

APPENDIX A

ADMINISTRATIVE INFORMATION



Department of Environmental Conservation

DEPARTMENT USE ONLY
DEC APPLICATION NO.
ACTIVITY NUMBER(S)

Division of Materials Management
APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY PERMIT

Please read all instructions before completing this application

Reset Form

Please TYPE or PRINT clearly

1. APPLICATION TYPE (CHECK ALL APPLICABLE BOXES):
2. APPLICANT IS:
3. IS APPLICATION FILED BY OR ON BEHALF OF A MUNICIPALITY?

4. FACILITY OWNER'S INFORMATION
5. FACILITY OPERATOR'S INFORMATION
6. ENGINEER'S INFORMATION

7. FACILITY NAME AND LOCATION (Attach USGS Topo Map showing exact location)
8. SITE OWNER'S INFORMATION

9. TYPE OF FACILITY (Check all applicable boxes)
10. NAME(S) OF ALL MUNICIPALITIES SERVED:

11. SOLID WASTES ACCEPTED:
12. FACILITY SIZE

13. IS A VARIANCE REQUESTED FROM ANY PROVISION OF 6 NYCRR PART 360?

14. CERTIFICATION:
I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits was prepared by me or under my supervision and direction and is true to the best of my knowledge and belief, and that I have authority or am authorized as
(title) DISTRICT MANAGER of (entity) SENECA MEADOWS INC.
to sign this application pursuant to 6 NYCRR Part 360. I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.
Date 7-13-2020 Signature [Signature] Print Name KYLE BLACK

Instructions for the completion of an Application for a Solid Waste Management Facility Permit

General

This application form is prescribed by the New York State Department of Environmental Conservation (DEC) for solid waste management facilities pursuant to the requirements of 6 NYCRR Parts 360, 361, 362, 363, 365, and 621. In order to be determined complete, the application must satisfy the requirements established in Subparts 621.3 and 621.4 and the plans, reports, and other supporting information required by Parts 360, 361, 362, 363, 365. Applicants should make every effort to enter the information requested in the spaces provided on this form **but may attach additional sheets where space prohibits full and complete answers**. For the purposes of this form, the term "facility" shall mean "solid waste management facility."

Submit all application materials to the Regional Permit Administrator for the DEC region in which the facility is located, or is proposed to be located. See Part 621 Appendix 1. **Note: The applicant should retain a copy of the completed application form.**

Item Number

- 1 Check all boxes that pertain to the type of permit sought.
An initial permit is the first permit the owner or operator receives for the facility. See 360.16
A permit renewal is used when intending to construct or operate beyond the current permit period. See 360.16(g) and 621.13
A permit modification is used for any change or amendment whatsoever to a current permit. See 360.16(f), and 621.13
- 2 Check the box that describes the applicant's affiliation with the facility. The applicant must either be the owner of the facility or the entity or person responsible for the overall operation of the facility. See 360.2(b)(13)
- 3 If the application is submitted by or on behalf of a municipality, enter the name of the municipality. See 360.2(b)(179) and (180)
- 4 Identify the entity or person who owns the facility. See definition of "person", 360.2(b)(198)
- 5 Identify the entity or person responsible for the overall management and operation of the facility.
- 6 Identify the individual licensed to practice engineering in the State of New York who is responsible for the design of the facility, and the preparation and certification of any supporting information required to be submitted with this application. Include the name of the firm which employs the engineer, where applicable. See 360.6 and 621.3(a)(1).
- 7 Enter the name and address of the facility. Attach a USGS Topographic Map, or copy of one, showing the exact location of the facility.
- 8 Identify the entity or person who owns the site on which the facility is situated, or who will own the site on which the proposed facility will be situated. See 360.2(b). For new applications, written permission from the owner(s) of land which the facility is to be located is required 360.16(c)(1)(iii).
- 9 Check the box that most closely describes the facility that is the subject of this application. For combination facilities check all applicable boxes. For Research, Development and Demonstration permits and Nonspecific permits, see 360.18 and 360.17, respectively.
- 10 Enter the name of all municipalities in the existing and/or proposed service area of the facility. See 360.2(b)(246) and 360.16(c)(5) & (d).
- 11 Enter the specific wastes to be accepted at the facility.
- 11a If applying for a permit renewal or modification, enter the new or existing "approved design capacity" from the current permit. See 360.2(b)(14)
- 11b For initial permit and permit modification applications, enter the proposed "approved design capacity." See 360.2(b)(14) and (15). Generally, units must be expressed as tons per day, except that waste oil must be in gallons, waste tires must be number of tires, and land application and composting must be dry tons per day.
- 12a Enter the area proposed to be occupied by the facility, not including access roads, appurtenances, and land buffer areas. See 360.2(b)(101)
- 12b Enter the area of the contiguous property on which the facility is situated, including the area of the facility, access roads, appurtenances, land buffer and unused areas.
- 12c For facilities that are to be developed in stages, enter the total facility area that is ultimately proposed, inclusive of all stages.
- 12d For landfills, enter any existing landfill area on the site and on adjacent properties that were subdivided from this site within the previous five years.
- 12e Enter the height of the highest point of the proposed facility as measured from existing ground level.
- 13 Identify all provisions of Part 360 from which a variance is sought. The variance request must satisfy the requirements of 360.10 and 621.3(a)(5). Attach documentation as necessary. A variance request that is submitted on behalf of a facility with a current permit must be submitted as an application for a permit modification.
- 14 The certification block must be completed by the applicant. See 360.16(a) and 621.3(a)(2).

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
SUBPART 360 GENERAL REQUIREMENTS						
360.1	Purpose and applicability	NA	NA	NA	NA	NA
360.2	Definitions	NA	NA	NA	NA	NA
360.3	References	NA	NA	NA	NA	NA
360.4	Transition	NA	NA	NA	NA	NA
360.5	Severability	NA	NA	NA	NA	NA
360.6	Submission requirements and use of professional engineers and certified laboratories	-	-	-	-	-
360.6(a)	Engineering related documents, except quarterly and annual reports, submitted under any provision of this Part or of Parts 361, 362, 363, 365, or Subpart 374-2 of this Title for a permitted facility must be submitted under the stamp and signature of a professional engineer licensed and currently registered to practice in the State of New York. All documents submitted to the department must be submitted in print as well as in an electronic format acceptable to the department.	Cover Sheet	-	All	-	All
360.6(b)	Any laboratory tests or analyses required under this Part and Parts 361, 362, 363, and 365 of this Title, including those for which the commissioner of the New York State Department of Health issues certificates of approval, must be performed by a laboratory certified to perform those tests or analyses pursuant to the New York State Department of Health Environmental Laboratory Approval Program (ELAP) or Clinical Laboratory Evaluation Program (CLEP), unless otherwise specified in this Part or Parts 361 – 365 of	-	-	D	-	-
360.7	Inspection of facilities	NA	NA	NA	NA	NA
360.8	Prohibited siting	2.1.2.1	-	-	-	-
360.9	Prohibited Activities	NA	NA	NA	NA	NA
360.10	Variances	NA	NA	NA	NA	NA
360.11	Comprehensive Recycling Analysis	NA	NA	NA	NA	NA
360.12	Beneficial use	NA	NA	NA	NA	NA
360.13	Special requirements for pre-determined beneficial use of fill material	NA	NA	NA	NA	NA
360.14	Exempt facilities	NA	NA	NA	NA	NA
360.15	Registered facilities, transporters and collection events	NA	NA	NA	NA	NA
360.16	Permit application requirements and permit provisions	-	-	-	-	-
360.16(a)	Submission, signature and verification of applications for facility or waste transporter permits. All applications for permits must be submitted in either an electronic format acceptable to the department or print. They must be signed by the applicant as follows:	-	-	-	-	-
360.16(a)(1)	corporations: by a duly authorized principal executive officer of at least the level of vice president;	Cover Sheet	-	A	-	-
360.16(a)(2)	partnership or limited partnership: by a general partner;	NA	NA	NA	NA	NA
360.16(a)(3)	sole proprietorship: by the proprietor; or	NA	NA	NA	NA	NA
360.16(a)(4)	a municipal, State, or other governmental entity: by a duly authorized principal executive officer or elected official.	NA	NA	NA	NA	NA
360.16(b)	Level of detail. The information contained in an application must contain sufficient detail to:	Whole Report	All	All	All	All
360.16(c)	Contents of a new application for a permit. In addition to the information identified in Part 621 of this Title, an application for a new permit must include at a minimum, the following information:	-	-	-	-	-
360.16(c)(1)	Contact information and written permission, including:	-	-	-	-	-
360.16(c)(1)(i)	the name and address of the owner and of the operator of the proposed facility;	-	-	A	-	-
360.16(c)(1)(ii)	the name and address of the owner of the property on which the proposed facility is to be located;	-	-	A	-	-
360.16(c)(1)(iii)	written permission from the owner(s) of land on which the proposed facility is to be located; and	-	-	A	-	-
360.16(c)(1)(iv)	a Certificate under Seal of the Department of State, if applicable.	NA	NA	NA	NA	NA
360.16(c)(2)	Maps and plans. A regional map, a vicinity map, and a site plan, as described in this paragraph.	-	-	-	-	-
360.16(c)(2)(i)	Regional map. A regional map (having a minimum scale of 1:62,500) that delineates the location of the proposed facility, the location of the closest population centers, communities of disproportionate impact, and transportation systems including	-	-	B	-	3
360.16(c)(2)(ii)	Vicinity map. A vicinity map (having a minimum scale of 1:24,000) that delineates zoning and land use, communities of disproportionate impact, residences, principal aquifers, primary aquifers, surface waters, wetlands, access roads, and other existing and proposed features on the property and within one-half mile of the perimeter of the	-	-	B	-	3
360.16(c)(2)(iii)	Site plan. A site plan having a minimum scale of 1:2,400 with five-foot contour intervals (ten-foot intervals for land application facilities) that shows:	-	-	B	-	5
360.16(c)(2)(iii)(a)	the location of the proposed facility and its acreage, and the location of any State or federally regulated wetland or special flood hazard area, including 100-year flood elevations and location of any floodways pursuant to Part 502 of this Title, on the property and within 800 feet of the perimeter of the property;	DEIS	DEIS	DEIS	DEIS	DEIS

