway and DOT Certified models
- The off-highway model is designed to move trailers within the facility around warehousing industries. With its 30,000 lb. rear axle, this unit is perfect for light manufacturing and warehousing/distribution applications. It has a GCW of 81,000 lbs. and gradeability of 81,000 lbs. at 22% grade.
- The TJ5000 DOT Certified unit is built with a highway package that includes a variety of street legal features offering superior versatility.

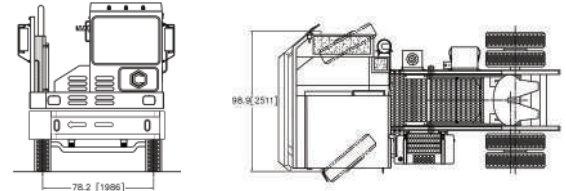
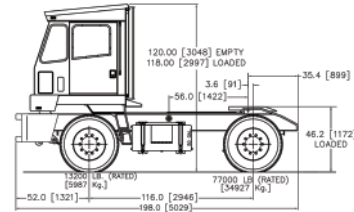
TJ6500



A SERIOUS WORKHORSE THAT GETS THE JOB DONE

- This tandem axle unit is available in both DOT and off-highway versions and has a GCW of 125,000 lbs. with gradeability of 90,000 lbs. at 17% grade.
- The TJ6500 Tandem DOT is ideal for a variety of applications where over-the-road use is required.

TJ9000



THE MOTHER OF PURE MUSCLE

- With its 70,400 lb. planetary axle, this unit is perfect for those extra heavy-duty applications. It has a GCW of 100,000 lbs. at 21% grade. No job is too demanding.

POWERFUL INNOVATIONS INCLUDED

Take one look at a Capacity Terminal Tractor and you'll immediately see why we stand out from the competition. Our high strength, single-piece structural steel is designed to meet your most challenging moves. Our ground-breaking DURA-RIDE® system is the talk of the industry - engineered to provide comfort and safety to the operator while reducing stress and maintenance cost to the tractor.

938H

Wheel Loader



Engine

Engine Model	Cat® 6.6 ACERT™	
Net Power – SAE J1349	128 kW	172 hp
Net Power – ISO 9249	134 kW	180 hp

- Caterpillar® engine with ACERT™ Technology – EPA Tier III, EU Stage III Compliant.

Buckets

Bucket Capacities	2.3 - 3.0 m³	3.0 - 4.0 yd³
-------------------	--------------	---------------

Weights

Operating Weight	15 059 kg	33,190 lb
------------------	-----------	-----------

- For 2.8 m³ (3.65 yd³) general purpose bucket with standard 20.5-R25 tires.

Operating Specifications

Static Tipping Load, Full Turn	10 076 kg	22,207 lb
--------------------------------	-----------	-----------

- For 2.8 m³ (3.65 yd³) general purpose bucket with standard 20.5-R25 tires.

Engine

Engine Model	Cat® 6.6 ACERT™	
Gross Power – SAE J1995	147 kW	197 hp
Net Power – ISO 9249	134 kW	180 hp
Net Power – SAE J1349	128 kW	172 hp
Net Power – 80/1269/EEC	134 kW	180 hp
Peak Torque (Net) @ 1,400 rpm	840 N·m	620 ft-lb
Total Torque Rise	38 %	
Bore	105 mm	4.1 in
Stroke	127 mm	5 in
Displacement	6.6 L	402.8 in³

- Caterpillar engine with ACERT™ Technology – EPA Tier III, EU Stage III Compliant.
- These ratings apply at 2,100 rpm when tested under the specified standard conditions.
- Rating for net power advertised based on power available when the engine is equipped with alternator, air cleaner, muffler and on-demand hydraulic fan drive at maximum fan speed.

Weights

Operating Weight	15 059 kg	33,190 lb
------------------	-----------	-----------

- For 2.8 m³ (3.65 yd³) general purpose bucket with standard 20.5-R25 tires.

Buckets

Bucket Capacities	2.3 - 3.0 m³	3.0 - 4.0 yd³
Max Bucket Capacity	3 m³	4 yd³

Operating Specifications

Static Tipping Load, Full Turn	10 076 kg	22,207 lb
Breakout Force	123 kN	27,576 lb

- For 2.8 m³ (3.65 yd³) general purpose bucket with standard 20.5-R25 tires.

Transmission

Forward 1	8.1 km/h	5 mph
Forward 2	14.6 km/h	9.1 mph
Forward 3	25.5 km/h	15.8 mph
Forward 4	43.2 km/h	26.8 mph
Reverse 1	8.1 km/h	5 mph
Reverse 2	14.6 km/h	9.1 mph
Reverse 3	25.5 km/h	15.8 mph

- Maximum travel speeds with empty bucket and 20.5-R25 tires.

Hydraulic System

Steering System Pump Type	Piston	
Hydraulic Cycle Time – Raise	5.4 Seconds	
Hydraulic Cycle Time – Dump	1.4 Seconds	
Hydraulic Cycle Time – Lower, Empty, Float Down	2.7 Seconds	
Hydraulic Cycle Time – Total	9.5 Seconds	
Pilot System – Pump Output	295 L/min	77.9 gal/min

- Implement System (Standard), Piston Pump – Rated at 2,100 rpm and 1,000 psi (6900 kPa).
- Cycle time with rated payload.

Brakes

Brakes	Meets required standards
--------	--------------------------

- Meet OSHA, SAE J1473 Oct90 and ISO 3450-1985 standards.

Axles

Front	Fixed front	
Rear	Oscillating ±12°	
Maximum Single-Wheel Rise and Fall	420 mm	17 in

Tires

Tires	Choose from a variety of tires to match your application.
- Choice of: 20.5R25 XTLA L2 Radial 20.5R25 XHA L3 Radial 20.5R25 GP2B L3 Radial 20.5R25 HRL L3 Radial 20.5R25 RL-2+ L3 Radial 650/65R-25 XLD L3 Radial (Low Profile) 20.5-25 SRG LD L3 Bias (16 PLY) 20.5-25 SRG LD L3 Bias (20 PLY) 20.5-25 RM 99 L3 Bias - NOTE: In certain applications (such as load and carry) the loader's productive capabilities might exceed the tires' tonnes-km/h (ton-mph) capabilities. Caterpillar recommends that you consult a tire supplier to evaluate all conditions before selecting a tire model. Other special tires are available on request.	

Cab

ROPS/FOPS	Meets SAE and ISO standards
- Caterpillar cab with Integrated Rollover Protective Structure (ROPS) is standard in North America and Europe. - ROPS meets SAE J1040 APR88 and ISO 3471:1994 criteria. - Falling Objects Protective Structure (FOPS) meets SAE J231 Jan81 and ISO 3449:1992 Level II criteria. - The operator sound pressure level measured according to the procedures specified in ISO 6394:1998 is 75 dB(A) for the cab offered by Caterpillar when properly installed and maintained and tested with the doors and windows closed. - Hearing protection may be needed when operating with an open operator station and cab (when not properly maintained or doors/windows open) for extended periods or in noisy environment. - The sound power level is 108 dB(A) measured according to the dynamic test procedure and conditions specified in ISO 6395:1998 for a standard machine configuration.	

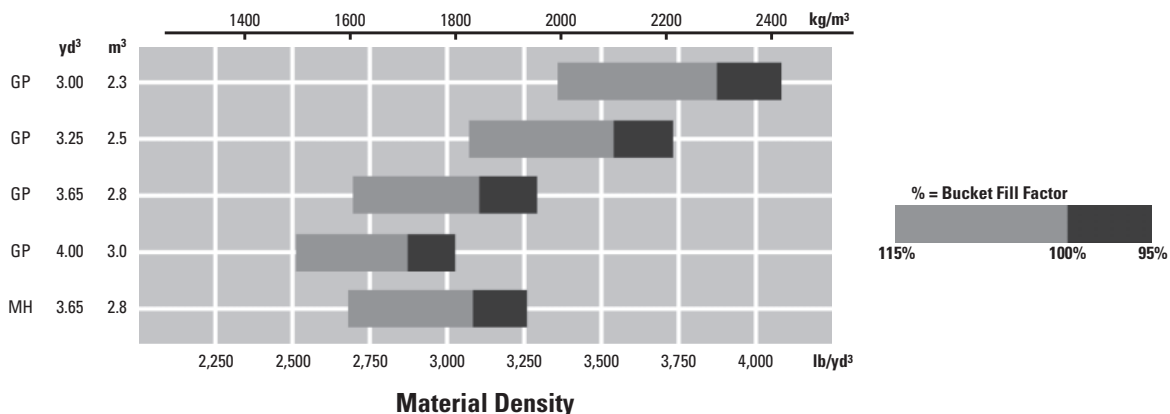
Service Refill Capacities

Fuel Tank – Standard	247 L	65.3 gal
Cooling System	36 L	9.5 gal
Crankcase	17.4 L	4.6 gal
Transmission	43 L	11.4 gal
Differentials and Final Drives – Front	57 L	15.1 gal
Differentials and Final Drives – Rear	53 L	14 gal
Hydraulic Tank	89 L	23.5 gal

Operation Specifications

		General Purpose Buckets					
		Bolt-on edges	Teeth and segments	Teeth	Bolt-on edges	Teeth and segments	Teeth
Rated capacity	m ³ yd ³	2.30 3.00	2.30 3.00	2.10 2.75	2.50 3.25	2.50 3.25	2.30 3.00
Struck capacity	m ³ yd ³	1.97 2.58	1.97 2.58	1.87 2.45	2.11 2.76	2.11 2.76	2.01 2.63
Width	mm ft/in	2700 8'10"	2777 9'1"	2777 9'1"	2700 8'10"	2777 9'1"	2777 9'1"
Dump clearance at full lift and 45° discharge	mm ft/in	2890 9'5"	2786 9'1"	2786 9'1"	2849 9'4"	2744 9'0"	2744 9'0"
Reach at full lift and 45° discharge	mm ft/in	993 3'3"	1098 3'7"	1098 3'7"	1019 3'4"	1123 3'8"	1123 3'8"
Reach with lift arms horizontal and bucket level	mm ft/in	2189 7'2"	2336 7'7"	2336 7'7"	2239 7'4"	2386 7'9"	2386 7'9"
Digging depth	mm in	50 1.9	50 1.9	25 0.9	50 1.9	50 1.9	25 0.9
Overall length	mm ft/in	7193 23'7"	7351 24'1"	7351 24'1"	7243 23'9"	7401 24'3"	7401 24'3"
Overall height with bucket at full raise	mm ft/in	5140 16'10"	5140 16'10"	5140 16'10"	5188 17'0"	5188 17'0"	5188 17'0"
Loader clearance circle with bucket in carry position	mm ft/in	11 946 39'2"	12 105 39'8"	12 105 39'8"	11 971 39'3"	12 131 39'9"	12 131 39'9"
Static tipping load, straight	kg lb	11 834 26,081	11 737 25,867	11 959 26,357	11 755 25,909	11 658 25,694	11 878 26,179
Static tipping load, articulated at full 40° turn	kg lb	10 302 22,706	10 205 22,492	10 415 22,954	10 229 22,544	10 131 22,329	10 339 22,787
Breakout force	kN lb	141.9 31,877	141.1 31,703	152.7 34,297	134.9 30,317	134.2 30,143	144.7 32,508
Operating weight	kg lb	14 952 32,955	15 027 33,120	14 932 32,911	14 986 33,028	15 061 33,194	14 966 32,984
Reach at 2134 mm (7'0") height, 45° dumped	mm ft/in	1508 4'11"	1563 5'1"	1563 5'1"	1516 4'11"	1567 5'1"	1567 5'1"
Clearance at full raise and dump, on stops	mm ft/in	2821 9'3"	2706 8'10"	2706 8'10"	2786 9'1"	2671 8'9"	2671 8'9"
Dump angle at full raise and dump, on stops	degrees	51.2	51.2	51.2	50.5	50.5	50.5

