



August 20, 2015

Mr. David S. Denk
Regional Permits Administrator
New York State Department of
Environmental Conservation Region 9
270 Michigan Avenue Buffalo, New York 14203

CWM CHEMICAL SERVICES, LLC

1550 Balmer Road
Model City, NY 14107
716 286 1550
716 286 0211 Fax

Re: Notice of Incomplete Application for
SPDES Permit NY0072061 Modification Request for RMU-2

Dear Mr. Denk:

On June 18, 2015, the New York State Department of Environmental Conservation (NYSDEC) issued a Notice of Incomplete Application for a request for modify SPDES Permit NY0072061 for the CWM Chemical Services, LLC (CWM), Model City Facility. The modification request submitted by CWM on April 23, 2015, included an update to page 29 to include the proposed RMU-2 landfill on the facility diagram included in the SPDES permit. No change to the discharge parameters or limits was requested. The Department determined that the permit modification application was incomplete as an antidegradation demonstration is required. This conclusion was based the fact that the RMU-2 leachate is expected to contain one or more pollutants known as bioaccumulative chemicals of concern (BCCs), so that this leachate would have the potential to increase the discharge of BCCs from the facility. CWM does not believe that there would be an increase in BCCs in the discharge from the facility after the construction of RMU-2, or that there would be a lowering of the water quality in the receiving water. Nevertheless, in order to obtain a Notice of Complete Application for CWM's SPDES Permit Modification request and in furtherance of CWM's modification request, the attached Antidegradation Demonstration has been prepared, in general accordance with TOGS 1.3.9 and Supplement A:ANTIDEG of Form NY-2C.

If you have any comments or questions please call me at (716) 286-0241 or Jill Banaszak at (716) 286-0246.

"I certify under penalty of law that this document and all attachments were prepared under my direction or supervision according to a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations."

Sincerely,
CWM CHEMICAL SERVICES, LLC


Michael Mahar

District Manager
Model City Facility

Attachment

cc: S. Mitchell -NYSDEC/Albany, NY
J. Konsella -NYSDEC/Region 9
D. Stever, Esq. -NYSDEC/Region 9
M. Mortefolio -NYSDEC/Albany, NY
On-site Monitors -NYSDEC/Model City, NY
J. Rizzo -CWM/Model City, NY
J. Banaszak -CWM/Model City, NY
D. Darragh -Cohen & Grigsby, P.C. / Pittsburgh, PA
K. Bernstein - Bond, Schoeneck & King, PLLC
EMD Subject File
Q&A