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REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
360.16(c)(2)(iii)(b)	the location of all public and private water wells, monitoring well, surface water bodies, roads, residences, public areas and buildings, including the identification of any buildings which are owned by the applicant or operator, on the property and within 800 feet of the perimeter of the property;	DEIS	DEIS	DEIS	DEIS	DEIS
360.16(c)(2)(iii)(c)	the location of all proposed structures, appurtenances, screening, fences, gates, roads, parking areas, and areas designated for management of waste;	-	-	B	-	11, 19
360.16(c)(2)(iii)(d)	the drainage characteristics of the proposed facility and of the property on which it is proposed to be located, identifying the direction of stormwater, ditches, and drainage swales together with any drainage controls that exist or will be implemented with facility construction;	-	-	B	-	10
360.16(c)(2)(iii)(e)	the location of soil borings, if applicable;	-	-	D	D-4-5, D-4-6	-
360.16(c)(2)(iii)(f)	existing and proposed elevation contours;	-	-	B	-	5, 20
360.16(c)(2)(iii)(g)	the direction of prevailing winds; and	-	-	B	-	5
360.16(c)(2)(iii)(h)	except in the case of land application facilities, the property boundaries, certified by an individual licensed to practice land surveying in the State of New York, of the property on which the facility is proposed to be located.	-	-	B	-	4
360.16(c)(3)	Engineering Report	-	-	-	-	-
360.16(c)(3)(i)	An engineering report that contains a comprehensive description of the existing site conditions, a full engineering analysis of the facility including engineering calculations and all raw data, a description of the overall process, including flow diagrams, and a functional description of all equipment to be used, including design criteria, engineering calculations and anticipated performance. Engineering drawings and specifications submitted as part of the engineering report must depict process flows, dimensions, elevations, floor plans, and cross-sectional views of the facility, including all structures, areas designated for unloading, sorting, processing, storage, and loading, and other waste management areas and equipment. Engineering drawings must contain information on known site conditions and projected use of the site.	Whole Report	All	All	All	All
360.16(c)(3)(ii)	A noise assessment to demonstrate compliance with the Leq Energy Equivalent Sound levels proscribed in subdivision 360.19(j), below. If the noise assessment indicates the Leq Energy Equivalent Sound Levels will be exceeded, a noise monitoring and control plan to mitigate or monitor sound levels must be included in the application as part of the facility manual.	-	-	E	-	-
360.16(c)(4)	Facility Manual	-	-	E	-	-
360.16(c)(4)(i)	Waste control plan. The waste control plan describing:	-	-	-	-	-
360.16(c)(4)(i)(a)	the facility's service area, both inside and outside New York State, including a list of all planning units or Native American tribes or nations within New York State and counties, provinces or tribes or nations outside of New York State;	E-1.0, E-2.0	-	E	-	-
360.16(c)(4)(i)(b)	the waste that will be accepted at the facility including the type, source, quantity, and, as required for a particular waste stream in Parts 361, 362, 363, or 365 of this Title, analytical results. The description of the quantity must specify the expected average and maximum daily and annual amounts, on a weight and volume basis, and must be specified for each individual type of waste and for the total amount of waste accepted;	E-5.0, E-6.0	-	E	-	-
360.16(c)(4)(i)(c)	authorized locations where wastes, including residues, are transported when they leave the facility and what arrangements exist or will exist (contracts, etc.) that verify receiving entities will accept the waste;	E-6.7	-	E	-	-
360.16(c)(4)(i)(d)	inspection, education, and contractual measures to ensure that the facility receives and treats only authorized waste, including a program to identify, control, segregate, quarantine, record, store, and dispose of unauthorized waste;	E-6.0	-	E	-	-
360.16(c)(4)(i)(e)	if friable asbestos-containing waste is accepted at the facility, a detailed waste plan specific to that waste must be included that outlines the procedures for managing the	E-5.7.1	-	E	-	-
360.16(c)(4)(i)(f)	if recyclables are managed at the facility, a detailed plan must be included that describes the types of recyclables that will be recovered, the procedures that will be used for recovery and storage of the recyclables and the disposition of recyclables when they leave the facility;	NA	NA	NA	NA	NA
360.16(c)(4)(i)(g)	the procedures that will be used for managing mercury-added consumer products that are separately delivered to the facility; and	E-5.4	-	E	-	-
360.16(c)(4)(i)(h)	in the case of a landfill, a municipal waste combustor, or a transfer facility, a detailed plan must be included that:	-	-	-	-	-
360.16(c)(4)(i)(h)(1)	describes procedures to ensure that source-separated recyclables, source-separated yard trimmings and tree debris, source-separated food scraps, and source-separated electronic waste and other product stewardship designated materials are not accepted for disposal, and describes actions to be taken if these materials are received at the	E-6.0	-	E	-	-
360.16(c)(4)(i)(h)(2)	describes procedures and time-frames for conducting periodic waste characterization surveys.	E-6.0	-	E	-	-
360.16(c)(4)(ii)	Operations and maintenance plan. The plan must include the following:	-	-	-	-	-
360.16(c)(4)(ii)(a)	a description of the overall operation of the facility, including procedures to be followed during start-up and scheduled and unscheduled shutdown of operations;	E-Whole Report	-	E	-	-