Pin-On Bucket Selection Guide



						Material Handling Buckets			General Purpose Buckets – Quick Coupler		
Bolt-on edges	Teeth and segments	Teeth	Bolt-on edges	Teeth and segments	Teeth	Bolt-on edges	Teeth and segments	Teeth	Bolt-on edges	Teeth and segments	Teeth
2.80 3.65	2.80 3.65	2.70 3.50	3.00 4.00	3.00 4.00	2.85 2.75	2.80 3.65	2.80 3.65	2.70 3.50	2.40 3.15	2.40 3.15	2.30 3.00
2.41 3.15	2.41 3.15	2.30 3.01	2.66 3.48	2.66 3.48	2.55 3.34	2.42 3.17	2.42 3.17	2.32 3.03	2.02 2.64	2.02 2.64	1.92 2.51
2700 8'10"	2777 9'1"	2777 9'1"	2700 8'10"	2777 9'1"	2777 9'1"	2700 8'10"	2777 9'1"	2777 9'1"	2700 8'10"	2777 9'1"	2777 9'1"
2771 9'1"	2664 8'8"	2664 8'8"	2702 8'10"	2597 8'6"	2597 8'6"	2720 8'11"	2607 8'6"	2607 8'6"	2774 9'1"	2669 8'9"	2669 8'9"
1077 3'6"	1179 3'10"	1179 3'10"	1102 3'7"	1206 3'11"	1206 3'11"	1001 3'3"	1096 3'7"	1096 3'7"	1017 3'4"	1120 3'8"	1120 3'8"
2339 7'8"	2486 8'1"	2486 8'1"	2397 7'10"	2544 8'4"	2544 8'4"	2339 7'8"	2486 8'1"	2486 8'1"	2285 7'5"	2432 7'11"	2432 7'11"
50 1.9	50 1.9	25 0.9	110 4.3	110 4.3	85 3.3	50 1.9	50 1.9	25 0.9	109 4.3	109 4.3	84 3.3
7343 24'1"	7501 24'7"	7501 24'7"	7450 24'5"	7608 24'11"	7608 24'11"	7343 24'1"	7502 24'7"	7502 24'7"	7337 24'0"	7496 24'7"	7496 24'7"
5284 17'4"	5284 17'4"	5284 17'4"	5195 17'0"	5195 17'0"	5195 17'0"	5272 17'3"	5272 17'3"	5272 17'3"	5075 16'7"	5075 16'7"	5075 16'7"
12 024 39'5"	12 185 39'11"	12 185 39'11"	12 106 39'8"	12 267 40'2"	12 267 40'2"	12 024 39'5"	12 185 39'11"	12 185 39'11"	12 009 39'4"	12 165 39'10"	12 165 39'10"
11 593 25,551	11 494 25,333	11 711 25,811	11 488 25,320	11 388 25,100	11 602 25,571	11 514 25,376	11 416 25,160	11 627 25,625	11 655 25,688	11 558 25,474	11 773 25,947
10 076 22,207	9977 21,989	10 182 22,441	10 000 22,041	9901 21,821	10 103 22,267	10 008 22,057	9909 21,841	10 109 22,281	10 122 22,310	10 025 22,095	10 228 22,543
122.7 27,576	122.0 27,402	130.8 29,395	117.2 26,320	116.3 26,133	124.5 27,959	122.7 27,576	122.0 27,402	130.8 29,394	129.4 29,063	128.5 28,875	138.2 31,060
15 059 33,190	15 134 33,355	15 039 33,146	14 898 32,835	14 973 33,000	14 878 32,791	15 048 33,165	15 123 33,331	15 028 33,121	15 165 33,424	15 240 33,589	15 145 33,379
1535 5'0"	1579 5'2"	1579 5'2"	1523 4'11"	1566 5'1"	1566 5'1"	1433 4'8"	1462 4'9"	1462 4'9"	1477 4'10"	1523 4'11"	1523 4'11"
2714 8'10"	2599 8'6"	2599 8'6"	2631 8'7"	2516 8'3"	2516 8'3"	2714 8'10"	2599 8'6"	2599 8'6"	2710 8'10"	2596 8'6"	2596 8'6"
49.5	49.5	49.5	50.5	50.5	50.5	45.5	45.5	45.5	50.6	50.6	50.6

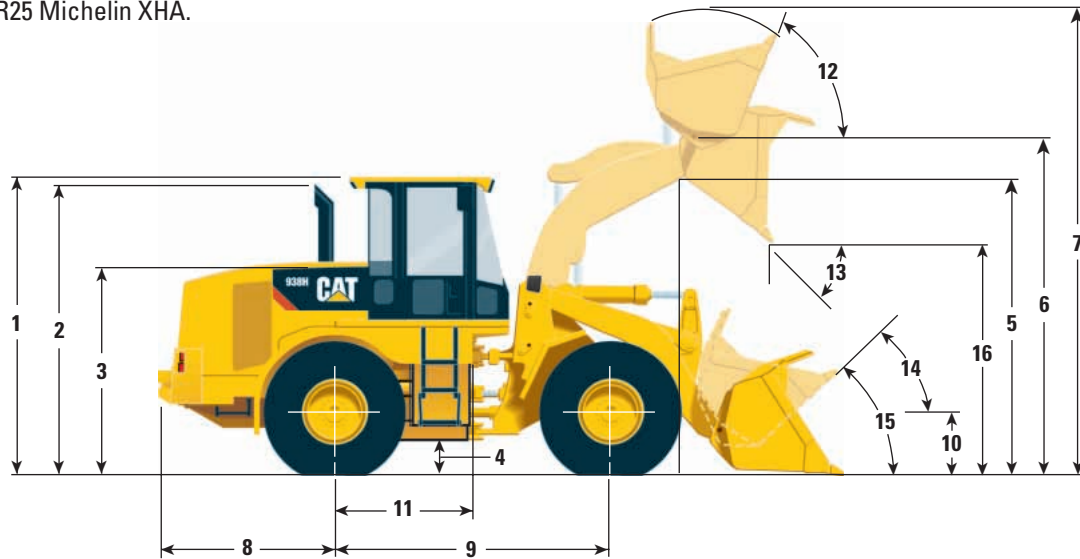
Operation Specifications

		General Purpose Buckets – Quick Coupler						Refuse Bucket
		Bolt-on edges	Teeth and segments	Teeth	Bolt-on edges	Teeth and segments	Teeth	Bolt-on edges
Rated capacity	m ³	2.70	2.70	2.60	2.80	2.80	2.70	4.25
	yd ³	3.50	3.50	3.40	3.65	3.65	3.50	5.50
Struck capacity	m ³	2.35	2.35	2.25	2.46	2.46	2.36	3.73
	yd ³	3.07	3.07	2.94	3.22	3.22	3.09	4.88
Width	mm	2700	2777	2777	2700	2777	2777	2738
	ft/in	8'10"	9'1"	9'1"	8'10"	9'1"	9'1"	8'11"
Dump clearance at full lift and 45° discharge	mm	2708	2603	2603	2681	2575	2575	2501
	ft/in	8'10"	8'6"	8'6"	8'9"	8'5"	8'5"	8'2"
Reach at full lift and 45° discharge	mm	1077	1180	1180	1106	1210	1210	1142
	ft/in	3'6"	3'10"	3'10"	3'7"	3'11"	3'11"	3'8"
Reach with lift arms horizontal and bucket level	mm	2374	2521	2521	2414	2561	2561	2594
	ft/in	7'9"	8'3"	8'3"	7'11"	8'4"	8'4"	8'6"
Digging depth	mm	122	122	97	124	124	99	106
	in	4.7	4.7	3.8	4.8	4.8	3.8	4.1
Overall length	mm	7436	7594	7594	7478	7636	7636	7643
	ft/in	24'4"	24'10"	24'10"	24'6"	25'0"	25'0"	25'0"
Overall height with bucket at full raise	mm	5149	5149	5149	5149	5149	5149	5541
	ft/in	16'10"	16'10"	16'10"	16'10"	16'10"	16'10"	18'2"
Loader clearance circle with bucket in carry position	mm	12 063	12 219	12 219	12 085	12 242	12 242	12 244
	ft/in	39'6"	40'1"	40'1"	39'7"	40'1"	40'1"	40'2"
Static tipping load, straight	kg	11 400	11 302	11 513	11 455	11 356	11 566	9910
	lb	25,126	24,909	25,375	25,246	25,028	25,493	21,841
Static tipping load, articulated at full 40° turn	kg	9879	9780	9980	9937	9838	10 038	8526
	lb	21,773	21,556	21,996	21,901	21,682	22,123	18,792
Breakout force	kN	118.9	118.0	126.4	115.2	114.4	122.3	95.8
	lb	26,702	26,512	28,394	25,891	25,700	27,478	21,512
Operating weight	kg	15 326	15 401	15 306	15 227	15 302	15 207	15 725
	lb	33,779	33,944	33,734	33,560	33,725	33,516	34,657
Reach at 2134 mm (7'0") height, 45° dumped	mm	1501	1544	1544	1516	1557	1557	1441
	ft/in	4'11"	5'0"	5'0"	4'11"	5'1"	5'1"	4'8"
Clearance at full raise and dump, on stops	mm	2640	2525	2525	2610	2495	2495	2493
	ft/in	8'7"	8'3"	8'3"	8'6"	8'2"	8'2"	8'2"
Dump angle at full raise and dump, on stops	degrees	50.5	50.5	50.5	50.5	50.5	50.5	45.5

Dimensions

All dimensions are approximate and may vary with work tool.

Tires are 20.5R25 Michelin XHA.



1	Height to top of ROPS	3356 mm	11'0"
2	Height to top of exhaust pipe	3099 mm	10'2"
3	Height to top of hood	2415 mm	7'11"
4	Ground clearance/Standard tire See Chart below for other tires	397 mm	1'3"
5	Lift arm clearance @ maximum lift	3435 mm	11'3"
6	Bucket pin height @ maximum lift	3843 mm	12'7"
	Bucket pin height, optional high lift	4266 mm	13'11"
7	Overall height – bucket raised	5284 mm	17'4"
8	Center line of rear axle to edge of counterweight	1869 mm	6'1"

9	Wheelbase	3020 mm	9'10"
10	Height to center line of axle	688 mm	2'3"
11	Center line of rear axle to hitch	1510 mm	4'11"
12	Rack back @ maximum lift	65°	
13	Dump angle @ maximum lift	50°	
14	Rack back @ carry	50°	
15	Rack back @ ground	42°	
16	Dump clearance @ maximum lift and 45° dump	2771 mm	9'1"

Tires

		Width over tires – maximum (loaded)		Change in vertical dimensions		Change in operating weight without ballast		Change in static tipping load – straight		Change in static tipping load – articulated	
		mm	inches	mm	inches	kg	lb	kg	lb	kg	lb
20.5-R25 XTLA L2	Radial	2603	102	-16	-1	-170	-376	-120	-264	-104	-230
20.5-R25 XHA L3	Radial	2674	105	0	0	0	0	0	0	0	0
20.5 R25 GP2B L3	Radial	2619	103	+6	0	-53	-116	-37	-81	-32	-71
20.5 R25 HRL L3	Radial	2618	103	+23	+1	-48	-107	-34	-75	-30	-65
20.5 R25 RL-2+ L3	Radial	2609	103	+12	0	+13	+28	+9	+20	+8	+17
650/65R-25 XLD L3	Radial (Low Profile)	2733	108	0	0	+519	+1145	+364	+803	+318	+701
20.5-25 SRG LD L3	Bias (16 PLY)	2558*	101*	+8	0	-242	-533	-170	-374	-148	-326
20.5-25 SRG LD L3	Bias (20 PLY)	2556*	101*	+11	0	-174	-384	-122	-270	-107	-235
20.5-25 RM 99 L3	Bias	2540*	100*	+8	0	-58	-129	-41	-90	-36	-79

*Without bulge.

Standard Equipment

Standard equipment may vary. Consult your Caterpillar dealer for details.

ELECTRICAL

- Alarm, back-up, adjustable
- Alternator, 24V/65A
- Battery disconnect switch with removable key
- Lighting:
 - Turn signals with flashing hazard function
 - Two halogen headlights with high/low beam
 - Parking lights
 - LED brake and tail lights
 - Two front and rear halogen work lights, cab mounted
- Jumpstart receptacle

OPERATOR ENVIRONMENT

- Air Conditioning
- Bucket/Work tool lever lockout feature
- Cab, ROPS/FOPS, pressurized and sound suppressed
- Coat hook
- Controls, lift and tilt functions
- Radio ready including antenna, speakers, two 12V/5A power outlets, includes cigar lighter
- Electric horn, dual actuation (steering wheel, implement pod)
- Sun Visor, Front
- Cab heating with fresh air inlet and defrosting function
- Messenger System
 - Monitoring and logging of machine data
 - Clock
 - Operator keypad
 - Axle oil temperature
- Product Link Ready (optional in some regions)
- Operator display, Gauges:
 - Engine coolant temperature
 - Fuel level
 - Hydraulic oil temperature
 - Speedometer
 - Gear indicator
 - Tachometer
 - Transmission oil temperature
- Operator display, Warning Indicators:
 - Glow Plugs
 - Electrical, alternator output
 - Engine inlet manifold temperature
 - Engine oil pressure
 - Fuel pressure
 - Hydraulic oil temperature
 - Parking brake
 - Primary steering oil pressure
 - Service brake oil pressure
 - Transmission filter bypass
 - Axle oil temperature

- Dual interior rearview mirrors
- Dual exterior rearview mirrors
- Interior operator lighting
- Storage compartments
- Lunchbox compartments
- Beverage holder
- Seat, KAB, cloth, adjustable
- Seat belt, retractable, 51 mm (2") wide
- Adjustable steering column/wheel
- Forward/Neutral/Reverse switch by implement controls
- LH door with sliding window
- RH sliding window and emergency exit
- Windshield wipers, front and rear
- Interval function for front and rear wipers
- Windshield washers, front and rear

POWER TRAIN

- Brakes, full hydraulic enclosed wet-disc
- Brake wear indicators with Integrated Braking System (IBS)
- Front axle with locking differential
- Drive line, extreme service
- Engine, Cat C6.6 ACERT and ATAAC technology, electronically controlled.
- Fan, radiator, electronically controlled, hydraulically driven, temperature sensing, on demand.
- Filters, fuel, primary/secondary
- Fuel priming pump (Electric)
- Fuel/Water separator
- Monitoring System, Axle Oil Temp.
- Muffler, sound suppressed
- Radiator, unit core (6 fpi) with ATAAC
- Starting aid (Glow Plugs)
- Trans, neutralizer lockout in messenger
- Torque converter
- Transmission, countershaft, automatic power shift (4F/3R)
- Variable Shift Control (VSC), messenger

Standard Equipment (cont'd)

Standard equipment may vary. Consult your Caterpillar dealer for details.

