

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

## Division of Materials Management

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MAR 26 2018

Mr. Matt Miner  
Commissioner of Waste Management  
Town of Brookhaven  
Town Hall  
One Independence Hill  
Farmingville, NY 11738

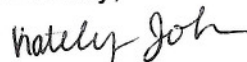
Dear Mr. Miner:

Re: Town of Brookhaven's Draft LSWMP Dated March 2012

On November 4, 2017, the comprehensive revisions, enhancements and structural changes of 6 NYCRR Part 360-366 Solid Waste Management regulations took effect. Therefore, staff from the New York Department of Environmental Conservation (Department) Central Office in Albany and Regional Office in Stony Brook have reviewed the Town of Brookhaven's Draft Local Solid Waste Management Plan (LSWMP) dated March 2012 and submitted to the Department in August 2012 in accordance with 6 NYCRR Part 366 Local Solid Waste Management Planning.

This letter is to inform you that the Draft LSWMP is incomplete. In order for the LSWMP to be deemed complete and approvable, the enclosed comments must be addressed. If you have any questions regarding the enclosed comments or would like to set up a meeting, please contact me in the Central Office at your earliest convenience at (518) 402-8678 or [katelyn.john@dec.ny.gov](mailto:katelyn.john@dec.ny.gov).

Sincerely,



Katelyn John  
Assistant Engineer  
Bureau of Solid Waste Management



Department of  
Environmental  
Conservation

## Comments on the Town of Brookhaven Draft Local Solid Waste Management Plan (Dated March 2012)

A review of the Town of Brookhaven (Town) Draft Local Solid Waste Management Plan (LSWMP) was conducted based on the requirements of 6 NYCRR Subpart 366-2 for LSWMP contents and policy guidance issued by the Department. In accordance with 366-4.1(b)(2), the Department has determined that the draft LSWMP does not substantively address all the requirements identified in 366-2 and the policy guidance. The following comments pertain to those parts of the submitted draft LSWMP that the Department has determined require enhancement. These comments are presented in the order identified in the draft LSWMP for ease of identification and evaluation.

Any errors of a typographical nature noted during review will be provided independently for consideration in final editing. Separate response to these comments will not be required, and can instead be provided as part of the text of the revised draft LSWMP.

### **General Comments**

1. The planning period for this new LSWMP should be ten years. It is suggested that the planning period selected be amended to 2019-2028 to allow adequate time for the Town of Brookhaven to complete revisions of the draft LSWMP and receive approval by the Department.
2. The LSWMP should include an evaluation of progress made towards the goals and projections of the Brookhaven 1993-2009 LSWMP along with and identification of any challenges or obstacles that were encountered over the previous planning period in achieving those goals.
3. The LSWMP needs to include a more complete estimate of the current composition and quantities of all materials in the waste stream. This includes all waste generated within the Town, incorporated villages and unincorporated areas, regardless of who is responsible for management of the waste. Separate estimates are needed for:
  - o municipal solid waste (MSW) (i.e., residential, commercial and institutional waste)
  - o construction and demolition (C&D) debris
  - o industrial waste; and
  - o biosolids

The estimate of the waste stream quantity and composition may be based upon applicable published data, data generated by the Town, and/or other reliable information. The goal is for the LSWMP to contain comprehensive waste composition estimates that can be used as a starting point for planning purposes. To aid planning units with estimating waste quantities and composition, the Department has developed a waste calculator that can be used to estimate current and projected MSW generation and recyclable recovery quantities. This calculator can be found on the Department's website at: <http://www.dec.ny.gov/chemical/48208.html>.

4. The draft LSWMP provides general and incomplete information on the programs and facilities in the Town. The LSWMP needs to include an enhanced assessment of the current system for managing all solid waste, including details regarding the operation, capacity, contractual agreements, and expected life of the current facilities and programs used for all waste generated within the Town. The assessment should include all areas of the Town including the unincorporated areas and the incorporated villages, as well as all of the residential, commercial and industrial waste generated in the planning unit. The assessments should be updated to reflect the current status of the capacity, contractual agreements and expected life of the facilities that manage solid waste generated in the planning unit.
5. The LSWMP needs to include an evaluation of the alternatives for the management of all solid waste and recyclables generated in the Town. The information presented in the draft LSWMP needs to be enhanced to more completely evaluate alternatives for management of the various waste streams. Separate evaluations for MSW, C&D debris, industrial waste and biosolids needs to be provided.
6. After evaluation of the alternatives, the options selected for implementation need to be completely described, including the rationale for their selection and their projected effect on reducing waste disposal and increasing recyclables recovery.
7. The LSWMP needs to include a detailed implementation schedule for all processes or programs that will be implemented or further evaluated throughout the 10-year planning period. The schedule should include detailed tasks and subtasks.