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360.16(c)(4)(ii)(b)	the type, purpose, size, capacity, and associated detention times for all waste handling, storage, and processing equipment and structures, including back-up facilities and equipment;	E-7.2, E-17	-	E	-	-
360.16(c)(4)(ii)(c)	a process flow diagram for waste during normal operation. The flow diagram must indicate the average and maximum quantity of waste handled on a weight and volume	NA	NA	NA	NA	NA
360.16(c)(4)(ii)(d)	a description of all machinery, equipment, and structures used in waste management operations of the facility, including the design capacity;	E-5.2	-	E	-	-
360.16(c)(4)(ii)(e)	a description of the drainage system used for the collection and storage of leachate and the method and location used for disposal of the leachate;	E-11.0	-	E	-	-
360.16(c)(4)(ii)(f)	the monitoring, maintenance and inspection procedures related to waste management;	E-5.7, E-9	-	E	-	-
360.16(c)(4)(ii)(g)	a description of the actions to be taken in response to significant interruptions to the facility's normal operations;	E-18.2	-	E	-	-
360.16(c)(4)(ii)(h)	the schedule of operation including the days and hours when the facility will be open to accept and transfer waste, and the days and hours when operations will occur within the facility;	E-5.1	-	E	-	-
360.16(c)(4)(ii)(i)	a list of all equipment and instruments requiring calibration and a schedule of proposed calibration intervals;	E-10.3.7	-	E	-	-
360.16(c)(4)(ii)(j)	the estimated maximum daily traffic flow to and from the facility, the type and size of vehicles, and the maximum number of vehicles that can be accommodated on site;	E-5.8	-	E	-	-
360.16(c)(4)(ii)(k)	where treatment of waste will occur at the facility, a detailed description of each treatment method and unit, including the operating parameters that will be attained to achieve the intended treatment and the frequency, location, and method for monitoring the operating parameters;	NA	NA	NA	NA	NA
360.16(c)(4)(ii)(l)	a discussion of compliance with the operating requirements that are identified in section 360.19 and Parts 361, 362, 363, and 365, and Subpart 374-2 of this Title;	E-Whole Report	-	E	-	-
360.16(c)(4)(ii)(m)	the location of all facility records related to the permit; and	E-20.1	-	E	-	-
360.16(c)(4)(ii)(n)	a description of the operation of a residential drop-off area, if applicable, for non-commercial vehicles to unload waste and recyclables.	E-15.0	-	E	-	-
360.16(c)(4)(iii)	Training plan. A training plan that identifies all of the facility's personnel by title and responsibilities and that describes the training program, both classroom and on-the job, that will be used to educate each individual on the procedures necessary to ensure compliance with the requirements applicable to the facility, including but not limited to the plans and procedures identified in this section and all authorizations, permits, and approvals that will be required for the facility; and that describes the training that will be provided and all procedures and equipment that will be used during emergencies, contingencies and standard operations.	E-3.3	-	E	-	-
360.16(c)(4)(iv)	Emergency Response Plan. An emergency response plan must include the following.	-	-	-	-	-
360.16(c)(4)(iv)(a)	A description of actions that facility personnel would take in response to emergencies including fires, explosions, natural disasters, and spills that occur at the facility. The plan must identify the personnel, equipment, and protocols to be utilized in response to each type of emergency. The plan must also include contact information for designated emergency contacts.	E-19.0	-	E	-	-
360.16(c)(4)(iv)(b)	A description of the facility's ability and proposed methods to respond to a natural or manmade disaster that, although it may not have a direct impact on the facility itself, may call for expanded or non-standard services to be provided by the facility (for example, longer operating hours) if department approval is granted for those services.	E-19.0	-	E	-	-
360.16(c)(4)(v)	a noise monitoring and control plan, if required pursuant to subparagraph (c)(3)(ii) of this subdivision, must include the following:	E-9.8	-	E	-	-
360.16(c)(4)(vi)	Closure plan. A closure plan that specifically identifies how the facility will comply with the requirements for closure in section 360.21 of this Part and any closure requirements in Parts 361, 362, 363, and 365, and Subpart 374-2 of this Title.	E-19.3	-	E	-	-
360.16(c)(5)	State and Local Plan Consistency. A demonstration that the facility is consistent with the goals and objectives of:	-	-	-	-	-
360.16(c)(5)(i)	the New York State solid waste management policy identified under subdivision (1) of ECL section 27-0106, with an emphasis on diversion from thermal treatment and	-	-	A	-	-
360.16(c)(5)(ii)	the New York State solid waste management plan; and	-	-	A	-	-
360.16(c)(5)(iii)	the department-approved Local Solid Waste Management Plan (LSWMP) in effect, if one exists, for the municipalities in the facility's service area.	NA	NA	NA	NA	NA
360.16(c)(5)(iv)	for those municipalities in the service area that do not have a LSWMP in effect, an identification that the municipalities have a department-approved CRA in effect.	NA	NA	NA	NA	NA
360.16(c)(6)	If a facility requiring a permit includes facilities or collection events which would qualify as an exempt or registered facility or collection event, those operations must be described in the permit application.	NA	NA	NA	NA	NA
360.16(d)	New applications submitted by or on behalf of a municipality for a permit under Part 362 or 363 of this Title will not be complete until a LSWMP is in effect for the	NA	NA	NA	NA	NA

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360.16(e)	In addition to the criteria outlined in subdivision 621.3(e) of this Title, a permit can be denied or revoked based upon the unsuitability of the owner, operator or applicant, as set forth in this subdivision. In addition to any other available grounds, the department can, consistent with the policies of article 23-A of the Correction Law, and the provisions of section 70-0115 of the ECL, deny, suspend, revoke or modify any permit, renewal or modification after determining in writing that such action is required to protect the public health or safety. Some of the factors the department can consider in arriving at such determination include:	NA	NA	NA	NA	NA
360.16(f)	Permit modifications. An application to modify a permit must include a description of the proposed modification, a description of the impacts of the proposed modification on the facility, and a demonstration that, under the modified permit, the facility will comply with applicable parts of this Title.	NA	NA	NA	NA	NA
360.16(g)	Permit Renewals	NA	NA	NA	NA	NA
360.16(h)	Facilities at or near sites undergoing a remedial program.	-	-	-	-	-
360.16(h)(1)	If a facility permitted under this Part is proposed to be located at or within 150 feet of the boundary of a site undergoing a remedial program, the applicant must submit an report that discusses the potential impacts of the facility on the remedial program for that site. For the purposes of this subdivision, a remedial program is any activity defined in 6 NYCRR 375-1.2 and subject to ECL Article 27 Title 13 (Inactive Hazardous Waste Disposal Sites), ECL Article 27 Title 14 (Brownfields Cleanup Program sites), ECL Article 56 Title 5 (Environmental Restoration Project sites), ECL Article 52 Title 3 (Hazardous Waste Site Remediation Projects), ECL Article 27 Title 9 (RCRA Corrective Action Program) or the department's Voluntary Cleanup Program, or in Navigation Law Section 176 (Spill Response Program for the cleanup of petroleum discharges). The proposed facility must not interfere significantly with any potential, ongoing or completed	2.1.2.2	-	-	-	-
360.16(h)(2)	If a new facility or an expansion of an existing facility is proposed to be located at an inactive hazardous waste site classified as a P site by the department, the applicant must submit as part of a complete application, sufficient information to enable the department to classify the site in question as Class 1, 2, 3, 4 or 5 or to delete the site from the Registry of Inactive Hazardous Waste Disposal Sites.	NA	NA	NA	NA	NA
360.16(i)	Duration of permits. A permit issued pursuant to this Part will be issued for a period not to exceed ten years.	-	-	-	-	-
360.16(j)	Supervision and certification of construction. The construction of a facility and each stage of construction of a facility must be undertaken under the supervision of an individual licensed to practice engineering in the State of New York. Upon completion of construction, that individual must certify in writing that the construction is in accordance with the terms of the department-issued permit. Operation of the facility and any stage in the operation of a facility cannot commence until approval from the department is received.	-	-	F	-	-
360.17	Nonspecific facilities	NA	NA	NA	NA	NA
360.18	Research, development, and demonstration registrations and permits	NA	NA	NA	NA	NA
360.19	Operating requirements	-	-	E	-	-
360.20	Environmental monitoring services	-	-	E	-	-
360.21	Closure requirements	-	-	E	-	-
360.22	Financial assurance	-	-	E	-	-