OTHER STANDARD EQUIPMENT

- Automatic bucket positioner
- Counterweight
- Couplings, Caterpillar O-ring face seal
- Fenders, Extension, Platform, Rear
- Guards, (bottom crankcase and fuel tank)
- Hitch, drawbar with pin
- Hood, non-metallic power tilting
- Hoses, Caterpillar XT
- Hydraulics, Load Sensing
- Kickout, lift, automatic
- Kickout, tilt, adjustable
- Linkage, Z-bar, cast crosstube/tilt lever
- Oil sampling valves
- Remote Diagnostic Pressure Taps.
- Sight Gauges: Engine coolant, hydraulic oil and transmission oil level.
- Steering, load sensing
- Vandalism protection caplocks

HYDRAULICS

- Load sensing implement system, pressure sensing
- Load sensing steering system
- Two function hydraulic valve (lift and tilt)
- Two lever operator implement controls

TIRES, RIMS, & WHEELS

A tire must be selected from the mandatory attachments section. Base machine price includes an allowance based on a premium radial tire.

ANTIFREEZE

Premixed 50% concentration of Extended Life Coolant with freeze protection to -34°C (-29°F).



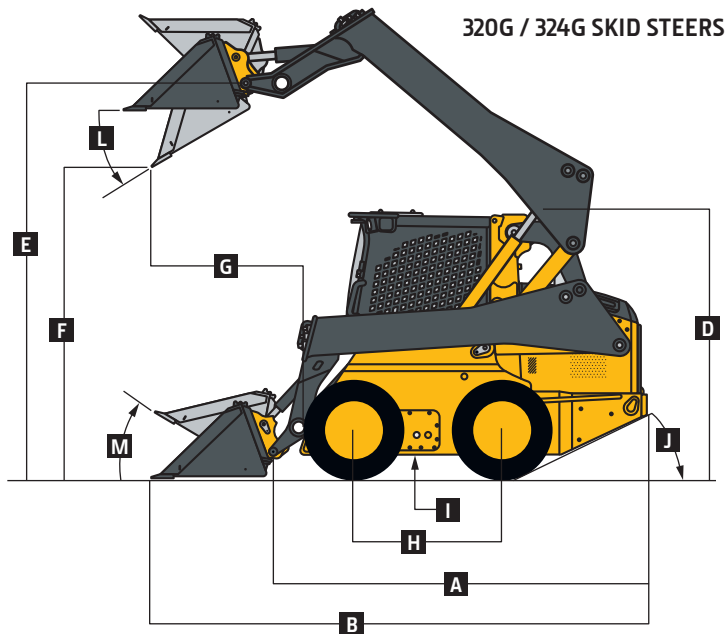
320G / 324G SPECIFICATIONS

Engine	320G	324G
Manufacturer and Model	Yanmar 4TNV98C (optional 4TNV98CT)	Yanmar 4TNV98T Yanmar 4TNV98CT
Non-Road Emission Standard	EPA Final Tier 4/ EU Stage IV	EPA Interim Tier 4/ EU Stage IIIA EPA Final Tier 4/ EU Stage IV
Cylinders	4	4
Gross Rated Power (ISO 14396)	51.7 kW (69 hp) at 2,500 rpm	55.0 kW (74 hp) at 2,500 rpm
Net Peak Power (SAE J1349 / ISO 9249)	49.4 kW (66 hp) at 2,500 rpm	52.5 kW (70 hp) at 2,500 rpm
Peak Torque	241 Nm (178 lb.-ft.) at 1,625 rpm	280 Nm (207 ft.-lb.) at 1,800 rpm
Displacement	3.3 L (203 cu. in.)	3.3 L (203 cu. in.)
Rated Engine Speed	2,500 rpm	2,500 rpm
Torque Rise	22% at 1,625 rpm	34% at 1,800 rpm
Aspiration	Naturally aspirated (optional turbocharger)	Turbocharged
Air Cleaner	Dry dual element	Dry dual element
Cooling	320G / 324G	
Fan Type	Variable-speed hydraulic drive standard / reversing fan drive optional	
Powertrain		
Type	Hydrostatic-manual or electrohydraulic; 4 – 80 heavy-duty (HD) continuous-loop chain	
Travel Speeds		
Single Speed, Standard	11.1 km/h (6.9 mph)	
2 Speed, High, Optional	17.9 km/h (11.1 mph)	
Axles	Induction-hardened, 1-piece forged axle shafts with maintenance-free oil-bath lubrication of inner and outer axle bearings	
Maximum Axle Torque	6771 Nm (4,994 lb.-ft.)	
Tractive Effort	3220 kgf (7,491 lbf)	
Final Drive	High-strength, adjustment-free chains	
Brakes	Integral, automatic, spring-applied, hydraulically released, wet-disc park brake	
Hydraulics	320G	324G
Pump Flow		
Standard	78 L/m (21 gpm)	
Total with High-Flow Option	112 L/m (30 gpm)	
System Pressure at Couplers	22 408 kPa (3,250 psi)	
Hydraulic Horsepower Flow (calculated)		
Standard	29 kW (39 hp)	
High Flow	42 kW (56 hp)	
Auxiliary Hydraulics	Connect-under-pressure with flat-faced couplers	
Cylinders	320G / 324G	
Type	John Deere heat-treated, chrome-plated polished cylinder rods, hardened steel (replaceable bushings) pivot pins	
Electrical		
Voltage	12 volt	
Battery Capacity	750 CCA standard / 925 CCA optional	
Alternator Rating	75 amp	
Lights	Halogen: 2 front and 1 rear standard / deluxe LED (4 front and 1 rear) optional	
Operator's Station		
ROPS (ISO 3471) / FOPS (ISO 3449) structure with quick-pivot standard		
Tires/Wheels		
Standard Tire Size	12 x 16.5 12 PR SKS	
Serviceability		
Refill Capacity		
Fuel Tank	79 L (21 gal.)	
Operating Weights	320G	324G
	EPA Final Tier 4/EU Stage IV and EPA Interim Tier 4/EU Stage IIIA	EPA Final Tier 4/EU Stage IV and EPA Interim Tier 4/EU Stage IIIA
Base Machine	3246 kg (7,150 lb.)	3496 kg (7,700 lb.)

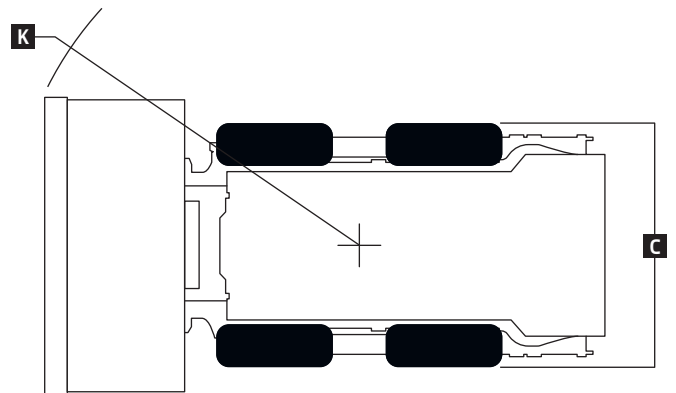
320G / 324G SPECIFICATIONS



Machine Dimensions	320G	324G
A Length without Bucket	2.85 m (112.3 in.) (9 ft. 4 in.)	2.85 m (112.3 in.) (9 ft. 4 in.)
B Length		
With Foundry Bucket	3.46 m (136.3 in.) (11 ft. 4 in.)	3.46 m (136.3 in.) (11 ft. 4 in.)
With Construction Bucket	3.71 m (146.1 in.) (12 ft. 2 in.)	3.71 m (146.1 in.) (12 ft. 2 in.)
C Width without Bucket	1.70 m (67.0 in.) (5 ft. 7 in.)	1.70 m (67.0 in.) (5 ft. 7 in.)
D Height to Top of ROPS	2.06 m (81.1 in.) (6 ft. 9 in.)	2.06 m (81.1 in.) (6 ft. 9 in.)
E Height to Hinge Pin	3.10 m (122.2 in.) (10 ft. 2 in.)	3.20 m (126.0 in.) (10 ft. 6 in.)
F Dump Height		
With Foundry Bucket	2.48 m (97.7 in.) (8 ft. 2 in.)	2.59 m (102.1 in.) (8 ft. 6 in.)
With Construction Bucket	2.31 m (91.0 in.) (7 ft. 7 in.)	2.43 m (95.5 in.) (8 ft. 0 in.)
G Dump Reach		
With Foundry Bucket	0.74 m (29.2 in.)	0.76 m (29.9 in.)
With Construction Bucket	0.93 m (36.4 in.) (3 ft. 0 in.)	0.95 m (37.3 in.) (3 ft. 1 in.)
H Wheelbase	1.12 m (44.2 in.) (3 ft. 8 in.)	1.12 m (44.2 in.) (3 ft. 8 in.)
I Ground Clearance	0.24 m (9.3 in.)	0.24 m (9.3 in.)
J Angle of Departure	28 deg.	28 deg.
K Front Turn Radius with Foundry Bucket	2.02 m (79.6 in.) (6 ft. 8 in.)	2.02 m (79.6 in.) (6 ft. 8 in.)
L Dump Angle (full lift height)	43 deg.	41 deg.
M Bucket Rollback (ground level)	33 deg.	34 deg.



320G / 324G SKID STEERS



Loader Performance	320G	324G
	<i>EPA Final Tier 4/EU Stage IV and EPA Interim Tier 4/EU Stage IIIA</i>	<i>EPA Final Tier 4/EU Stage IV and EPA Interim Tier 4/EU Stage IIIA</i>
Tipping Load	1989 kg (4,380 lb.)	2443 kg (5,380 lb.)
SAE Rated Operating Capacity	994 kg (2,190 lb.)	1221 kg (2,690 lb.)
With Counterweight	1067 kg (2,350 lb.)	1294 kg (2,850 lb.)
Boom Breakout Force		
With Foundry Bucket	1692 kg (3,725 lb.)	2384 kg (5,250 lb.)
With Construction Bucket	1589 kg (3,500 lb.)	2157 kg (4,750 lb.)
Bucket Breakout Force		
With Foundry Bucket	2724 kg (6,000 lb.)	3973 kg (8,750 lb.)
With Construction Bucket	1905 kg (4,200 lb.)	2724 kg (6,000 lb.)



330G / 332G SPECIFICATIONS

Engine	330G		332G	
Manufacturer and Model	Yanmar 4TNV94FHT	Yanmar 4TNV94CHT	Yanmar 4TNV94FHT	Yanmar 4TNV94CHT
Non-Road Emission Standard	EPA Final Tier 4/ EU Stage IV	EPA Interim Tier 4/ EU Stage IIIB	EPA Final Tier 4/ EU Stage IV	EPA Interim Tier 4/ EU Stage IIIB
Cylinders	4	4	4	4
Gross Rated Power (ISO 14396)	68.0 kW (91.2 hp) at 2,500 rpm		74.6 kW (100 hp) at 2,500 rpm	
Net Peak Power (SAE J1349 / ISO 9249)	66.0 kW (88.5 hp) at 2,500 rpm		72.0 kW (96.6 hp) at 2,500 rpm	
Peak Torque	382 Nm (281.8 ft.-lb.) at 1,700 rpm		395 Nm (291.3 ft.-lb.) at 1,700 rpm	
Displacement	3.1 L (186.3 cu. in.)	3.1 L (186.3 cu. in.)	3.1 L (186.3 cu. in.)	3.1 L (186.3 cu. in.)
Rated Engine Speed	2,500 rpm	2,500 rpm	2,500 rpm	2,500 rpm
Torque Rise	47% at 1,700 rpm	47% at 1,700 rpm	39% at 1,700 rpm	39% at 1,700 rpm
Aspiration	Turbocharged, intercooled	Turbocharged, intercooled	Turbocharged, intercooled	Turbocharged, intercooled
Air Cleaner	Dry dual element	Dry dual element	Dry dual element	Dry dual element
Cooling	330G / 332G			
Fan Type	Variable-speed hydraulic drive standard / reversing fan drive optional			
Powertrain	330G		332G	
Type	Electrohydraulic (EH); 4 – 100 heavy-duty (HD) continuous-loop chain			
Travel Speeds				
Low	11.3 km/h (7 mph)		11.3 km/h (7 mph)	
High	19.3 km/h (12 mph)		19.3 km/h (12 mph)	
Axles	Induction-hardened, 1-piece forged axle shafts with maintenance-free oil-bath lubrication of inner and outer axle bearings			
Maximum Axle Torque	8480 Nm (6,235 lb.-ft.)		9289 Nm (6,830 lb.-ft.)	
Tractive Effort	3905 kgf (8,610 lbf)		4218 kgf (9,300 lbf)	
Final Drive	High-strength, adjustment-free chains		High-strength, adjustment-free chains	
Brakes	Integral, automatic, spring-applied, hydraulically released, wet-disc park brake			
Hydraulics				
Pump Flow				
Standard	80 L/m (23.5 gpm)		95 L/m (25.0 gpm)	
Total with High-Flow Option	138 L/m (36.5 gpm)		156 L/m (41.1 gpm)	
System Pressure at Couplers	23 787 kPa (3,450 psi)		23 787 kPa (3,450 psi)	
Hydraulic Horsepower Flow (calculated)				
Standard	35 kW (47 hp)		38 kW (50 hp)	
High Flow	55 kW (74 hp)		62 kW (83 hp)	
Auxiliary Hydraulics	Connect-under-pressure with flat-faced couplers		Connect-under-pressure with flat-faced couplers	
Cylinders	330G / 332G			
Type	John Deere heat-treated, chrome-plated polished cylinder rods, hardened steel (replaceable bushings) pivot pins			
Electrical				
Voltage	12 volt			
Battery Capacity	925 CCA			
Alternator Rating	90 amp			
Lights	Halogen: 2 front and 1 rear standard / deluxe LED (4 front and 1 rear) optional			
Operator's Station				
	ROPS (ISO 3471) / FOPS (ISO 3449) structure with quick-pivot standard			
Tires/Wheels	330G		332G	
Standard Tire Size	14 x 17.5 12 PR Extra Wall		14 x 17.5 14 PR Hauler	
Serviceability	330G / 332G			
Refill Capacity				
Fuel Tank	96.5 L (25.5 gal.)			
Operating Weights	330G		332G	
	EPA Final Tier 4/ EU Stage IV	EPA Interim Tier 4/ EU Stage IIIB	EPA Final Tier 4/ EU Stage IV	EPA Interim Tier 4/ EU Stage IIIB
Base Machine	4495 kg (9,900 lb.)	4449 kg (9,800 lb.)	4540 kg (10,000 lb.)	4495 kg (9,900 lb.)