### ***Specific Comments***

#### **Section 1 – Description of the Planning Unit**

8. The draft plan is mainly focused on MSW generated by the unincorporated areas of the Town. While the plan acknowledges that the incorporated villages are currently not disposing waste at Brookhaven facilities, the LSWMP should include how each of the incorporated villages plan to manage their waste for the duration of the planning period. If this information is not currently available, a task for obtaining and evaluating this information should be incorporated into the implementation schedule.
9. Table No. 1-2 summarizes the incorporated village population; the Table should include a source for the data. The Town should use other published data, such as census data, when their own data is lacking (for example, the population of Mastic Beach) to fill in those gaps. Adding the Village of Mastic Beach population to the total village population will result in a change to the total population of the unincorporated part of the Town which will need to be revised in the LSWMP.
10. Section 1 states that the Town is typically suburban in nature, however the population density should be broken down into urban, suburban and rural percentages.

11. Section 1.3 states that as of June 1, 2011 no villages are currently disposing of their waste at Brookhaven facilities, however the data presented in Section 2 includes waste accepted at Town facilities from Districts and Villages. Please clarify whether Village waste is or is not being accepted at Town facilities.
12. Although the LSWMP identified SUNY Stony Brook and other small colleges as special population centers, a complete list of any institutions or commercial entities, such as school districts, hospitals, correctional facilities and shopping centers within the Town should be identified (such as those listed in Section 4.2.2). A description of the waste management programs at all of these institutions should also be provided. If additional information is not available, a task for obtaining and evaluating this information should be incorporated into the implementation schedule.

## **Section 2 – Solid Waste Quantities and Composition**

13. In Section 2.1, the plan states that there are no major industrial or manufacturing centers in the Town and that the waste from such facilities is assumed to be minor in nature and most probably managed through the commercial sector. This conflicts with a statement in Section 1.5 that identifies Brookhaven National Lab as a large industry located in Town. If the Town does not have data regarding industrial waste generation, a task for obtaining and evaluating this information should be incorporated into the implementation schedule.
14. Table No. 2-1 includes the tonnages of waste received at the Town transfer station over the years 2004-2010. This reduction in disposal was described in the plan as a decrease in the generation rate, when it may actually be a decrease in the disposal rate.
15. Section 2.2 discusses the recyclables received annually at the MRF to include materials from the Town and some Villages within the Town, as well as recyclables from other towns on Long Island. Please clarify if the MRF only accepts residential recyclables, or if the MRF accepts recyclables from commercial, institutional and industrial sources as well.
16. In Section 2.3.1 “mandatory paper recyclables” is defined to be those materials that the Town requires to be source separated including newspaper, corrugated cardboard, paperboard, office paper, paper bags and phone books. However, in Section 3.1.2 under the explanation of the Curbside Collection System and in other sections of the document, recycling is explained to be one week of newspaper and cardboard and the other week to be commingled recyclables. Is the newspaper and cardboard week of recycling actually for all mandatory paper recyclables? Or is it strictly only newspaper and cardboard. This should be clarified throughout the document.

17. In Section 2.3.2 it states that Residential Waste does not include other MSW components generated in apartment houses, and condominium associations, commercial/institutional waste, or industrial waste. However, the LSWMP needs to include all waste generated within the planning unit, not just the waste streams managed by the Town. These waste streams need to include all MSW, C&D debris, industrial waste, as well as biosolids. If data is not currently available to accurately represent these waste streams, a task should be included on the implementation schedule to gather this data.
18. Section 2.3.2 two recycling rates are stated, one based on waste processed by the Town from its residential waste districts, and one based on all wastes processed by the Town factoring in materials from other sources. The recycling rate of the planning unit should only include waste generated in the planning unit, and should not factor in waste accepted from outside the planning unit.
19. Table 2-10 needs to include waste generation data for industrial waste and biosolids. If the Town does not have data regarding industrial waste generation, a task for obtaining and evaluating this information should be incorporated into the implementation schedule.
20. The sources of all of the data presented in Section 2 needs to be stated.

### **Section 3 – Existing Program Description**

21. This section should be updated to reflect the existing program as of 2017, including the current status of all programs and facilities.
22. In Section 3.1.2, the LSWMP states that the BRRI does not provide service to residents of incorporated villages, apartment buildings, or to condominium or townhouse developments that elect not to join the BRRI. Do these entities have the option to join the BRRI during the proposed planning period? This should be addressed in the LSWMP.
23. The hauler licensing program that the Town utilizes could be enhanced to obtain data on quantities and disposal locations for waste streams that are collected from private sector collection and disposal firms that do not generally use the Town's public facilities. Since it appears that this data is not currently available to the Town, a task for obtaining and evaluating this information should be incorporated into the implementation schedule.
24. The Town should explore ways in which a relationship could be developed with the commercial and industrial generators to receive their waste generation data directly from the point of generation. Tasks for reaching out to the generators and exploring a relationship should be incorporated into the implementation schedule.
25. Section 3.1.2 states that the Town MRF attracts large institutions such as the Brookhaven National Laboratory. The LSWMP should therefore quantify the amount of recyclables collected from the Brookhaven National Laboratory and other industries in the discussion of the MRF in Section 2.2.