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SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
SUBPART 361-6 WASTE TIRE HANDLING AND RECOVERY FACILITIES						
361-6.1	Applicability	NA	NA	NA	NA	NA
361-6.2	Exempt facilities	NA	NA	NA	NA	NA
361-6.3	Registered Facilities	NA	NA	NA	NA	NA
361-6.4	Permit Application Requirements	-	-	-	-	-
361-6.4	A waste tire handling and recovery facility that is not an exempt facility or subject to the registration provisions of section 361-6.3 of this Subpart must obtain a permit, and must submit an application which includes the requirements identified in section 360.16 of this Title and a description of how the facility will comply with the operating requirements in Part 360 of this Title and section 361-6.5 of this Subpart.	-	-	-	-	-
361-6.5	Design and Operating Requirements	-	-	E	-	-
	A waste tire handling and recovery facility required to obtain a permit must, in addition to the requirements identified in Part 360 of this Title, design, construct, maintain, and operate the facility in compliance with the following:	-	-	E	-	-
361-6.5(a)	the storage of whole waste tires is no greater than the 30-day production capacity of the facility, and the storage of processed, cut or shredded tires is no greater than the 90-day production capacity of the facility;	E-17.1.4	-	E	-	-
361-6.5(b)	all tire-related waste generated as a result of facility operation is removed from the facility to an authorized solid waste management facility within seven days after	E-17.1.4	-	E	-	-
361-6.5(c)	the maximum individual waste tire storage pile size at the facility does not exceed 20 feet in height. Horizontal dimensions of individual waste tire piles must have a surface area no greater than 5,000 square feet, with the width not to exceed 40 feet;	E-17.1.4	-	E	-	-
361-6.5(d)	a minimum separation distance of 10 feet must be maintained between adjacent piles unless the piles are stored in bins or other structures which separate piles. Storage piles must not extend over property boundaries;	E-17.1.4	-	E	-	-
361-6.5(e)	no waste tire piles can be located in excavations or below grade;	E-17.1.4	-	E	-	-
361-6.5(f)	documentation is available at the facility that the storage configuration and fire prevention and protection systems are in accordance with State and local building and fire codes;	E-17.1.1 and on-site	-	E	-	-
361-6.5(g)	facilities having a planned or actual storage capacity of 2,500 or more waste tires have either an active hydrant or a viable fire pond on the facility, and fully charged carbon dioxide or dry chemical fire extinguishers located in strategically placed enclosures throughout the entire facility or other fire protection and prevention equipment approved by the local fire marshal;	E-17.0,1 E-7.1.1	-	E	-	-
361-6.5(h)	potential ignition sources are prohibited in the facility storage area; and	E-17.0,1 E-7.1.1	-	E	-	-
361-6.5(i)	the facility maintains financial assurance in an amount sufficient to cover the cost of closure of the facility in compliance with sections 360.21 and 360.22 of this Title.	E-19.3.1.5	-	E	-	-
361-6.6	Recordkeeping and Reporting Requirements	-	-	-	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
SUBPART 363 LANDFILLS						
4.1	Landfill permit application requirements	-	-	-	-	-
	Unless otherwise exempt, the owner or operator of a landfill must obtain a permit from the department. In addition to the criteria found in section 360.16 of this Title, a permit application for a landfill must contain the information enumerated in this Subpart:	Whole Report	All	All	All	All
4.2	Engineering Drawings	-	-	-	-	-
4.2(a)(1)	Maps and drawings. Maps and drawings using the following format and containing the following information must be submitted:	-	-	B	-	-
4.2(a)(1)	a regional map that provides the location of the facility and the location of and distance to any airports located within six miles of the facility;	-	-	B	-	Title Sheet
4.2(a)(2)	a vicinity map that delineates zoning and land use, communities of disproportionate impact, residences, principal aquifers, primary aquifers, surface waters, access roads, and other existing and proposed features on the facility and within one mile of the facility; and a wind rose identifying the prevailing wind direction based on the nearest local source of meteorological data; and	-	-	B	-	3
4.2(a)(3)	a site plan and drawings of the facility that show:	-	-	-	-	-
4.2(a)(3)(i)	property boundaries;	-	-	B	-	4
4.2(a)(3)(ii)	off-site and on-site utilities, including electric, gas, stormwater and sanitary systems;	-	-	B	-	6
4.2(a)(3)(iii)	right-of-way easements including noise easements;	-	-	G	-	-
4.2(a)(3)(iv)	the names and addresses of contiguous property owners;	-	-	B	-	4
4.2(a)(3)(v)	the location of soil borings, excavations, test pits, gas venting structures, wells, piezometers, environmental and facility monitoring points and devices, benchmarks and permanent survey markers. With the exception of benchmarks and permanent survey markers, each location must be identified in accordance with a numbering system acceptable to the department. All horizontal locations must be accurate to the nearest tenth of a foot and all vertical locations must be accurate to the nearest 100th of a foot as measured from the ground surface and top of well casing;	-	-	D, G	D-4-5, D-4-6	-
4.2(a)(3)(vi)	a delineation of the total facility area, including planned staged development of the landfill's construction and operation, and the lateral and vertical limits of previously filled areas (if applicable);	-	-	B	-	5, 12 - 19
4.2(a)(3)(vii)	the location and identification of on-site sources of cover materials;	-	-	B	-	5
4.2(a)(3)(viii)	the location and identification of special waste (such as, alternative operating cover materials or select fill materials) handling areas;	-	-	B	-	5
4.2(a)(3)(ix)	on-site buildings, leachate storage and conveyance systems, landfill gas management system components, roads, and parking areas; and	-	-	B	-	5, 12
4.2(a)(3)(x)	site topography with five-foot minimum contour intervals.	-	-	B	-	5
4.2(b)	Engineering drawings of the landfill in both plan and cross-sectional views, depicting: how the facility will be constructed, operated and closed; areas of potential environmental impact; and the ability of the design, construction, operation, and closure of the facility to comply with the applicable requirements of this Part. If the landfill is to be constructed in stages, the initial permit application must contain the conceptual design for the entire landfill and the detailed construction drawings for the initial stage to be constructed. The engineering drawings must include, at a minimum:	-	-	-	-	-
4.2(b)(1)	the original undeveloped site topography before excavation or placement of waste, if available;	NA	NA	NA	NA	NA
4.2(b)(2)	the existing site topography (if different from the original undeveloped site topography) including the location and approximate thickness and nature of any existing waste;	-	-	B	-	5
4.2(b)(3)	the elevations of the known or interpolated seasonal high groundwater table, and the wells from which data were taken to establish the seasonal high groundwater table, using a 100-foot square grid, including surface elevation, bedrock elevation, depth to bedrock, and groundwater flow direction at each well;	-	-	D	-	D-11 - D-18
4.2(b)(4)	the known and interpolated bedrock elevations, the upper and lower limits of any confining overburden deposits, and all boreholes, test pits, wells, and other points used to supply this information using a 100-foot square grid;	-	-	D	-	D-1 - D-10
4.2(b)(5)	the proposed limits of excavation delineating the base elevations of the liner and leachate collection and removal system and pore pressure relief system if present, using a 100-foot square grid;	-	-	B	-	34, 35, 36
4.2(b)(6)	the details for all components of the final cover and the final cover elevations for each 100-foot square grid intersection;	-	-	B	-	34, 35, 36
4.2(b)(7)	the details for all components of the liner system, anchor trenches and leachate collection and removal system, including all critical grades and elevations of collection pipe inverts and drainage envelopes, manholes, cleanouts, valves, sumps, leachate flow control and metering devices, and drainage blanket thicknesses;	-	-	B	-	25 - 29
4.2(b)(8)	the berms, dikes, ditches, drainage swales, culverts, sedimentation ponds, recharge basins and other devices used to divert, collect or control surface water run-on or run-	-	-	B	-	30, 32
4.2(b)(9)	the groundwater dewatering systems;	-	-	B	-	7