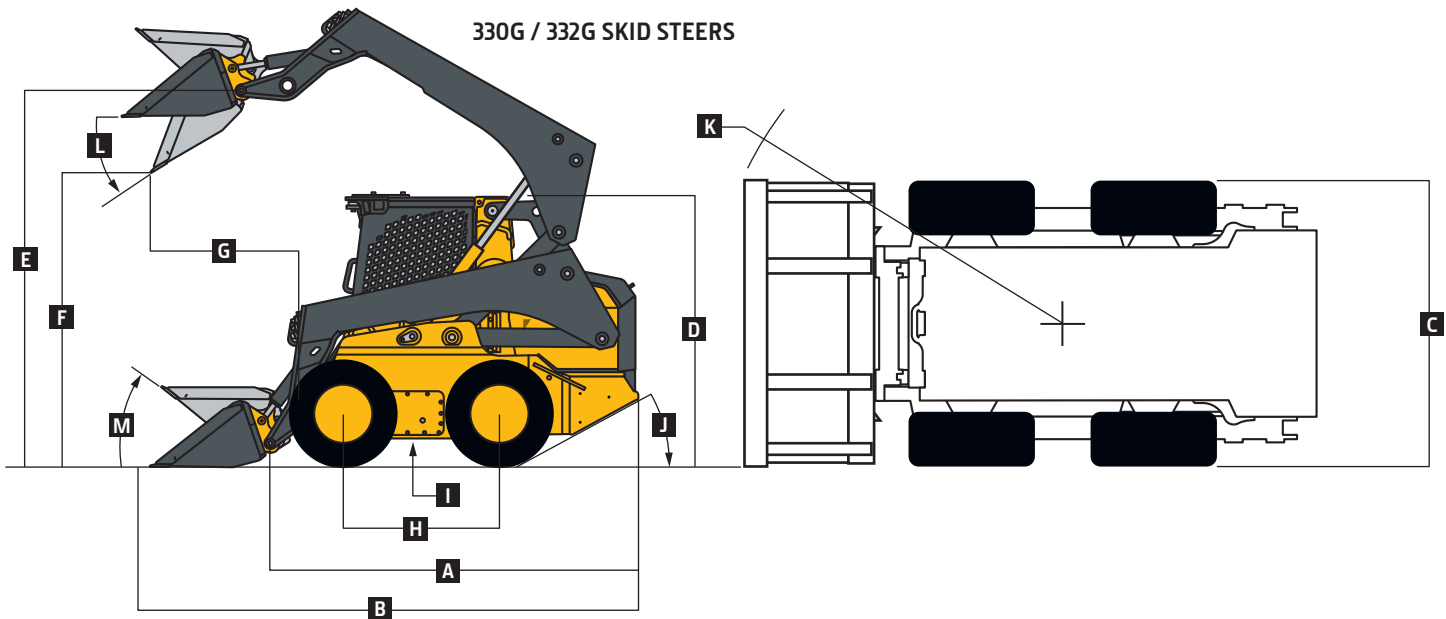
330G / 332G

SPECIFICATIONS



Machine Dimensions	330G	332G
A Length without Bucket	3.10 m (122.0 in.) (10 ft. 2 in.)	3.10 m (122.0 in.) (10 ft. 2 in.)
B Length		
With Foundry Bucket	3.71 m (146.0 in.) (12 ft. 2 in.)	3.71 m (146.0 in.) (12 ft. 2 in.)
With Heavy-Duty Construction Bucket	3.96 m (155.9 in.) (13 ft. 0 in.)	3.96 m (155.9 in.) (13 ft. 0 in.)
C Width without Bucket	1.98 m (78.0 in.) (6 ft. 6 in.)	1.99 m (78.4 in.) (6 ft. 6 in.)
D Height to Top of ROPS	2.19 m (86.3 in.) (7 ft. 2 in.)	2.19 m (86.3 in.) (7 ft. 2 in.)
E Height to Hinge Pin	3.35 m (132.0 in.) (11 ft. 0 in.)	3.35 m (132.0 in.) (11 ft. 0 in.)
F Dump Height		
With Foundry Bucket	2.69 m (106.1 in.) (8 ft. 10 in.)	2.69 m (106.1 in.) (8 ft. 10 in.)
With Heavy-Duty Construction Bucket	2.50 m (98.6 in.) (8 ft. 3 in.)	2.50 m (98.6 in.) (8 ft. 3 in.)
G Dump Reach		
With Foundry Bucket	0.71 m (28.0 in.)	0.71 m (28.0 in.)
With Construction Bucket (no edge)	0.88 m (34.6 in.)	0.88 m (34.6 in.)
H Wheelbase	1.27 m (49.9 in.) (4 ft. 2 in.)	1.27 m (49.9 in.) (4 ft. 2 in.)
I Ground Clearance	0.25 m (9.7 in.)	0.25 m (9.7 in.)
J Angle of Departure	29 deg.	29 deg.
K Front Turn Radius with Foundry Bucket	2.18 m (85.7 in.) (7 ft. 2 in.)	2.18 m (85.7 in.) (7 ft. 2 in.)
L Dump Angle (full lift height)	48 deg.	48 deg.
M Bucket Rollback (ground level)	35 deg.	35 deg.

330G / 332G SKID STEERS



Loader Performance	330G	332G
	<i>EPA Final Tier 4/EU Stage IV and EPA Interim Tier 4/EU Stage IIIB</i>	<i>EPA Final Tier 4/ EU Stage IV</i> <i>EPA Interim Tier 4 / EU Stage IIIB</i>
Tipping Load	2724 kg (6,000 lb.)	3269 kg (7,200 lb.) 3269 kg (7,200 lb.)
SAE Rated Operating Capacity	1362 kg (3,000 lb.)	1634 kg (3,600 lb.) 1634 kg (3,600 lb.)
With Optional Set of Counterweights	1430 kg (3,150 lb.)	1703 kg (3,750 lb.) 1703 kg (3,750 lb.)
Boom Breakout Force		
With Foundry Bucket	3175 kg (7,000 lb.)	3865 kg (8,520 lb.) 3746 kg (8,250 lb.)
With Heavy-Duty Construction Bucket	2724 kg (6,000 lb.)	3519 kg (7,750 lb.) 3519 kg (7,750 lb.)
Bucket Breakout Force		
With Foundry Bucket	4676 kg (10,300 lb.)	6307 kg (13,904 lb.) 6243 kg (13,750 lb.)
With Heavy-Duty Construction Bucket	3450 kg (7,600 lb.)	4200 kg (9,250 lb.) 4200 kg (9,250 lb.)

PRODUCT SPECIFICATIONS FOR 323

ENGINE

Engine Power - ISO 9249	162.0 HP
Engine Model	Cat C7.1
Engine Power - ISO 14396	164.0 HP
Bore	4.0 in
Stroke	5.0 in
Displacement	428.0 in ³

HYDRAULIC SYSTEM

Main System - Maximum Flow	429 l/min (113 gal/min)
Maximum Pressure - Equipment	5075.0 psi
Maximum Pressure - Travel	4974.0 psi
Maximum Pressure - Swing	3988.0 psi

SWING MECHANISM

Swing Speed	11.25 r/min
Maximum Swing Torque	60300.0 ft·lbf

WEIGHTS

Operating Weight	56200.0 lb
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SERVICE REFILL CAPACITIES

Fuel Tank Capacity	86.6 gal (US)
Cooling System	6.6 gal (US)
Engine Oil	6.6 gal (US)
Swing Drive - Each	3.2 gal (US)
Final Drive - Each	1.3 gal (US)
Hydraulic System - Including Tank	61.8 gal (US)
Hydraulic Tank	30.4 gal (US)
DEF Tank	10.8 gal (US)

DIMENSIONS

Boom	Reach 5.7 m (18'8")
Stick	Reach 2.9 m (9'6")
Bucket	HD 1.19 m ³ (1.56 yd ³)
Shipping Height - Top of Cab	9.9 ft
Handrail Height	9.8 ft
Shipping Length	31.3 ft
Tail Swing Radius	9.3 ft
Counterweight Clearance	1.7 ft
Ground Clearance	1.7 ft
Track Length	14.7 ft
Length to Center of Rollers	12.0 ft
Track Gauge	7.9 ft
Transport Width	9.9 ft

WORKING RANGES & FORCES

Maximum Digging Depth	22.1 ft
Boom	Reach 5.7 m (18'8")
Stick	Reach 2.9 m (9'6")
Bucket	HD 1.19 m ³ (1.56 yd ³)
Maximum Reach at Ground Level	32.4 ft
Maximum Cutting Height	31.0 ft
Maximum Loading Height	21.3 ft
Minimum Loading Height	7.1 ft
Maximum Depth Cut for 2440 mm (8 ft) Level Bottom	21.6 ft
Maximum Vertical Wall Digging Depth	18.8 ft
Bucket Digging Force - ISO	38811.0 lbf
Stick Digging Force - ISO	23911.0 lbf

323 STANDARD EQUIPMENT

CAT TECHNOLOGY

Cat GRADE with 2D

Cat Assist (Boom Assist, Bucket Assist, Swing Assist, Grade Assist)

Cat Payload (Cat Payload, Static Weigh, Auto-Calibration)

2D E-fence

Cat Product Link™

ENGINE

Cat C7.1 electronically-controlled turbo-charged Tier 4 Final diesel engine

Meets U.S. EPA Tier 4 Final and EU Stage IV emissions standards.

Three selectable power modes

One-touch low idle with automatic engine speed control

Automatic engine idle shutdown

Recommended for use up to 4500 m altitude (14,764 ft) with engine power derate above 3000 m (9,842.5 ft).

46° C (115° F) high-ambient cooling capacity

Cold starting capability for - 32° C (- 25° F)

Double element air filter with integrated pre-cleaner

Electric fuel priming pump

Reversible electric cooling fans

Biodiesel capability up to B20

HYDRAULIC SYSTEM

Boom and stick regeneration circuits

Electronic main control valve

Auto warm up

Automatic two-speed travel

Boom and stick drift reduction valve

Element type main hydraulic filter

Slider joysticks

Electronic main pump

Electric refueling pump (Europe only)

STANDARD DELUXE CAB

ROPS, standard sound suppression

High-resolution 8" (203 mm) LCD touchscreen monitor

Automatic Bi-level air conditioner

Jog dial and shortcut keys for monitor control

Keyless push-to-start engine control

Height-adjustable console, infinite with no tool

Air-adjustable seat suspension

Seat belt, retractable (51 mm [2 "] width)

Seat Heater

Tilt-up left side console

Bluetooth® integrated radio with USB ports

12V DC outlets

Document storage

Cup and bottle holders

Two-piece front window, openable

Upper Radial wiper with 70/30 w/washer

LED dome and lower interior lights

Roller front sunscreen

Beacon ready

Washable floor mat

Polycarbonate skylight hatch, openable

UNDERCARRIAGE AND STRUCTURES

Tiedown points on base frame (ISO 15818 Compliant)

Segmented track guiding guards

Standard bottom guards

Standard travel motor guards

Grease lubricated track links

Standard swivel guard for demolition

Final drive with standard travel motor

5400 kg (11,900 lb) counterweight for demolition

HD swing frame for 5400 kg counterweight

HD swing bearing for 5400 kg counterweight

HD base frame with SD track rollers and standard carrier rollers for 5400kg counterweight

BOOM, STICKS AND LINKAGES

5.7 m (18'8") reach boom

2.9 m (9'6 ") stick

600 mm (24 ") triple grouser track shoes

Bucket Linkage, B1-family w/ lifting Eye

ELECTRICAL

Machine electronic control module (x2)

1000 CCA maintenance-free batteries (x2)

Centralized electrical disconnect switch

Programmable time-delay LED working lights

LED chassis light, LH & RH boom lights for reach, Cab lights-850 Lumens

SAFETY & SECURITY

Rearview camera and side RH mirror

Neutral lever (lock out) for all controls

Anti-skid plate and countersunk bolts on service platform

Ground-level accessible secondary engine shutoff switch in cab

Bluetooth receiver

RH hand rail and hand hold (ISO 2867 compliant)

Travel alarm (US only)

SERVICE & MAINTENANCE

Sampling ports for Scheduled Oil Sampling (S·O·SSM)

Grouped location for engine oil and fuel filters

Ground level 2nd dipstick for engine oil

Remote flash

323 OPTIONAL EQUIPMENT

CAT TECHNOLOGY

Cat GRADE with Advanced 2D

Cat GRADE with 3D

ENGINE

52° C (125° F) high-ambient cooling capacity

HYDRAULIC SYSTEM

Hammer return filter circuit

Combined flow/high pressure aux circuit

Medium pressure aux circuit

Quick coupler circuit for Cat Pin Grabber

Boom /Stick lowering check valves (BLCV/SLCV)