26. The discussion for curbside collection in Section 3.1.2 should be revised to reflect changes in collection due to the upgrade of the Town's MRF to single stream processing.
27. In the discussion of the MRF in Section 3.1.2, the list of materials processed at the MRF is not consistent with the list of mandatory recyclables contained in the section. Additionally, the list of materials produced after processing in the MRF does not include many of the items which are listed as mandatory for collection at the curb. This should be clarified.
28. Please provide data regarding the quantity of hazardous waste collected at the permanent STOP facility during its operation. If the Town does not have data regarding industrial waste generation, a task for obtaining and evaluating this information should be incorporated into the implementation schedule.
29. The discussion in Section 3.2.1 states that "most" of the recyclable items cited in the section will be processed at the MRF. What is done with the rest of the items which are not processed at the MRF?

#### **Section 4 – Future Planning Unit Projections and Solid Waste Changes**

30. This Section needs to project waste composition and quantity information, including an assessment of all waste anticipated to be generated within the Town and the amount to be recovered as recyclables during the 10-year planning period. Separate projections should be included for industrial waste and biosolids. These projections should account for any anticipated changes to the various waste streams. As stated in comment 3, the Department's waste calculators are tools that can be used to estimate current and projected recyclables, waste generation, and recovery quantities.
31. Section 4.2.2 states that it is envisioned that any increase in commercial or industrial waste due to the build out of commercial or industrial vacant acreage will be collected and disposed of by commercial carters. If it is envisioned that commercial and industrial waste streams are going to increase within the Town, it must be addressed in the LSWMP since the waste is generated within the planning unit, regardless of who is collecting it and where it is disposed.

#### **Section 5 – Technology Evaluation**

32. Section 5.1 states that an evaluation of alternative technologies to evaluate other disposal methods for municipal solid waste "is not warranted at this point" due to long term contractual commitment between the Town and Covanta Hempstead. Under the 6NYCRR Part 366 regulations for solid waste management planning, an evaluation and summary of alternatives considered for the management of all waste and recyclable streams needs to be provided, even if the chosen alternative is to continue to utilize Brookhaven's existing solid waste management system. Separate evaluations for MSW, C&D debris, industrial waste and biosolids should be provided along with a discussion related to any continual or future alternatives evaluations necessary. This should be incorporated into the implementation schedule as applicable.

33. The discussion regarding transfer station capacity states that "it is likely" that the facility will be sufficient to manage the Town's disposal needs. A task should be added to the implementation schedule to determine if the transfer facility can continue to sufficiently manage waste for the planning period.
34. The discussion of the MRF needs to be updated to include a description of changes to the operation of the facility due to the conversion to single-steam. The description should include the capacity of the facility, whether the facility operates under a registration or a permit and how effective the conversion has been on recycling rates in the Town.
35. Sections 5.1.2, 5.1.3 and 5.1.7 should be enhanced to include any proposed changes to the current system, including the implementation of a PAYT system.
36. Section 5.1.8 mentions a concrete recovery program which is not described earlier in the draft LSWMP. Details of this program as well as quantities of concrete processed should be included in Section 3.
37. The discussion of Pay-As-You-Throw Programs in Section 5.2.2 includes a statement that "communities have reported reductions in waste disposal as much as 25 to 35 percent, although a statistical evaluation of such data found the reduction due to PAYT alone was on the order of 15%". Please provide the source of this statistical evaluation.
38. Table 5-1 should identify the cost of landfill operation, monitoring and maintenance as well as long term closure costs/financial assurance payments to reflect the whole system cost.

#### **Section 6 – Integrated System Selection**

39. Section 6.1.1.B lists the initiatives proposed in the LSWMP. For each proposed initiative, the administrative, technical and jurisdictional impacts must be addressed. In addition, more detail than is currently provided should be included (e.g., required resources, milestones, projected start and completion dates) as they form the basis for the implementation schedule and the projections.
40. As noted in Comment 8, a major concern the Department has with the LSWMP is the fact that it only addresses a fraction of residentially generated waste within the planning unit. An action item could be added to evaluate the Village's ability to manage their own waste and could evaluate the possibility of re-engaging the Villages into actively participating in the planning unit.

#### **Section 7 – Implementation Schedule**

41. As discussed in Comment 7, the implementation schedule needs to be significantly enhanced to incorporate all the implementation steps from all the various programs identified into a comprehensive schedule.