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REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
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4.2(b)(10)	the landfill gas management system used for collecting, treating, venting and monitoring the decomposition gases generated within the landfill, including any active landfill gas collection system components, including the condensate conveyance lines and storage facilities. Detailed plans of any active gas collection system must adequately delineate, in plan and in cross-sectional views, the location and grades of all landfill gas collection lines and landfill gas control lines, locating and showing all critical elevations of the collection pipe inverts, cleanouts, condensate knockout sumps, and valves. Layout of the system structure must be included, showing equipment locations; sampling locations; on-site drainage structures; and extraction well location, depth of placement, and construction materials;	GCCS PLAN	GCCS PLAN	GCCS PLAN	GCCS PLAN	GCCS PLAN
4.2(b)(11)	the location of groundwater monitoring wells;	-	-	D	D-4-6	-
4.2(b)(12)	the location of geophysical and geochemical monitoring devices or structures, if	NA	NA	NA	NA	NA
4.2(b)(13)	the location of leachate storage, treatment and disposal system including the leachate conveyance network and secondary containment system required in section 363-6.20 of this Part; and	-	-	B	-	5
4.2(b)(14)	the plans detailing the construction staging area if proposed, and facility entrance area including gates, fences and signs.	-	-	B	-	12 - 19
4.2(c)	Operational drawings for the facility depicted in plan and cross-sectional views,	-	-	-	-	-
4.2(c)(1)	generalized fill progression drawings depicting fill progression for the life of the facility, identifying the depth, location and sequence of fill progression, and including the elevation of the liners, leachate collection and removal system, landfill gas management system and projected final waste mass;	-	-	B	-	12 - 19
4.2(c)(2)	detailed fill progression drawings depicting fill progression for the first operational phase, identifying the placement of waste including special waste areas, lift thickness, and compacted thickness of operating and final cover; landfill gas management system; and on-site roadways and traffic patterns; and	-	-	B	-	12 - 19
4.2(c)(3)	a survey control drawing depicting a method of survey baseline and elevation control and identifying the location and description of a permanent surveying benchmark and other critical facility monitoring locations and appurtenances for each 25 acres of the developed facility.	-	-	B	-	G
4.3	Engineering Report	-	-	-	-	-
4.3(a)	A site description and analysis of the proposed facility including the following:	-	-	-	-	-
4.3(a)(1)	A brief description of the type and amount of waste, in tons, accepted by the facility, specifying the anticipated maximum amount of wastes to be accepted on a daily and annual basis, including those wastes anticipated to be accepted for use as alternative operating cover, the anticipated maximum in-place density of waste to be placed in the landfill, and the proposed maximum amount of waste and alternative operating cover that will be placed in the landfill.	1.3, 2.1, 3.2, 3.3	1	-	-	-
4.3(a)(2)	A description of the number, types and specifications of all machinery and equipment needed to effectively operate the facility at the proposed rate of waste acceptance, and all proposed structures and areas designated for unloading, processing, sorting, storage, and loading.	-	-	E	-	-
4.3(a)(3)	A description of the materials and construction methods that demonstrate compliance with the requirements in Subpart 363-6 of this Part and are used for the placement of:	-	-	-	-	-
4.3(a)(3)(i)	each monitoring well pursuant to the requirements of section 363-4.4(k) of this Part;	-	-	D	-	-
4.3(a)(3)(ii)	the landfill gas management system;	3.9	GCCS PLAN	GCCS PLAN	GCCS PLAN	GCCS PLAN
4.3(a)(3)(iii)	the leachate conveyance, storage, treatment and disposal system;	3.7	-	B	-	25 - 29
4.3(a)(3)(iv)	the cover system; and	3.8	-	B	-	20, 31
4.3(a)(3)(v)	the liner and leachate collection and removal system. The description must also include the precautions that will be taken to prevent frost action upon the composite liner system in areas where waste will not be placed within one year of department approval of construction certification;	3.4	-	B, F	-	8, 9
4.3(a)(4)	A description of post-construction care measures to be taken to ensure that the construction materials noted in paragraph (3) of this subdivision meet the specifications and comply with the requirements of Subpart 363-6 of this Part from the time of construction completion to the beginning of landfill operation.	-	-	E	-	-
4.3(a)(5)	A comprehensive and detailed description of each of the following features of the operation of the landfill gas management system:	3.9	-	-	-	-
4.3(b)	A landfill liner subbase settlement analysis that:	-	-	-	-	-
4.3(b)(1)	predicts the total and differential settlement of the landfill subbase, liner, leachate collection and removal system, and other critical containment structure components of the landfill demonstrating that the liner system and leachate collection and removal system will maintain their integrity and performance at the maximum predicted settlements. The calculated settlement should account for secondary consolidation for a period of 30 years after the estimated closure date of the facility;	3.5.3	-	H	-	-
4.3(b)(2)	includes plan and cross-sectional views depicting the predicted maximum critical landfill subbase settlement elevations and the landfill liner and leachate collection and removal system elevations when the subbase settlement analysis predicts settlement exceeding one foot. In all cases, the slope must not be less than one percent for pipe valley areas and two percent for liner subbase areas; and	-	-	H	-	-

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6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
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4.3(b)(3)	includes a landfill settlement monitoring plan when the landfill subbase settlements are predicted to exceed one foot. The landfill settlement monitoring plan must be designed to demonstrate that the leachate collection and removal system is functioning as designed and to verify acceptable integrity of key leachate collection and removal system and conveyance appurtenances within the system.	3.5.3.2	-	-	-	-
4.3(c)	A structural integrity and overall slope stability analysis. The analysis must demonstrate the structural integrity and overall stability of the landfill site, the subgrade, each component of the liner, leachate collection and removal system, and final cover system, and must include:	3.5.2	-	H	-	-
4.3(c)(1)	An evaluation of the following failure modes:	3.5.2	-	H	-	-
4.3(c)(2)	An evaluation of site geometries, impacts of pore pressures and loading conditions:	-	-	-	-	-
4.3(c)(2)(i)	during construction of the liner and final cover system;	3.5.2	-	H	-	-
4.3(c)(2)(ii)	during filling or excavating of waste in the landfill, including the typical stockpiling of materials, overfilling and other interim conditions;	3.5.3	-	H	-	-
4.3(c)(2)(iii)	at full load conditions represented by attaining the landfill's maximum design capacity;	3.5.4	-	H	-	-
4.3(c)(2)(iv)	associated with leachate recirculation, if proposed.	3.7.7	-	-	-	-
4.3(c)(3)	A demonstration that the design achieves the following factors of safety under static stability conditions:	-	-	-	-	-
4.3(c)(3)(i)	a minimum factor of safety of 2.00 for the subgrade soil-bearing capacity of any loaded structures or appurtenances (e.g., tanks, manholes, retaining walls, etc.) associated with the landfill at full load conditions.	3.5.4	-	H	-	-
4.3(c)(3)(i)(a)	If the factor of safety for the soil-bearing capacity is less than 3.00, it must be demonstrated that the structures or appurtenances can accommodate the anticipated settlements over the life of the facility;	3.5.5	-	H	-	-
4.3(c)(3)(ii)	a minimum factor of safety of 1.25 for the design of the facility liner and leachate collection and removal system components for short-term conditions considering the maximum anticipated construction and early landfill operational transient loads;	3.5.2	-	H	-	-
4.3(c)(3)(iii)	a minimum factor of safety of 1.50 for interim and final elevation of waste slopes that occur during operation and upon closure of a landfill cell; and	3.5.2	-	H	-	-
4.3(c)(3)(iv)	a minimum factor of safety of 1.50 for the final cover system considering seepage patterns that will typically develop assuming the saturated hydraulic conductivity of the barrier protection and topsoil layers during the wettest months of the year.	3.5.2	-	H	-	-
4.3(d)	A seismic stability analysis. Any facility located in a seismic impact zone, must include a seismic stability analysis. The seismic stability analysis must address the serviceable life of the landfill, its internal components and its related appurtenances and must demonstrate that:	NA	NA	NA	NA	NA
4.3(e)	A description and analysis of the leachate collection and removal system that includes:	-	-	-	-	-
4.3(e)(1)	An evaluation of leachate generation data, including:	3.7.2	-	H	-	-
4.3(e)(2)	A description of how the components of the landfill liner and leachate collection and removal system will:	3.7.3	-	H	-	-
4.3(e)(3)	An estimate of the maximum daily volume of leachate generated, and a demonstration that the leachate head on the primary liner system will not exceed 12 inches per the provisions of paragraph 363-6.6(a)(3), and that the maximum daily volume of leachate that may infiltrate through the primary liner will not exceed the allowable primary liner leakage rate of 20 gallons per acre per day in accordance with provisions of paragraph 363-7.1(f)(7).	3.7.2	-	H	-	-
4.3(f)	Design information for a stormwater/run-off conveyance system. This information must demonstrate that the stormwater detention/retention basin system is designed to manage a 100-year, 24-hour design storm from the landfill site without sustaining damage. This must include an evaluation of impacts on the stormwater/run-off conveyance system which would be anticipated as from a 500-year storm to inform a contingency plan for such an event.	3.10	-	C	-	-
4.3(g)	A mined land use plan. If the facility plans to use on-site excavation of operating cover material for the landfill, and construction of that landfill will not result in the reclamation of the area from which the operating cover material is to be removed, the facility must submit a mined land use plan with information that demonstrates compliance with the applicable requirements of Part 422 of this Title. A mined land use plan is not required if the facility plans to perform on-site excavation of material to be used as operating cover for the landfill and the landfill will be situated upon and result in the reclamation of the area from which the operating cover material is to be removed. Operating cover material excavated on-site may not be used off-site unless the applicant has first obtained a mining permit pursuant to Part 422 of this Title;	NA	NA	NA	NA	NA
4.3(h)	Facility closure and post-closure design plan. The facility's closure and post-closure design plan must include at a minimum:	-	-	-	-	-
4.3(h)(1)	closure design;	-	-	B, E	-	19
4.3(h)(2)	post-closure water quality monitoring program;	-	-	E	-	-
4.3(h)(3)	an operation and closure plan for the leachate collection, treatment, and storage	-	-	E	-	-
4.3(h)(4)	an operation and closure plan for the landfill gas management system; and	-	-	E	-	-
4.3(h)(5)	any proposed and alternative end uses for the site.	-	-	E	-	-
4.4	Hydrogeologic Investigation	-	-	D	-	-
4.4(a)	A hydrogeologic investigation report is required and must contain the following:	-	-	-	-	-