Heavy lift configuration

UNDERCARRIAGE AND GUARDS

Heavy-Duty bottom guard for demolition

Standard swivel guard for demolition

Heavy-Duty travel motor guards for demolition

4200 kg (9,260 lb) counterweight

Semi-HD swing frame for 4200 kg counterweight

Standard Swing bearing for 4200 kg counterweight

Base frame with HD track rollers and standard carrier rollers for 4200 kg counterweight

Track guiding guard, full length

SD base frame w/ SD track rollers & SD carrier rollers

BOOM,STICKS & LINKAGES

600 mm (24") single grouser track shoes

700 mm (28 ") triple grouser HD track shoes

790 mm (31 ") triple grouser HD track shoes

900 mm (35") triple grouser HD track shoes

5.7 m (18'8") HD reach boom +2.9 m (9'6") HD stick for demolition

VA boom (2.8m (9'2") stub + 3.3m (10'10") fore) - Europe only

Bucket linkage, B1-family with lifting eye

Bucket linkage , B1-family without power link with Lifting Eye (Europe only)

Power link kit , B1-family with lifting Eye (Europe only)

ELECTRICAL SYSTEM

1000 CCA maintenance-free batteries (x4) for cold starting capability -32C°

LED chassis light, LH & RH boom lights ,cab lights w/ cover and rain protector - 850 lumens, for use with 360° visibility

LED chassis light, LH & RH boom lights for VAB, cab lights - 850 lumens (Europe only)

LED chassis light, LH & RH boom lights for VAB, cab lights w/ cover and rain protector - 850 lumens, for use with 360° visibility (Europe only)

SERVICE & MAINTENANCE

Preventative maintenance ready (Quick-Evac)

SAFETY & SECURITY

360° visibility

Radiator screen

Right hand side mirror (Europe only)

Rearview and right hand sideview camera

PREMIUM CAB UPGRADES, STANDARD PLUS

ROPS, advanced sound suppression

High resolution 10" (254 mm) LCD touch screen monitor (only for use with 360° visibility).

High resolution 10" (254 mm) LCD touch screen monitor + additional monitor (only for use with 360° visibility and Cat Grade with Advanced 2D or Cat Grade with 3D).

Seat ventilator

Parallel wiper with lower parallel w/wisher

Roller rear sunscreen

Rain protector and cab light covers (only for use with 360° visibility).

BUCKET

Heavy duty buckets 1.19m³ (1.56yd³), 1.3m³ (1.71yd³), 1.38m³ (1.81 yd³)

Appendix D

Closure Cost Estimate

**Waste Management of NY, LLC
Port of Albany Transfer Station and Recycling Facility
Albany, NY**

Facility Closure Cost Estimate¹

<u>ITEM</u>	<u>COST</u>
1. Material Disposal	\$107,856.00
Load-out, transportation, and disposal of 1,498 tons of material inventory (storage of one day of maximum throughput plus an additional day of maximum throughput)	
1,498 tons @ \$72 /ton =	\$107,856
Total Disposal Cost =	\$107,856.00
2. Facility Closure	\$12,250.00
-Facility floor pressure wash with collection of washwater -Pumping and disposal of 4,000 gallons of leachate	
3. Closure Certification Report by NYS Licensed PE	\$2,850.00
- Work continuously monitored by construction inspector from PE's firm, direct report to PE	
16 hours @ \$85 /hr =	\$1,360
- Site visit and final inspection by PE	1 hours PE @ \$175 /hr \$175
- Closure Documentation by PE's firm	1 hour PE @ \$175 /hr \$175
	8 hour Eng. 1 @ \$110 /hr \$880
	1 hour Staff @ \$60 /hr \$60
- Travel, Materials Postage, etc.	\$200
Subtotal =	\$2,850
4. Miscellaneous/Contingency (10% of above subtotal)	\$12,295.60
Grand Total	\$135,251.60

1 - All costs are estimated third-party costs and in present worth dollar. Cost estimates are based on WMNY operating experience and B&L engineering experience in retaining third-party contractors and commercial services for similar work. Facility Closure cost based on contractor estimate adjusted for inflation per the U.S. Bureau of Labor Statistics Inflation Calculator.

Appendix E

State and Federal Reporting Requirements for Petroleum Spills, Leaks, and Discharges



Spill Information Worksheet

To be completed by supervisor on initial call-in



Date: _____ Time of Spill: _____ AM ☐ PM ☐ District: _____

Vehicle Number: _____ Driver/Operator: _____

Employee Completing Form: _____ Phone: _____

WM Contact on Scene: _____ Phone: _____

Spill Location (check all that apply):

Customer ☐ WM Site ☐ Roadway ☐ Private Property ☐ Public/Government Property ☐

Address: _____ Town: _____ State: _____

Cross Street, Business, or Landmark: _____

Property Owner/Operator and Phone (if known) : _____

Description of General Area (e.g. residential area, office park, construction site, industrial, rural, landfill, etc.): _____

Substance: Hydraulic Oil ☐ Veg-based Hydraulic ☐ Diesel ☐ Motor/Trans Oil ☐ Coolant ☐ Leachate ☐
Other ☐ _____

Volume Released and How Estimated: _____

Water Body or Drainage Affected? (catch basin, detention pond, stream, wetland, swale, etc.) YES ☐ NO ☐

Description of Spill Impacts (surfaces and media affected, extent): _____

Cause of Spill: _____

Containment and Mitigation Actions Taken, Responders Contacted: _____

All Spills must be called in immediately to one of the WM Environmental Protection or Engineering contacts below. Begin with the EP Manager assigned to your site and continue with other contacts until reaching a live voice. Leave a message with call-back number with each unsuccessful attempt.

Environmental Protection Managers

Brian DesMarais (603) 731-7440
Frank Sepiol (413) 519-3916
Tom Heaton (413) 320-7936
Martin Miller (585) 303-9248
Brianna Sacchetti (508) 269-1097

Engineering Contacts

Peter Richer-MA/RI (617) 797-1534
Bill Howard-NH (603) 969-1213
Sherwood McKenney-ME (207) 240-9787
David Cross-NY (585) 509-2806
Jonathan Rizzo (716) 286-0354

NOTIFICATIONS TO STATE AGENCIES ARE SUBJECT TO VARIOUS THRESHOLDS AND CONDITIONS AND SHOULD BE MADE BY WM ENVIRONMENTAL PROTECTION OR ENGINEERING STAFF WHENEVER POSSIBLE.

STATE SPILL NUMBER	MEDEP Hotline: (800) 482-0777; Out of State: (207) 657-3030	NHDES Hotline: (603) 271-3899; After Hours: (603) 271-3636	MassDEP Hotline: (888) 304-1133	RIDEM Office: (401) 222-1360; After Hours: (401) 222-3070	NYSDEC Hotline: 800-457-7362; Out of State: (518) 457-7362	VTDEC Hotline: (802) 828-1138; After Hours: (800) 641-5005	CT DEEP Hotline: 866-DEP-SPIL; 866-337-7745
NATIONAL RESPONSE CENTER (for spills to water bodies) (800) 424-8802							



Oil Discharge Reporting Requirements

How to Report Oil Discharges to the National Response Center and EPA

If a facility or vessel discharges oil to navigable waters or adjoining shorelines, waters of the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or Deepwater Port Act of 1974, or which may affect natural resources under exclusive U.S. authority, the owner/operator is required to follow certain federal reporting requirements. These requirements are found in two EPA regulations – 40 CFR part 110, Discharge of Oil regulation, and 40 CFR part 112, Oil Pollution Prevention regulation. The Discharge of Oil regulation provides the framework for determining whether an oil discharge to inland and coastal waters or adjoining shorelines should be reported to the National Response Center. The Oil Pollution Prevention regulation, part of which is commonly referred to as the “SPCC rule,” identifies certain types of discharges from regulated facilities that also need to be reported to EPA. Although these reporting requirements were not changed by EPA’s recent modifications of the SPCC rule, this Fact Sheet will help facilities with the Reportable Discharge History criterion associated with the qualified facility option and the oil-filled operational equipment option offered in the recent SPCC modifications.

Who is subject to the Discharge of Oil regulation?

Any person in charge of a vessel or of an onshore or offshore facility is subject to the reporting requirements of the Discharge of Oil regulation if it discharges a harmful quantity of oil to U.S. navigable waters, adjoining shorelines, or the contiguous zone, or in connection with activities under the Outer Continental Shelf Lands Act or Deepwater Port Act of 1974, or which may affect natural resources under exclusive U.S. authority.

What is a “harmful quantity” of discharged oil?

A harmful quantity is any quantity of discharged oil that violates state water quality standards, causes a film or sheen on the water’s surface, or leaves sludge or emulsion beneath the surface. For this reason, the Discharge of Oil regulation is commonly known as the “sheen” rule. Note that a floating sheen alone is not the only quantity that triggers the reporting requirements (e.g., sludge or emulsion deposited below the surface of the water may also be reportable).

Under this regulation, reporting oil discharges does not depend on the specific amount of oil discharged, but instead can be triggered by the presence of a visible sheen created by the discharged oil or the other criteria described above.

To whom do I report an oil discharge?

A facility should report discharges to the National Response Center (NRC) at 1-800-424-8802 or 1-202-426-2675. The NRC is the federal government’s centralized reporting center, which is staffed 24 hours per day by U.S. Coast Guard personnel.

If reporting directly to NRC is not practicable, reports also can be made to the EPA regional office or the U.S. Coast Guard Marine Safety Office (MSO) in the area where the incident occurred.

When must I report to NRC?

Any person in charge of a vessel or an onshore or offshore facility must notify NRC immediately after he or she has knowledge of the discharge.

What information do I need to report?

NRC will ask a caller to provide as much information about the incident as possible including:

- Name, organization, and telephone number
- Name and address of the party responsible for the incident
- Date and time of the incident
- Location of the incident
- Source and cause of the discharge
- Types of material(s) discharged
- Quantity of materials discharged
- Danger or threat posed by the discharge

- Number and types of injuries (if any)
- Weather conditions at the incident location
- Other information to help emergency personnel respond to the incident

How are reports to NRC handled?

NRC relays information to an EPA or U.S. Coast Guard On Scene Coordinator (OSC), depending on the location of the incident. After receiving a report, the OSC evaluates the situation and decides if federal emergency response action is necessary.

If I report a discharge to NRC, do I also report to EPA?

If a facility is regulated under the SPCC rule and has a reportable discharge according to EPA regulations (see below), it must be reported to both NRC and EPA.

What are the oil discharge reporting requirements in the SPCC rule?

Any facility owner/operator who is subject to the SPCC rule must comply with the reporting requirements found in §112.4.

A discharge must be reported to the EPA Regional Administrator (RA) when there is a discharge of:

- More than 1,000 U.S. gallons of oil in a single discharge to navigable waters or adjoining shorelines
- More than 42 U.S. gallons of oil in each of two discharges to navigable waters or adjoining shorelines occurring within any twelve-month period

When determining the applicability of this SPCC reporting requirement, the gallon amount(s) specified (either 1,000 or 42) refers to the amount of oil that actually reaches navigable waters or adjoining shorelines, not the total amount of oil spilled.

What do I need to submit to EPA?

The owner/operator must provide the following:

- Name and location of the facility
- Owner/operator name
- Maximum storage/handling capacity of the facility and normal daily throughput
- Corrective actions and countermeasures taken, including descriptions of equipment repairs and replacements

- Adequate description of the facility, including maps, flow diagrams, and topographical maps, as necessary
- Cause of the discharge to navigable waters, including a failure analysis
- Failure analysis of the system where the discharge occurred
- Additional preventive measures taken or planned to take to minimize discharge reoccurrence
- Other information the RA may reasonably require

An owner/operator must also send a copy of this information to the agency or agencies in charge of oil pollution control activities in the state in which the facility is located.

What happens after a facility submits this information to EPA?

The EPA Regional Administrator will review the information submitted by the facility and may require a facility to submit and amend its SPCC Plan. Facilities and equipment that qualified for the new streamlined requirements may lose eligibility for those options as determined by the Regional Administrator. A state agency may also make recommendations to EPA for a facility to amend its Plan to prevent or control oil discharges.

For More Information

Review the Discharge of Oil regulation (40 CFR part 110)

<http://www.gpoaccess.gov/cfr/>

Review the Oil Pollution Prevention regulation (40 CFR part 112)

<http://www.gpoaccess.gov/cfr/>

Visit the EPA Office of Emergency Management Web site

www.epa.gov/emergencies

Call the Superfund, TRI, EPCRA, RMP, and Oil Information Center

(800) 424-9346 or (703) 412-9810

TDD (800) 553-7672 or (703) 412-3323

www.epa.gov/superfund/resources/infocenter

To Report an Oil or Chemical Discharge

Contact the National Response Center

(800) 424-8802 or (202) 267-2675

TDD (202) 267-4477

<http://www.nrc.uscg.mil/index.html>

TECHNICAL
FIELD GUIDANCE

**SPILL REPORTING AND INITIAL
NOTIFICATION REQUIREMENTS**

NOTES

Spill Reporting and Initial Notification Requirements

GUIDANCE SUMMARY AT-A-GLANCE

- Reporting spills is a crucial first step in the response process.
- You should understand the spill reporting requirements to be able to inform the spillers of their responsibilities.
- Several different state, local, and federal laws and regulations require spillers to report petroleum and hazardous materials spills.
- The state and federal reporting requirements are summarized in Exhibit 1.1-1.
- Petroleum spills must be reported to DEC unless they meet all of the following criteria:
 - The spill is known to be less than 5 gallons; and
 - The spill is contained and under the control of the spiller; and
 - The spill has not and will not reach the State's water or any land; and
 - The spill is cleaned up within 2 hours of discovery.