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6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
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4.4(a)(1)	A description of the geology and hydrology of the existing or the facility in sufficient detail to determine the suitability of the site for the disposal of waste. The report must be submitted under the stamp and signature of a professional geologist or professional engineer licensed and currently registered to practice in the State of New York. The scope and extent of the hydrogeologic investigation must be based on the hydrogeologic complexity of the site and the ability of the site to restrict contaminant migration, and include:	D-Whole Report	-	D	-	-
4.4(a)(1)(i)	an understanding of groundwater and surface water flow and how it relates to local and regional patterns, including a groundwater table elevation map with groundwater flow direction calculated from hydraulic head measurements;	D-3.5, D-5.2	-	D	-	D-11 - D-18
4.4(a)(1)(ii)	a definition of the critical stratigraphic section;	D-5.4.2	-	D	-	-
4.4(a)(1)(iii)	the establishment of an environmental monitoring system capable of readily detecting a contaminant release from the facility; and	D-4.7.3, D-4.9, D-5.4.2	-	D	-	-
4.4(a)(1)(iv)	a description of the engineering properties of the site, which provide the basis for the design and construction of the facility including the; and contingency plans relating to groundwater or surface water contamination or gas migration.	D-5.1.3	-	D	-	-
4.4(a)(2)	Raw field data, analytical calculations, maps, flow nets, cross-sections, interpretations (with alternative interpretations where applicable), and conclusions. All maps, drawings and diagrams must have a minimum scale of 1:24,000, unless otherwise approved by the department. The description must include:	-	-	D	-	-
4.4(a)(2)(i)	Regional geology. A discussion of the regional geology demonstrating how the regional geology relates to the facility's geology and the location of nearby sensitive environments must include:	-	-	-	-	-
4.4(a)(2)(i)(a)	bedrock stratigraphy and structural geology, including formation and member names, geologic ages, rock types, thicknesses, the units' mineralogical and geochemical compositions and variabilities, rock fabrics, porosities, bulk permeabilities, and other distinctive features;	D-3.4.2	-	D	-	-
4.4(a)(2)(i)(b)	glacial geology, including a discussion of the formation, timing, stages, and distribution of glacial deposits, advances and retreats, and hydrologic characteristics of the surficial deposits, such as kames, eskers, outwash moraines, etc.;	D-3.4.1	-	D	-	-
4.4(a)(2)(i)(c)	major topographic features, their origin and their influence upon drainage basin characteristics; and	D-3.3	-	D	-	-
4.4(a)(2)(i)(d)	surface water and groundwater hydrologic features, including surface drainage patterns, recharge and discharge areas, wetlands and other sensitive environments, inferred regional groundwater flow directions, aquifers, aquitards and aquicludes, primary water supply and principal aquifers, public water supply wells, and private water supply wells identified in the water supply well survey; any known peculiarities in surface water and groundwater geochemistry; and any other relevant features.	D-3.5	-	D	D-3-8	D-11 - D-18
4.4(a)(2)(ii)	Facility geology. Hydrogeologic conditions at the facility in three dimensions and their relationship to the proposed facility. The report must:	-	-	-	-	-
4.4(a)(2)(ii)(a)	define site geology, surface water and groundwater flow, and must relate site-specific conditions to the regional geology;	D-5.0	-	D	-	-
4.4(a)(2)(ii)(b)	describe the potential impact the facility may have on surface and groundwater resources and other receptors, including changes in hydrogeologic conditions that may occur with site development, and the potential for and effects of off-site contaminant	D-5.3	-	D	-	-
4.4(a)(2)(ii)(c)	describe hydrogeologic conditions in sufficient detail to construct a comprehensive understanding of groundwater flow that can be quantified and verified through hydrologic, geochemical, and geophysical measurements;	D-5.2.2	-	D	-	-
4.4(a)(2)(ii)(d)	provide sufficient data to specify the location and sampling frequency for environmental monitoring points, form the basis for contingency plans regarding groundwater and surface water contamination and explosive gas migration, and support the design of the facility;	D-4.9	-	D	-	-
4.4(a)(2)(ii)(e)	specifically discuss all units in the critical stratigraphic section. This evaluation must include maps, cross-sections, other graphical representations, and a detailed written analysis of the following:	D-5.4.2	-	D	-	-
4.4(a)(2)(ii)(e)(1)	all hydrogeologic units (e.g., aquifers, aquitards and aquicludes), and how they relate to surface water and groundwater flow. This must include all hydrogeologic data collected during the site investigation and explain and evaluate the hydrologic and engineering properties of the site and each specific unit; and	D-3.5.3, D-5.2.2	-	D	-	-
4.4(a)(2)(ii)(e)(2)	local groundwater recharge and discharge areas, high and low groundwater tables and potentiometric surfaces for each hydrogeologic unit, vertical and horizontal hydraulic gradients, groundwater flow directions and velocities, groundwater boundary conditions, surface water and groundwater interactions, and an evaluation of existing	D-4.8, D-5.2.2, D-5.2.3	-	D	-	D-11 - D-18
4.4(b)	Any aspect of the site investigation that deviates from these requirements of this section must be identified and justified in the site investigation report and must be approved by the department.	-	-	-	-	-
4.4(c)	The applicant must employ current, standard, and generally accepted procedures in obtaining the required hydrogeologic information.	-	-	-	-	-
4.4(c)(1)	The department may approve of alternative or innovative methods; however, the department may initially require redundant technologies to prove the reliability of a new method.	NA	NA	NA	NA	NA

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4.4(c)(2)	A professional geologist licensed and currently registered to practice in the State of New York State, having experience in similar hydrogeologic investigations, must supervise all procedures in a manner that ensures the accuracy of the data and precludes environmental degradation.	D-Cover Sheet	-	D	-	-
4.4(c)(3)	The location of all installations, geophysical and geochemical surveys, and seismic lines for the proposed investigation must be shown on a map with the same scale and coordinate grid system used in the application.	D-1.4	-	D	D-4-1	-
4.4(d)	Literature search. A comprehensive search for pertinent and reliable information concerning regional and site-specific hydrogeologic conditions is required. The literature search must include, as available, records and reports of the Department of Health, the Department of Transportation, the U.S. Soil Conservation Service, and the New York State Geological Survey; basin planning reports, groundwater bulletins, water supply papers, professional papers and other open file reports of the U.S. Geological Survey; bulletins, circulars, map and chart series, memoirs and other publications of the New York State Geologic Survey; publications and bulletins of the Geological Society of America and other professional organizations; publications of the EPA and the department; college and university reports; and aerial photography and remotely	D-4.1	-	D	-	-
4.4(e)	Surficial geologic mapping. The facility must be mapped to determine the distribution of surficial deposits on and surrounding the site based on information from the hydrogeologic investigation, field evaluations, and field confirmation of all interpretations made on the site itself. The surficial geological map must be submitted under the stamp and signature of a professional geologist or professional engineer licensed and currently registered to practice in the State of New York.	D-4.3	-	D	-	D-1 - D-10
4.4(f)	Test pits. Test pits may be used to determine shallow stratigraphy. The test pits must be logged by a professional geologist or engineer licensed to practice in the State of New York, and with experience in similar hydrogeologic investigations. Logs must be kept and include: elevations; surface features before excavation; depth of the test pit and of all relevant horizons or features; moisture content of units; standard soil classifications, stratigraphy, soil structure, bedrock lithology, and brittle or secondary structures in soil and bedrock; active seepage; and a sketch showing these features for each test pit. Test pits must be promptly backfilled and compacted with the excavated materials. The department may require that undisturbed soil samples be taken and tested in accordance with paragraph 363-4.4(l)(2) of this Subpart.	D-4.6	-	D	-	-
4.4(g)	Water well surveys. A survey of public and private water wells within one mile downgradient and one-quarter mile upgradient of the facility must be conducted. Surveys must obtain, where available, the location of wells, which must be shown on a map with their approximate elevation and depth, name of owner, age and usage of the well; stratigraphic unit screened; well construction; static water levels; well yield; perceived water quality; and any other relevant data that can be obtained.	D-3.5.3	-	D	D-3-8	-
4.4(h)	Geophysical and geochemical surveys. The department may require the use of geophysical and geochemical methods, such as electromagnetic, resistivity, seismic surveys, remote sensing surveys, downhole geophysics, isotope geochemistry, and soil gas analysis to justify the interpretations and conclusions of the site investigation report, to provide information between boreholes, and to aid in the siting of wells. The geophysical and geochemical surveys must be submitted under the stamp and signature of a professional geologist or professional engineer licensed and currently registered to practice in the State of New York.	D-4.4	-	D, Attachment D-1	D-4-1	-
4.4(i)	Tracer studies. The department may require the use of tracer studies to aid in understanding groundwater flow, including:	D-1.4	-	D	-	-
4.4(i)(1)	Where a site overlies limestone or dolostone bedrock or karst environments. Tracer studies must identify areas of groundwater flow from the facility attributed to secondary permeability, any recharge or discharge areas on and surrounding the site, groundwater storage, and seasonal variations of water levels; and	D-1.4	-	D	-	-
4.4(i)(2)	To monitor sites with existing contamination, in accordance with subdivision 363-5.1(g)(2) of this Part.	D-4.9	-	D	-	-
4.4(j)	Site investigation work plan. The site investigation work plan must clearly define the scope of the intended investigation, all methods used in investigating the hydrogeologic conditions of the site and any specific hydrogeologic questions to be addressed.	D-4.0	-	D	-	-
4.4(k)	Monitoring wells and piezometers.	D-4.7	-	D	D-4-5, D-4-6	-
4.4(l)	Geologic sampling.	D-4.7	-	D, Attachment D-	-	-
4.4(m)	Logs.	D-4.7	-	D	-	-
4.4(n)	In situ hydraulic conductivity testing. In situ hydraulic conductivity testing must be done in all monitoring wells and piezometers, unless otherwise approved by the department. The testing method used must not introduce contaminants into the well. If contamination is known or suspected to exist, all water removed must be properly managed. Hydraulic conductivities may be determined using pump tests, slug tests, packer tests, tracer studies, isotopic geochemistry, thermal detection, or other suitable	D-4.7	-	D, Attachment D-4	-	-
4.5	CQA/CQC Plan	-	-	F	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
	The CQA and CQC plan must address the observations and tests that will be used before, during, and upon completion of construction to ensure that the construction materials and activities meet the requirements of Subpart 363-6 of this Part. For each specified phase of construction, this plan must include:	-	-	F	-	-
4.5(a)	Delineation of responsibilities. A delineation of the responsibilities of all personnel involved in implementing the CQA and CQC plan. A specific chain of command for both the CQA and CQC inspectors and the project engineer must be identified. The minimum number of CQA and CQC officers and supporting personnel to be provided must be described for each major phase of construction.	F-2.0	F-1	F	-	-
4.5(b)	Personnel Qualifications. A description of the required level of experience, training, and certification for the contractor, installation crew, and CQA and CQC officers and inspectors. In addition, a description of any professional, financial, or other relationships between the project engineer, the facility owner or operator, and the construction contractor(s), and a demonstration that they are capable of operating independently and without influence must be included.	F-3.0	F-2	F	-	-
4.5(c)	Inspection activities. A description of all field observations, tests, equipment, and calibration procedures for field testing equipment that will be used.	F-5.0 - F-10.0	F-2, F-3	F	-	-
4.5(d)	Sampling strategies. A description of all construction material sampling protocols, including sample size, methods for determining sample locations and frequency of sampling.	F-5.0 - F-10.0	F-3	F	-	-
4.5(e)	Documentation. A description of the recordkeeping requirements for CQA and CQC activities. This must include daily summary reports, inspection data sheets, problem identification and corrective measures reports, acceptance reports, and final documentation.	F-12.0	-	F	-	-
4.5(f)	A certification that the CQA and CQC plan is referenced in appropriate construction contract documents.	F-12.0	-	F	-	-
4.6	Facility Manual	-	-	E	-	-
	The facility manual must: refer to engineering drawings and reports prepared in accordance with this Subpart as appropriate; describe the anticipated day-to-day facility operations throughout the active life of the landfill; address appropriate sequencing of all major landfilling activities; demonstrate how the landfill will meet the operating and reporting requirements enumerated in Subparts 363-7 and 363-8 of this Part; and include the following information:	All	-	E	-	-
4.6(a)	Sustainability plan. The sustainability plan must describe how the landfill will be designed and operated in a manner that will conserve and sustain natural resources. The sustainability plan must describe how natural resources and airspace will be conserved through use of concepts such as front-end diversion of recyclables, reduced disposal of organic wastes, reduction in greenhouse gas emissions, utilization of alternative operating cover materials, alternative energy or materials resource production, promote rapid waste mass stabilization, utilize landfill reclamation, or other sustainable landfill management techniques. The sustainability plan must be updated and submitted to the department no less than every five years.	E-2.0	-	E	-	-
4.6(b)	Post-construction care plan. The post-construction care plan must describe procedures to ensure that the post-construction care requirements will be maintained prior to initial operation.	E-4.0, E-7.1	-	E	-	-
4.6(c)	Fill progression and placement plan. The fill progression and placement plan must include:	E-7.0	-	E	-	-
4.6(c)(1)	a description of the procedures and precautions to be taken during the placement of the first five-foot lift of select waste above the liner and leachate collection system describing the select waste, its placement, and operation of collection vehicles and compaction equipment to prevent damage to the liner system;	E-7.1	-	E	-	-
4.6(c)(2)	a description of the landfill's fill progression, addressing and detailing typical daily cell progression and lift height, fill sequence, and provisions for subsequent development of the landfill, referring to engineering drawings and reports prepared in accordance with this Subpart;	E-7.2, E-7.3	-	B, E	-	12 - 19
4.6(c)(3)	a description of a monitoring program that will ensure that the maximum in-place waste density as established in the application will not be exceeded;	E-7.2	-	E	-	-
4.6(c)(4)	a daily log of wastes received at the landfill that includes the location of each day's operation in accordance with the fill progression plan;	E-7.2	-	E	-	-
4.6(c)(5)	a depiction of the final grades as described in the approved closure plan; and	E-7.3.1, E-7.3.3	-	B, E	-	19
4.6(c)(6)	the location of vertical and horizontal gas collection lines.	-	-	B	-	GCCS PLAN
4.6(d)	Waste control plan. The waste control plan must include:	-	-	-	-	-
4.6(d)(1)	a description of the landfill's receiving and monitoring process for waste;	E-6.0	-	E	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
4.6(d)(2)	identification and handling procedures for wastes requiring special handling or treatment (e.g., friable asbestos-containing waste, sludges, drill cuttings, etc.);	E-6.3, E-6.7	-	E	-	-
4.6(d)(3)	procedures to identify wastes that have low-permeability or low shear-strength and a description of methods to be used to blend these wastes with other wastes to minimize waste mass instability and maximize leachate movement through the waste mass; and	E-6.7	-	E	-	-
4.6(d)(4)	a program for detecting and preventing the disposal of unauthorized wastes at the facility. This program must include, but not be limited to:	-	-	-	-	-
4.6(d)(4)(i)	random inspections of incoming loads;	E-6.3 - E-6.6	-	E, Attachment E-2	E-6-1	-
4.6(d)(4)(ii)	inspections of suspicious loads or drums;	E-6.3 - E-6.6	-	E, Attachment E-2	E-6-1	-
4.6(d)(4)(iii)	records of inspections;	E-5.7, E-6.5	-	E, Attachment E-2	E-6-1	-