All reportable petroleum spills and most hazardous materials spills must be reported to DEC hotline (1-800-457-7362) within New York State; and (1-518 457-7362) from outside New York State. For spills not deemed reportable, it is strongly recommended that the facts concerning the incident be documented by the spiller and a record maintained for one year.

- Inform the spiller to report the spill to other federal or local authorities, if required.
- Report yourself those spills for which you are unable to locate the responsible spiller.
- Make note of other agencies' emergency response telephone numbers in case you require their on-scene assistance, or if the response is their responsibility and not BSPR's.

NOTES

1.1.1 Notification Requirements for Oil Spills and Hazardous Material Spills

Spillers are required under state law and under certain local and federal laws to report spills. These various requirements, summarized in Exhibit 1.1-1, often overlap; that is, a particular spill might be required to be reported under several laws or regulations and to several authorities. Under state law, all petroleum and most hazardous material spills must be reported to DEC Hotline (1-800-457-7362), within New York State, and to 1-518-457-7362 from outside New York State. Prompt reporting by spillers allows for a quick response, which may reduce the likelihood of any adverse impact to human health and the environment. You will often have to inform spillers of their responsibilities.

Although the spiller is responsible for reporting spills, other persons with knowledge of a spill, leak, or discharge is required to report the incident (see Appendices A and B). You will often have to inform spillers of their responsibilities. You may also have to report spills yourself in situations where the spiller is not known or cannot be located. However, it is the legal responsibility of the spiller to report spills to both state and other authorities.

BSPR personnel also are responsible for notifying other response agencies when the expertise or assistance of other agencies is needed. For example, the local fire department should be notified of spills that pose a potential explosion and/or fire hazard. If such a hazard is detected and the fire department has not been notified, call for their assistance immediately. Fire departments are trained and equipped to respond to these situations; you should not proceed with your response until the fire/safety hazard is eliminated. For more information on interagency coordination in emergency situations see Part 1, Section 3, Emergency Response.

Another important responsibility is notifying health department officials when a drinking water supply is found to be contaminated as a result of a spill. It will be the health department's responsibility to advise you on the health risk associated with any contamination.

Exhibits 1.1-1 and 1.1-2 list the state and federal requirements to report petroleum and hazardous substance spills, respectively. The charts describe the type of material covered, the applicable act or regulation, the agency that must be notified, what must be reported, and the person responsible for reporting. New York state also has a emergency notification network for spill situations (e.g., major chemical releases) that escalate beyond the capabilities of local and regional response agencies/authorities to provide adequate response. The New York State Emergency Management Office (SEMO) coordinates emergency response activities among local, state, and federal government organizations in these cases.

Exhibit 1.1-1

State and Federal Reporting Requirements for Petroleum Spills, Leaks, and Discharges

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Petroleum from any source	Navigation Law Article 12; 17 NYCRR 32.3 and 32.4	DEC Hotline 1-800-457-7362	The notification of a discharge must be immediate, but in no case later than two hours after discharge. 1. Name of person making report and his relationship to any person which might be responsible for causing the discharge. 2. Time and date of discharge. 3. Probable source of discharge. 4. The location of the discharge, both geographic and with respect to bodies of water. 5. Type of petroleum discharges. 6. Possible health or fire hazards resulting from the discharge. 7. Amount of petroleum discharged. 8. All actions that are being taken to clean up and remove the discharge. 9. The personnel presently on the scene. 10. Other government agencies that have been or will be notified.	Any person causing discharge of petroleum. Owner or person in actual or constructive control must notify DEC unless that person has adequate assurance that such notice has already been given.
All aboveground petroleum and underground storage facilities with a combined storage capacity of over 1100 gallons.	ECL §17-1007; 6 NYCRR §613.8	DEC Hotline 1-800-457-7362	1. Report spill incident within two hours of discovery. 2. Also when results of any inventory, record, test, or inspection shows a facility is leaking, that fact must be reported within two hours of discovery.	Any person with knowledge of a spill, leak, or discharge.
Petroleum contaminated with PCB.	Chemical Bulk Storage Act 6 NYCRR Parts 595, 596, 597	DEC Hotline 1-800-457-7362	Releases of a reportable quantity of PCB oil.	Owner or person in actual or constructive possession or control of the substance, or a person in contractual relationship, who inspects, tests, or repairs for owner.

Exhibit 1.1-1

**State and Federal Reporting Requirements for Petroleum Spills, Leaks, and Discharges
(continued)**

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Any liquid (petroleum included) that if released would be likely to pollute lands or waters of the state.	ECL §17-1743	DEC Hotline 1-800-457-7362	Immediate notification that a spill, release, or discharge of any amount has occurred. Owner or person in actual or constructive possession or control of more than 1,100 gallons of the liquid.	
Petroleum Discharge in violation of §311(b)(3) of the Clean Water Act	40 CFR §110.10 (Clean Water Act)	1. National Response Center (NRC) 1-800-424-8802. 2. If not possible to notify NRC, notify Coast Guard or predesignated on-scene coordinator. 3. If not possible to notify either 1 or 2, reports may be made immediately to nearest Coast Guard units, provided NRC notified as soon as possible.	Immediate notification as soon as there is knowledge of an oil discharge that violates water quality standards or causes sheen on navigable waters. Procedures for notice are set forth in 33 CFR Part 153, Subpart B, and in the National Oil and Hazardous Substances Pollution Contingency Plan, 40 CFR Part 300, Subpart E.	Person in charge of vessel or on-shore or off-shore facility.
Petroleum, petroleum by-products or other dangerous liquid commodities that may create a hazardous or toxic condition spilled into navigable waters.	33 CFR 126.29 (Ports and Waters Safety Act)	Captain of the Port or District Commander	As soon as discharge occurs, owner or master of vessel must immediately report that a discharge has occurred.	Owner or master of vessel or owner or operator of the facility at which the discharge occurred.

Exhibit 1.1-1

**State and Federal Reporting Requirements for Petroleum Spills, Leaks, and Discharges
(continued)**

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Petroleum or hazardous substance from a vessel, on-shore or off-shore facility in violation of §311(b)(3) of the Clean Water Act.	33 CFR 153.203 (Clean Water Act)	1. NRC U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593; 1-800-424-8802. 2. Where direct reporting not practicable, reports may be made to the Coast Guard (District Offices), the 3rd and 9th district of the EPA regional office at 26 Federal Plaza, NY, NY 10278; 1-201-548-8730. 3. Where none of the above is possible, may contact nearest Coast Guard unit, provided NRC notified as soon as possible.	Any discharger shall immediately notify the NRC of such discharge.	Person in charge of vessel or facility.

Exhibit 1.1-2

State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Any hazardous substance pursuant to Article 37. Does not include petroleum.	Chemical Bulk Storage Act 6 NYCRR Parts 595, 596, 597; ECL 40-0113(d)	DEC Hotline 1-800-457-7362	Releases of a reportable quantity of a hazardous substance.	Owner or person in actual or constructive possession or control of the substance, or a person in contractual relationship, who inspects, tests, or repairs for owner.
Hazardous materials or substances as defined in 49 CFR §171.8 that are transported. (See federal reporting requirements.)	Transportation Law 14(f); 17 NYCRR 507.4(b)	Local fire department or police department or local municipality	Immediate notification must be given of incident in which any of the following occurs as a direct result of a spill of hazardous materials: 1. Person is killed. 2. Person receives injuries requiring hospitalization. 3. Estimated damage to carrier or other property exceeds \$50,000. 4. Fire, breakage, spillage, or suspected contamination due to radioactive materials. 5. Fire, breakage, spillage, or suspected contamination involving etiologic agents. 6. Situation is such that, in the judgment of the carrier, a continuing danger to life or property exists at the scene of the incident.	All persons and carriers engaged in the transportation of hazardous materials.

Exhibit 1.1-2
State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges
(continued)

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Hazardous materials (wastes included) that are transported, whose carrier is involved in an accident.	Department of Transportation Regulations 49 CFR 171.15; 17 NYCRR Part 924; 17 NYCRR Part 507	1. U.S. Department of Transportation 1-800-424-8802 2. DEC Hotline 1-800-457-7362 3. Rail Carrier <u>On-Duty</u> 518-457-1046 <u>Off-Duty</u> 518-457-6164 4. Notify local police or fire department.	Notice should be given by telephone at the earliest practicable moment and should include: 1. Name of reporter. 2. Name and address of carrier represented by reporter. 3. Phone number where reporter can be contacted. 4. Date, time, and location of incident. 5. The extent of injuries, if any. 6. Classification, name and quantity of hazardous materials involved, if available. 7. Type of incident and nature of hazardous material involved and whether a continuing danger to life exists at scene. 8. Each carrier making this report must also make the report required by §171.16.	Each carrier that transports hazardous materials involves in an accident that causes any of the following as a direct result: 1. A person is killed 2. A person receives injuries requiring hospitalization 3. Estimated damage to carrier or other property exceeds \$50,000 4. Fire, breakage, spillage, suspected or otherwise involving radioactive material. 5. Fire, breakage, spillage, suspected contamination involving etiologic agents. 6. Situation is such that carrier thinks it should be reported in accordance with paragraph b.

Exhibit 1.1-2
State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges
(continued)

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Reportable quantity of a hazardous substance into navigable waters or adjoining shorelines. Substances are listed in 40 CFR 302.4.	Department of Transportation Regulations 49 CFR §171.16 as authorized by the Hazardous Materials Transportation Act	U.S. Coast Guard National Response Center (NRC), 1-800-424-8802 or 1-202-267-2675	As soon as person in charge becomes aware of a spill incident, he must notify NRC and provide the following information: 1. The information required by 49 CFR §171.15 (see above). 2. Name of shipper of hazardous substance. 3. Quantity of hazardous substance discharged, if known. 4. If person in charge is incapacitated, carrier shall make the notification. 5. Estimate of quantity of hazardous substance removed from the scene and the manner of disposition of any unremoved hazardous substance shall be entered in Part (H) of the report required by 49 CFR 171.16 (see above).	Person in charge of aircraft, vessel, transport vehicle, or facility. Must inform NRC directly, or indirectly through carrier.
Reportable quantity of a hazardous substance from vessel, on-shore or off-shore facility. Substances and requirements specified in 40 CFR §117.3.	40 CFR §117.21 as authorized under the FWPCA	NRC 1-800-424-8802. If not practicable report may be made to the Coast Guard (3rd or 9th Districts) District Offices or to EPA, designated On-Scene Coordinator, Region II, 26 Federal Plaza, NY, NY 10278; 1-201-548-8730	Immediate notification is required.	Person in charge of vessel, or on-shore or off-shore facility

Exhibit 1.1-2
State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges
(continued)

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Facilities where a hazardous chemical is produced, used, or stored, and there is a reportable quantity of any extremely hazardous substance as set out in Appendix A to 40 CFR 355 or a CERCLA hazardous substance as specified in 40 CFR 302.4. (This section does not apply to a release that does not go beyond the facility, that emanates from a facility that is federally permitted, is continuous as defined under §103(f) of CERCLA or to any release exempt from CERCLA §103(a) reporting under §101(22) of CERCLA.)	40 CFR 355.40 (SARA) Releases of CERCLA Hazardous Substances are subject to release reporting requirements of CERCLA §103, codified at 40 CFR Part 302, in addition to being subject to the requirements of this Part.	Community emergency coordinator for the local emergency planning committee of any area likely to be affected and the State Emergency Response Commission of any state likely to be affected by the release. If there is no local emergency planning commission notification shall be made to relevant local emergency response personnel.	Immediately notify agencies at left and provide the following information when available: 1. Chemical name or identity of any substance involved in the release. 2. Indication of whether the substance is an extremely hazardous substance. 3. An estimate of the quantity released. 4. Time and duration of release. 5. Medium or media into which the release occurred. 6. Known health risks associated with emergency and where appropriate advice regarding medical attention for those exposed. 7. Proper precautions/actions that should be taken, including evacuation. 8. Names and telephone numbers of person to be contacted for further information. As soon as practicable after release, followup notification by providing the following information: 1. Actions taken to respond to and contain the release. 2. Health risks. 3. Advice on medical attention for exposed individuals.	Owner or operator of facility

Exhibit 1.1-2
State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges
(continued)

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Hazardous liquids transported in pipelines, a release of which results in any circumstances as set out in 195.50(a) through (f). Also any incident that results in circumstances listed in 195.52(g).	49 CFR 195.50, 195.52 and 195.54 (Hazardous Liquid Pipeline Safety Act).	NRC, 1-800-424-8802	Notice must be given at the earliest practicable moment and the following information provided: 1. Name and address of the operator. 2. Name and telephone number of the reporter. 3. Location of the failure. 4. The time of the failure. 5. The fatalities and personal injuries, if any. 6. All other significant facts known by the operator that are relevant to the cause of the failure or extent of the damages.	Operator of system.
Hazardous wastes in transport	40 CFR §263.30(a) (RCRA)	1. Local authorities 2. If required by 49 CFR 171.15, notify the NRC at 1-800-424-8802 or 1-202-426-2675 3. Report in writing to Director of Hazardous Materials Regulations, Materials Transportation Bureau, Department of Transportation, Washington, DC 20590	Notification must be immediate. For discharge of hazardous waste by air, rail, highway, or water, the transporter must: 1. Give notice as in 49 CFR 161.15 (if applicable). 2. Report in writing as in 49 CFR 171.16. Wastes transporter (bulk shipment) must give same notice as required by 33 CFR 153.20.	Transporter by air, rail, highway, or water.

Exhibit 1.1-2
State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges
(continued)

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Vinyl Chloride from any manual vent valve, or polyvinyl chloride plants	Clean Air Act 40 CFR 61.64	Administrator of EPA	Within 10 days of any discharge from any manual vent valve, report must be made, in writing, and the following information provided: 1. Source, nature and cause of the discharge 2. Date and time of the discharge 3. Approximate total vinyl chloride loss during discharge 4. Method used for determining loss 5. Action taken to prevent the discharge 6. Measures adopted to prevent future discharges.	Owner or operator of plant.
Radioactive Materials	6 NYCRR §380.7	Commissioner of DEC	1. Notify immediately by telephone when concentration, averaged over a 24-hour period, exceeds or threatens to exceed 5000 times the limits set forth in Schedule 2 of 380.9 (in uncontrolled areas). 2. Notify within 24 hours by telephone when concentration, averaged over 24- hour period, exceeds or threatens to exceed 500 times the limits set forth in Schedule 2 above (in uncontrolled areas). 3. Report within 30 days the concentration and quantity of radioactive material involved, the cause of the discharge, and corrective steps taken or planned to ensure no recurrence of the discharge.	Operator of the radiation installation.

Exhibit 1.1-2
State and Federal Reporting Requirements for Hazardous Substance Spills, Leaks, and Discharges
(continued)

Materials Covered	Act or Regulation	Agency to Notify	What Must Be Reported and When	Who Must Report
Low Level radioactive wastes in transport. Any suspected or actual uncontrolled releases.	6 NYCRR 381.16 ECL §27-0305 Waste Transporter Permits	DEC and Department of Health	Immediate notification.	Transporter

TECHNICAL
FIELD GUIDANCE

**SPILL REPORTING AND INITIAL NOTIFICATION
ENFORCEMENT OF SPILLER RESPONSIBILITY**

NOTES

Spill Reporting and Initial Notification - Enforcement of Spiller Responsibility

GUIDANCE SUMMARY-AT-A-GLANCE

Use the "Notification Procedures Checklist" (Exhibit 1.1-3) to document conversations with the responsible party or potentially responsible party (PRP/RP) concerning his or her clean-up responsibilities.

The steps to follow when you inform the PRP/RP of his or her legal responsibility are:

- Give your name and identify yourself as a DEC employee;
- Inform them that they have been identified as the party responsible for the spill;
- Inform PRP/Rps of their liability for all clean-up and removal costs. (If necessary, cite Section 181 of the Navigation Law);
- Ask PRP/Rps "point blank" if they will accept responsibility for the cleanup; and
- If the PRP/RP does not accept responsibility, or does not admit to being the PRP/RP, inform him or her that DEC will conduct the cleanup and send the bill to whoever is the PRP/RP. Also inform them that a DEC-conducted cleanup could be more costly than a PRP/RP-conducted cleanup, and that the PRP/RP could face interest charges and penalties for refusing to clean up the spill.

If the PRP/RP accepts responsibility for the cleanup:

- (1) Send the PRP/RP a "Spiller Responsibility Letter" (Exhibit 1.1-5) and an "Acceptance of Financial Responsibility Form" (Exhibit 1.1-6) and
- (2) Send the PRP/RP an "Option Letter," which should outline the options available to the PRP/RP to clean up the spill. See Exhibit 1.1-4 for a summary of how and when to use these forms and what they may include.

NOTES

1.1.2 Spill Reporting and Initial Notification - Enforcement of Spiller Responsibility

This section provides guidance on those steps you take to inform responsible parties or potentially responsible parties (PRP/Rps) or spillers of their responsibility under state law for cleaning up spills. This guidance applies to all contacts (by phone, by mail, or in person) you have with Rps throughout the response process concerning their fulfillment of this legal responsibility. The possible consequences of an RP's refusal or inability to conduct the spill response are also discussed.

1. State Law and Policy

Under Article 12 of the Navigation Law and Article 71 of the Environmental Conservation law (ECL), those parties responsible for a petroleum release are liable for all costs associated with cleaning up the spill as well as third party damages (see Introduction-A for more information). Section 181 of the Navigation Law states:

Any person who has discharged petroleum shall be strictly liable, without regard to fault, for all cleanup and removal costs and all direct damages, no matter by whom sustained as defined in this section.

There are two ways by which PRP/RPs can pay for the costs associated with cleanups. First, the PRP/RP can reimburse the state for site investigation, clean-up, and remediation costs incurred by the State Oil Spill Fund or federal Leaking Underground Storage Tank (LUST) Trust Fund. Second, the PRP/RP can assume full responsibility for the cleanup from the beginning and bear all costs throughout the clean-up process. It is DEC's policy to make every effort to have PRP/RPs pay for cleanups from the outset.¹

To achieve PRP/RP-directed and PRP/RP-financed cleanups, your responsibilities are to: (1) identify the PRP/RP(s), (2) inform them of their legal responsibilities for the spill, and (3) ensure that they carry out these responsibilities. All investigations of spills and PRP/RPs should be pursued vigorously and without prejudice. Use to your advantage the argument that having the PRP/RP assume responsibility for clean-up costs benefits both DEC and the spiller. It saves DEC the expense of cost-recovery procedures. It also allows the PRP/RP to be more involved in clean-up decisions (e.g., choosing their clean-up contractors) and, more significantly, it usually results in lower clean-up costs. Because the PRP/RP is responsible for all indirect costs incurred if DEC conducts the cleanup, the spiller will pay for the DEC contractor's clean-up work, as well as the supervision costs incurred by DEC, any third-party claims associated with the spill, and any punitive fines levied.

¹ Spillers are not only responsible for assuming the costs of a cleanup, but also can be subject to a \$25,000 per day fine for not paying the clean-up costs (among other violations). The Navigation Law provides for these penalties in Section 192, which states:

Any person who knowingly gives or causes to be given any false information as a part of, or in response to, any claim made pursuant to this article for cleanup and removal costs, direct or indirect damages resulting from a discharge, or who otherwise violates any of the provisions of this article or any rule promulgated thereunder or who fails to comply with any duty created by this article shall be liable to a penalty of not more than twenty-five thousand dollars for each offense in court of competent jurisdiction. If the violation is of a continuing nature each day during which it continues shall constitute an additional, separate, and distinct offense. (emphasis added)

NOTES

2. Notification Process

Part 1, Section 4, of this manual discusses the process of identifying the PRP/RP as part of the spill investigation for a particular site. Once you identify the PRP/RP, follow the guidance provided below for informing the PRP/RP of his or her responsibilities for spill cleanup. If you are uncertain about who the PRP/RP is, apply the procedures outlined below with all suspected RPs until the responsible party or parties are identified.

a. Informing RPs of Their Responsibility at the Spill Scene

It is important to inform PRP/RPs of their legal responsibility to clean up a spill as soon as possible. When you arrive at a spill site, you should immediately inform the representative of any PRP/RP of their liability under the Navigation Law and the Environmental Conservation Law. In doing so, follow the steps covered in the "Notification Procedures Checklist" (Exhibit 1.1-3).

Document completion of the notification steps, and identify your contact(s).

Although you should be firm and direct in informing the PRP/RP of their responsibility, you should make every attempt to avoid an adversarial relationship with the RP. The full cooperation of the PRP/RP will result in a more efficient and effective cleanup.

b. Informing Spillers of Their Responsibility in Writing

You should send three different letters to the PRP/RP to inform them of their responsibility (see Exhibit 1.1-4, "Notification Forms Summary"). If a site response was initiated and you are able to confirm the spill visually, the "Spiller Responsibility Letter" (Exhibit 1.1-5) along with an "Acceptance of Financial Responsibility Form" (Exhibit 1.1-6) should be sent as soon as possible. In addition, an "Option Letter" that informs the PRP/RP of their possible options for addressing a spill should be sent. These letters should be kept as part of the Corrective Action Plan (CAP) (see Part 1, Section 5, "Corrective Action Plans.")

**Exhibit 1.1-3
Notification Procedures Checklist**

Completed	Step	Date	Contact(s)
_____	1. Give your name and identify yourself as a DEC employee.		
_____	2. Inform the PRP/RP that he/she has been identified as the party responsible for the spill.		
_____	3. Inform PRP/RPs of their responsibility to pay for all clean-up costs. (As necessary, cite Section 181 of the Navigation Law or Article 71 of the ECL.)		
_____	4. Ask PRP/RPs "point blank" if they will accept responsibility for the cleanup.		
	Response:		

_____	5. If the PRP/RP does not accept responsibility, or does not admit to being the spiller, inform him/her that DEC will conduct the cleanup and send the bill to whoever is the spiller.		
_____	6. If the PRP/RP does not accept responsibility also inform him or her that a DEC-conducted cleanup could be more costly than a spiller-conducted cleanup, and that the spiller could face interest charges and a fine for refusing to pay for the billed clean-up costs.		

Exhibit 1-A-4

**Notification Forms Summary
(Send Forms by Certified Mail)**

Notification Form	When and How to Use	Information to be Included
Spiller Responsibility Letter	Send by certified mail to PRP/RP for confirmed spill.	# Spill location; # Spiller's responsibility under the Navigation Law; # Penalties that can be levied if the spiller does not cooperate; and # Deadline for spiller to begin containment and removal of the spill.
Acceptance of Spiller Responsibility Form	Send by certified mail to PRP/RP for confirmed spill.	# Request for spiller's signature acknowledging his or her acceptance of responsibility for the spill cleanup.
Option Letter	Send by certified mail to PRP/RP for confirmed or suspected release (e.g., failed tightness test).	# Spill number; # Date spill was discovered or reported; # Exact location of the spill; # Authority of Article 12 of the Navigation Act; and # Penalties for noncompliance.

Exhibit 1.1-5

Spiller Responsibility Letter

[Date]

[Addressee]

[Address]

Dear []:

This is to inform you that as a result of investigation by our Department, we consider you responsible for Petroleum Spill Number _____, dated _____, at _____. Under Article 12 of the Navigation Law, Section 192, any person who discharges petroleum without a permit and fails to promptly clean up such prohibited discharge may be subject to a penalty of up to \$25,000 a day.

Containment and removal of this spill must be initiated within _____ hours.

Your failure to initiate timely spill cleanup and removal, in addition to the penalty stated above, will result in your being billed for all actual costs incurred by New York State as set forth in Section 181 of the Navigation Law. These costs include cleanup and removal, all direct and indirect damages, including damages incurred by third parties.

Sincerely,

Regional Spill Engineer
Region

Exhibit 1.1-6
Acceptance of Spiller Responsibility Letter

[Date]

SPILL # _____

ACCEPTANCE OF FINANCIAL RESPONSIBILITY

_____, hereby assumes responsibility for containment and
(Name of Company and Person)

cleanup of _____ discharged from _____
(Substance) (Source)

on _____, and recognizes that the determination of the adequacy and propriety of
(Date)

the containment and cleanup operation continues to rest with the New York State
Department of Environmental Conservation On-Scene Coordinator.

(Authorized Signature and Title)

(Name and Title Printed)

(Address of Company)

(Date and Time)

(Witness)

NOTES

The "Spiller Responsibility Letter" informs spillers of their responsibility under the Navigation Law and explains the penalties that can be levied if the spiller does not cooperate. It should be sent to the spiller or suspected spiller as soon as a petroleum spill has been confirmed. The letter notifies the spiller that he or she is required to initiate containment and removal of the spill within a period of time you specify.

There are at least three factors you should consider when specifying a deadline in this letter:

- # The size and nature of the spill;
- # The proximity of the spill to, or its possible effects on, water supplies (surface or ground water), nearby homes and other structures, and/or sensitive environmental areas; and The possible environmental, safety, and/or human health effects of delaying containment and removal.

The "Acceptance of Spiller Responsibility Form" requires the spiller's signature acknowledging his or her responsibility for containment and cleanup of the spill. This form and the "Spiller Responsibility Letter" should be sent by certified mail.

The "Option Letter" outlines the possible options available to the PRP/RP for cleanup of the spill. The contents of this letter can vary somewhat depending on how the release was discovered (e.g., through a complaint or a failed tightness test), the extent and type of spill, and the policies and procedures of your regional office. There is, however, some information that should appear in every "Option Letter." All "Option Letters" should contain the following: spill number, date the spill was discovered, and exact location of the spill. In addition, the letter should cite the response authority provided DEC by Article 12 of the Navigation Act and describe the penalties for noncompliance.

Each "Option Letter" should outline clearly the options open to the PRP/RP to address the spill and the information you wish submitted, and may also specify certain deadlines for taking action. However, it is up to you to determine the particular options, information requirements, and dates you include in the letter. Depending on the circumstances, you may list in your letter one or several options from which the PRP/RP can choose. For example, when an UST fails an initial tank test the following options could be included:

- # Conduct separate integrity tests on the piping and the tanks in order to verify the release source within the tank system.
- # Remove the "non-tight" tank and either remove and dispose of all contaminated soils, or install monitoring wells.

NOTES

- # Install monitoring wells and abandon the "non-tight" tank in-place.
- # Remove the tank within 30 days, according to the requirements for tank removal (outline these requirements in the letter).

The "Option Letter" should always be sent by certified mail. In addition, you should have the PRP/RP inform you as soon as possible about the option(s) he or she has chosen.

Several examples of possible "Option Letters" are included as Exhibits 1.1-7 through 1.1-12. These are provided as examples only; you should use "Option Letters" developed by your own office, or develop your own.

Exhibit 1.1-7 is a sample option letter to an PRP/RP for removal of contaminated soil from an UST release. Note that this option letter includes: (a) specific requirements for removal of the contaminated soil; (b) dates for when the removal must be completed, and (c) requirements for the PRP/RP to forward to DEC copies of the landfill disposal receipt and ample test results. The additional sample option letters apply to the following situations: when an UST has failed an initial tightness test (Exhibit 1.1-8), when an UST fails an isolation tank test (Exhibit 1.1-9), when an UST fails a Petro-tite Systems Test (Exhibit 1.1-10), and ground-water contamination cleanup (Exhibit 1.1-11).

3. Dealing with Uncooperative Spillers

There are generally two ways in which an PRP/RP may fail to fulfill his or her legal responsibilities for spill cleanup: (1) a PRP/RP may refuse from the beginning to accept responsibility, or (2) an PRP/RP may fail to conduct a cleanup in the manner, or in as timely a fashion, as agreed upon with the DEC. If a PRP/RP refuses to cooperate from the outset, try again to change the RP's mind. Send additional notices of spiller responsibility (Exhibit 1.1-12) and/or initiate phone conversations with PRP/RPs to inform them again of the consequences of not cooperating (i.e., higher clean-up costs and possible penalties). If a party claims not to be the PRP/RP, you should inform them of your reasons for believing they are the PRP/RP under the Navigation Law.

If a PRP/RP agrees to conduct and pay for the cleanup and then does not proceed in the manner agreed upon or as quickly as agreed upon, you should inform the PRP/RP immediately that you are dissatisfied with the progress of the cleanup and that DEC is considering taking it over. There are no hard-and-fast rules for deciding when you should take over a cleanup. If possible, you should always work toward having the PRP/RP continue the cleanup in the agreed-upon manner. Attempt to determine why the cleanup is not proceeding as planned and consider means of helping the PRP/RP-directed cleanup get back on track.

Exhibit 1.1-7

Sample Option Letter:
Soil Cleanup Spill

[Date]

[Addressee]

[Address]

Dear []:

This letter is to confirm your - (site meeting) (telephone conversation) with
_____ of this Department on _____,
(Name) (day) (date) (year)
in regards to the above-mentioned spill site. This site involves _____
(explanation)

The following items were discussed and agreed upon:

1. All contaminated material must be removed and stored on site until it can be properly disposed of at a properly permitted landfill.
2. All contaminated material must be sampled for _____. The results must be
_____.
(analyses)
negative for the material to be considered non-hazardous oily debris. You must contact your selected sanitary landfill to verify the sample analyses that they require for disposal.
3. A hauler with a Part 364 permit must be used to haul the contaminated soil to your selected landfill.
4. Please notify this Department after the work is completed but prior to any backfilling of the spill area so that an inspection of the excavation may be made.
5. Please forward to us a copy of the landfill disposal receipt and the sample results.

A schedule for this work is required by _____.
(day) (date) (year)

Cleanup must be performed by no later than _____.
(day) (date) (year)

If you have any questions, please feel free to contact _____.
(Name)

at 847-4590. Your cooperation will be appreciated.

Very truly yours,

Senior Sanitary Engineer

Exhibit 1.1-8

Sample Option Letter:
Initial Tank Failure

[Date]

[Addressee]

[Address]

Dear []:

This Department received notification on _____ that (a)

(day) (date) (year)
_____ tank(s) failed its (their) tank test performed by
(gallons) (product stored)
_____. On _____, Mr. _____ of this Department
(contractor) (date) (name)
discussed with _____ that one of the following options must be done concerning this tank.
(person)

- OPTION 1:
1. The tank is to be immediately isolated from the piping and is to be retested. If the tank tests tight, it may remain in service.
 2. The lines are to be repaired, if necessary, and retested by a state-approved method. Exposed piping may be air tested.
 3. A copy of any test results are to be sent to this office.

- OPTION 2: If the tank fails the retest, or if you decide not to retest, the following must now be done:
1. All product must be immediately removed from the tank.
 2. The tank itself must be removed within thirty days. A Petroleum Bulk Storage form must be submitted to this Department prior to tank removal.
 3. The interior surface of the tank must be cleaned, and all sludge and residue generated by this process must be properly disposed. The tank must be cut open to allow for this work and to ensure proper ventilation of the tank interior.
 4. All safety precautions regarding the opening, cleaning and entering of the tank must be followed. The interior atmosphere of the tank may be explosive and proper procedures must be followed.
 5. Once the tank has been cleaned out, it may be disposed as scrap.

Mr. _____ must be notified when you have a firm date for retesting or removal. Please note, we must be present when this tank is removed to determine if any groundwater or soil contamination exists. If groundwater or soil contamination is found, further remedial work will be required.

If you have any questions, please contact _____ at 847-4590. Your cooperation will be appreciated.

Sincerely,

[]

Exhibit 1.1-9

Sample Option Letter: Retest Failure, Tank Removal

[Date]

[Addressee]

[Address]

Dear []:

On _____, a _____gallon _____, underground store storage tank at the
(day) (date) (year) (#) (material)
above-mentioned address failed a system tank test. On _____, this tank failed an isolation tank test.
(day) (date) (year)

Since the tank failed the retest, the following must now be done:

1. All product must be immediately removed from the tank.
2. The tank itself must be removed within thirty days. A Petroleum Bulk Storage form (enclosed) must be submitted to this Department prior to tank removal.
3. The interior surface of the tank must be cleaned, and all sludge and residue generated by this process must be properly disposed. The tank must be cut open to allow for this work and to ensure proper ventilation of the tank interior.
4. All safety precautions regarding the opening, cleaning and entering of the tank must be followed. The interior atmosphere of the tank may be explosive and proper procedures must be followed.
5. Once the tank has been cleaned out, it may be disposed as scrap.

_____ of this Department must be notified when you have a firm
(Name)

date for removal. We must be present when this tank is removed to determine if any groundwater or soil contamination exists. If groundwater or soil contamination is found, further remedial work will be required.

For your use, enclosed is a list of contractors that are known by this Department to do this type of work. This list is by no means complete. Any contractor may be used by you for this work.

If you have any questions, please feel free to call _____ at 847-4590.
(Name)

Your cooperation will be appreciated.

Sincerely,

[]

Exhibit 1.1-10

Sample Option Letter:
Failed Tank Test

[Date]

CERTIFIED - RETURN RECEIPT REQUESTED

[Addressee]

[Address]

RE: Spill No.

Gentlemen:

This office has been informed by _____ (Name) that _____ (tank) failed a Petrotite systems test. In accordance with Article 12 of the New York State Navigation Law, I must determine if there has been any harm to the lands or the groundwater of the State. In order for me to make this determination, you have three options:

1. Prove that it was not a leaking tank by removing all the piping from the tank and separately Petrotite test the tank. If the tank passes the Petrotite test, it is a piping leak. The tank may then be abandoned or the piping can be repaired, attached to the tank, and the system Petrotite tested.
2. Excavate and remove the tank in the presence of a representative from this office so that an inspection of the tank and the soil can be made. If the tank is sound, and there is no evidence of product loss, nothing further need be done. If there is a problem, proceed as in 3 below.
3. Abandon the tank in-place and install several four (4) inch diameter PVC site wells extending five (5) feet into the groundwater with a screen length of ten (10) feet, with slot size of .020 inches. The exact location and number of wells will be determined by a representative from this office. These wells will be checked for a period of twelve months by New York State, and if there is no evidence of product for that period, the spill will be removed from our listing. If free or dissolved product appears, cleanup must begin immediately.

If cleanup does not begin by _____ (Date) by the responsible party, the State will begin the cleanup and bill the responsible party.

Sincerely,

[]

Exhibit 1.1-11

Sample Option Letter: Ground-water Cleanup

[Date]

[Addressee]

[Address]

Dear []:

This letter is to confirm your (site meeting) (telephone conversation) with (Name) of this Department on (day) (date) (year). Groundwater at this spill site is contaminated with (free floating oil) (dissolved oil components). The following items were discussed and agreed upon:

1. (#) additional four-inch monitoring wells will be installed at the agreed upon locations. A sketch of a typical monitoring well is enclosed for your use.
2. One recovery well will be installed to recover oil product. Groundwater must be pumped to depress the groundwater table. The groundwater must be pumped to an oil-water separator tank. Accumulated oil may be recovered from the well by bailing or by a second pump. A second type of recovery well pumps both oil and water to a separator tank. Oil from the tank is then recovered. You should check with your contractor to determine the best method for the recovery well. Groundwater must be pumped to depress the groundwater table.
3. The discharge water must be sampled for (Contaminates). Dependent upon the sampling results, it may be discharged with a SPDES permit to (Name). The water must at all times be sheenless. An air stripper or a carbon filter may be necessary for the discharge water.
4. All collected oil must be properly disposed. Copies of receipts indicating the disposal site must be forwarded to this office.

It was also agreed that these actions be completed by (Date). Should you have any questions, please do not hesitate to contact (Name) at 847-4590. Your cooperation will be appreciated.

Sincerely,

[]

Exhibit 1.1-12

Sample Option Letter:
Soil Disposal, Soil Still On Site

[Date]

[Addressee]

[Address]

Dear []:

A recent inspection by (Name) of this office indicated that the contaminated soil at your facility still remains on site. We are requesting this oil be removed by (day) (date) (year) to an acceptable landfill. Please send a copy of the disposal receipt to this office.

If you cannot remove the soil by that date, please contact this office immediately. If you do not contact this office and the soil still remains on site past (Date) , DEC will have the soil removed from your site. You will then be billed for the costs of removal and disposal as well any relevant penalties.

If you have any questions, please feel free to contact (Name) at 847-4590. Your cooperation will be appreciated.

Very truly yours,

Senior Sanitary Engineer

NOTES

If all efforts to encourage a PRP/RP to continue the cleanup fail, send a certified letter (Exhibit 1.1-13) notifying them that their actions have been unsatisfactory and that DEC will assume responsibility for the cleanup. This letter again informs the PRP/RP of his or her liability for all costs incurred by DEC during its cleanup.

Exhibit 1.1-13

Unsatisfactory Cleanup Notice Letter

[Date]

CERTIFIED MAIL

SPILL #

[Addressee]

[Address]

Dear Sir:

My letter of (Date) notified you of New York State's interest in a pollution incident for which you are presently considered responsible.

You are hereby given notice that your actions to remove the pollutant and mitigate its effects have been evaluated as unsatisfactory. Effective (Date), the New York State Department of Environmental Conservation will conduct all cleanup activities under the authority of Article 12 of the Navigation Law. Removal will be effected in accordance with the regulations of the Department of Environmental Conservation. You will be billed for all actual costs incurred by New York State as set forth in Section 181 of the Navigation Law, as well as interest and penalties.

Should you require further information concerning this matter, contact: (Name)

Sincerely,

[]

Received and Acknowledged

Time

Date

**TECHNICAL
FIELD GUIDANCE**

**SPILL REPORTING AND INITIAL NOTIFICATIONS -
ACCESS AND RIGHT-OF-ENTRY**

NOTES

Spill Reporting and Initial Notifications - Access and Right-of-Entry

GUIDANCE SUMMARY AT-A-GLANCE

- #** Section 178 of the Navigation Law gives you the authority to enter private property to investigate or clean up a suspected spill.
- #** In general, you should inform the property owner of your right to enter onto private property and obtain consent from the owner. This consent can be either written or verbal.
- #** Detailed information and procedures for access and right-of-entry is considered confidential for spill responders. This information is contained in Appendix L, and is marked confidential.

NOTES

1.1.3 Access and Right-of-Entry

This section addresses the right of NYSDEC personnel to enter private property on which a spill has occurred or is suspected, for the purpose of investigating, containing, and/or cleaning up the spill. Detailed information and procedures of access and right-of-entry are considered confidential. Therefore, this information can be found in Appendix L, including your legal rights to enter property and the procedures to follow to ensure that no charges of trespassing are brought against the Department.

1. State Law and Policy

You have the authority, under the Navigation Law, to enter property to investigate or clean up a real or suspected spill. Specifically, Section 178 of the Navigation Law states:

The department is hereby authorized to enter and inspect any property or premises for the purpose of inspecting facilities and investigating either actual or suspected sources of discharges or violation of this article or any rule or regulations promulgated pursuant to this article. The department is further authorized to enter on property or premises in order to assist in the cleanup or removal of the discharge. Any information relating to secret processes or methods of manufacture shall be kept confidential.

In any emergency or non-emergency, you must possess information supporting a reasonable belief to suspect that a spill has occurred or is occurring, or that the spill is impacting the premises for which access is sought. A reasonable belief may be based on a report of a spill or visual observation. For example, if a gasoline station operator reports an unexpected loss of product from his underground storage tanks that are located near private household wells, you might want to investigate those wells and check the water.

Although you have the authority to enter the premises, *it is always advisable to obtain the consent of the property owner or his or her agent before entering the property.* This consent can be either written or verbal. Obtaining this consent may help avoid civil or criminal charges for trespass being logged. In cases where the owner/agent is not available or not ascertainable, entry should be made.

The experience to
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