4.6(d)(4)(iv)	procedures for notifying the department if unauthorized waste is discovered in a load; and	E-6.3 - E-6.6	-	E	-	-
4.6(d)(4)(v)	procedures for providing outreach to customers and transporters indicating that the facility is prohibited from accepting for disposal source-separated recyclables, source-separated electronic wastes, source-separated rechargeable batteries, source-separated mercury-containing products, and other source-separated items that are subject to legislatively enacted product stewardship programs, including procedures for monitoring and detecting incoming waste for these source separated recyclables.	E-6.1, E-6.3	-	E	-	-
4.6(e)	Cover material management plan. The cover material management plan must include:	-	-	-	-	-
4.6(e)(1)	material specifications for operating, intermediate, and final cover;	E-8.2	-	E	-	-
4.6(e)(2)	identification of the quantities required for each type of cover material, and its on-site storage location; and	E-8.2	-	E	-	-
4.6(e)(3)	the method of cover material placement, compaction, anticipated permeability and density.	E-7.2, E-8	-	E	-	-
4.6(f)	Environmental monitoring plan. The environmental monitoring plan must include:	-	-	-	-	-
4.6(f)(1)	a description of the critical stratigraphic section;	E-9.2	-	D, E	-	-
4.6(f)(2)	a description of all proposed monitoring points, including leachate, underdrains, groundwater, surface water, and sediment;	E-9.0	-	E	E-9-1, E-9-2(A-D)	-
4.6(f)(3)	the analyses to be performed;	E-9.0	-	E	-	-
4.6(f)(4)	a description of the statistical methods to be used;	E-9.0	-	E	-	-
4.6(f)(5)	reporting requirements;	E-9.0, E-10.0	-	E	-	-
4.6(f)(6)	a site plan with topographic contours which depicts the location of all proposed monitoring points in relation to facility boundaries, surface water bodies, and property boundaries; and	-	-	E	E-9-1, E-9-2(A-D)	-
4.6(f)(7)	an implementation plan that contains a sampling schedule, the sequence of landfill construction, a schedule for the construction of the groundwater monitoring wells, and a schedule for initiation of the existing water quality and operational water quality monitoring programs, and a contingency water quality monitoring plan which specifies trigger mechanisms for its initiation	E-10.0	-	E	-	-
4.6(f)(8)	Sampling design requirements. The environmental monitoring plan must comply with the following	-	-	-	-	-
4.6(f)(8)(i)	Groundwater sampling. Groundwater monitoring wells must be capable of detecting facility-derived groundwater contamination within the critical stratigraphic section.	E-9.2	-	E	-	-
4.6(f)(8)(ii)	Surface water and sediment sampling. The environmental monitoring plan must include monitoring points for all surface water bodies that may be significantly affected by a contaminant release from the facility. Sampling activities at these monitoring points must include surface water, and may include sediment if determined necessary by the department.	E-9.3	-	E	E-9-2	-
4.6(f)(8)(iii)	Leachate sampling. The location of all leachate sampling points at the facility must be described.	E-9.5	-	E	E-9-2	-
4.6(f)(8)(iv)	Water supply well sampling. If sampling and analysis of water supply wells is to be performed, then the sampling frequency and analysis for water supply wells should be determined on a case-by-case basis in conjunction with the Department of Health and/or the local health department.	NA	NA	NA	NA	NA
4.6(f)(9)	Water Quality Monitoring Programs. A water quality monitoring program must be implemented for all environmental monitoring points specified in the environmental monitoring plan. As described in this subdivision, the water quality monitoring program must be tailored to the site to establish existing water quality prior to disposal of waste, operational water quality during operation of the site, the post-closure period, and the custodial care period, and, if contamination is detected at the site, contingency water quality.	E-9.1 - E-9.7	-	E	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
4.6(f)(9)(i)	Existing water quality. The facility must establish an existing water quality database to characterize the site geochemistry.	E-10.0	-	E	-	-
4.6(f)(9)(ii)	Operational water quality. The operational water quality monitoring is conducted during the operation, closure, and post-closure periods of the facility must be described. The operational water quality monitoring must be designed to distinguish facility-derived contamination from the existing water quality at the site using the trigger values established pursuant to item 363-4.6(f)(9)(i)(b)(4)(ii) of this section. The minimum requirements for operational water quality monitoring are:	E-10.4	-	E	-	-
4.6(f)(9)(iii)	Contingency water quality. A contingency water quality monitoring, as described in this paragraph, which must be conducted when a significant increase over the existing water quality value has been detected pursuant to clause 363-4.6(f)(9)(ii)(e) of this section for one or more of the routine or baseline parameters listed in the Water Quality Analysis Tables in subdivision 363-4.6(h) of this Subpart. All contingency water quality monitoring plans are subject to department approval, and must include the following:	E-9.2.4, E-9.2.5	-	E	-	-
4.6(f)(10)	Reporting Requirements. Unless more rapid reporting is required to address an imminent environmental or public health concern, the owner or operator of the facility must report all water quality monitoring results to the department within 90 days of the conclusion of the sample collection. The report must include:	E-20.3	-	E	-	-
4.6(f)(10)(i)	a table showing the sample collection date, the analytical results (including all peaks even if below method detection limits [MDLs]), designation of upgradient wells and location number for each environmental monitoring point sampled, potentiometric data, applicable water quality standards, and groundwater protection standards if established, MDLs, and Chemical Abstracts Service (CAS) numbers for all parameters;	-	E-9-4 - E-10-6	E	-	-
4.6(f)(10)(ii)	tables or graphical representations comparing current water quality with existing water quality and with upgradient water quality. These comparisons may include Piper diagrams, Stiff diagrams, tables, or other analyses;	-	-	E	E-9-5, E-9-6	-
4.6(f)(10)(iii)	a summary of the contraventions of State water quality standards, significant increases in concentrations above existing water quality, any exceedances of groundwater protection standards, discussion of results, and any proposed modifications to the sampling and analysis schedule necessary to meet the requirements of paragraph (3) of this subdivision;	E-20.3	-	E	-	-
4.6(f)(10)(iv)	all AQA/AQC documentation required pursuant to subdivision 363-4.6(g) of this section must be submitted to the department in a form acceptable to the department;	E-10.0	-	E	-	-
4.6(f)(10)(v)	the annual report must contain a summary of the water quality information presented in subparagraphs (ii) and (iii) of this paragraph with special note of any changes in water quality which have occurred throughout the year;	E-20.3	-	E	-	-
4.6(f)(10)(vi)	the data quality assessment report required pursuant to paragraph 363-4.6(g)(5) of this section;	E-20.3	-	E	-	-
4.6(f)(10)(vii)	an updated historical water quality monitoring table for each parameter that has been detected at least once at one or more monitoring points. Each table must include a column for each monitoring point, a row for each sampling date, detected concentrations, data qualifiers, detection limits associated with each non-detect, and summary statistics including, but not limited to means, standard deviations, medians, 10th and 90th percentiles. Submission of this table may be limited to the annual monitoring report;	E-20.3	-	E	-	-
4.6(f)(10)(viii)	a graph showing time versus concentration for each parameter that has exceeded a groundwater quality standard or a trigger value at each affected monitoring point. Submission of these graphs may be limited to the annual monitoring report; and	E-20.3	-	E	-	-
4.6(f)(10)(ix)	updated groundwater contour maps and an evaluation of landfill operation impacts on groundwater elevations and flow patterns. Submission of these maps may be limited to the annual monitoring report, unless otherwise required by the department.	-	-	D	-	-
4.6(g)	Site analytical plan. The site analytical plan must describe the method of sample collection and preservation, chain of custody documentation, analyses to be performed, analytical methods, data quality objectives, procedures for corrective actions, and procedures for data reduction, validation and reporting. The site analytical plan will pertain to existing water quality monitoring programs, operational water quality monitoring programs, and a contingency water quality monitoring program that specifies trigger mechanisms for its initiation. The site analytical plan must comply with the following:	E-10.0	-	E	-	-
4.6(g)(1)	Data quality objectives.	E-10.2	-	E	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
4.6(g)(2)	Analytic quality assurance (AQA)/analytic quality control (AQC). The site analytical plan must include a discussion of the AQA/AQC for the sampling program associated with the facility and must be sufficient to ensure that the data generated by the sampling and analysis activities are of a quality commensurate with their intended use and the requirements of the department. The discussion must detail the AQA/AQC goals and protocols for each type of environmental monitoring to be performed at the facility. Elements must include a discussion of the quality objectives of the project, enumeration of AQC procedures to be followed, and reference to the specific standard operating procedures that will be followed for all aspects of the environmental monitoring program.	E-10.3	-	E	-	-
4.6(g)(3)	Field sampling procedures.	E-10.4	-	E	-	-
4.6(g)(4)	Laboratory procedures.	E-10.5	-	E	-	-
4.6(g)(5)	Data quality assessment. At the conclusion of each sampling event and analysis of the samples collected, data quality assessment must occur. A data quality assessment report must be submitted with the results from each sampling event. Data quality assessment must occur in two phases – data validation and data usability analysis.	E-10.6	-	E	-	-
4.6(h)	Water quality analysis tables.	-	-	E, Attachment E-3	-	-
4.6(i)	Leachate management plan. The leachate management plan must include:	-	-	-	-	-
4.6(i)(1)	a description of how the landfill will be constructed, operated, and closed in a manner that minimizes the generation of leachate, except in those cases where the department has approved the recirculation of leachate for waste mass stabilization enhancement, and how the migration of leachate into surface water or groundwater will be prevented;	E-11.0	-	E	-	-
4.6(i)(2)	a description of operational methods to minimize the occurrence of perched leachate trapped above the leachate collection and removal system and surface seeps of leachate from above-grade landfill operations;	E-11.8	-	E	-	-
4.6(i)(3)	a schedule for biennial video inspection and annual maintenance of the primary and secondary leachate collection and removal system.	E-11.9	-	E	-	-
4.6(i)(4)	a schedule for the monitoring and recording of the secondary leachate collection and removal system flow data to determine the presence, quantity, nature and significance of any liquid detected;	E-9.5, E-11.0	-	E	-	-
4.6(i)(5)	a discussion of the specific design and operational features related to the system, including leachate monitoring and sampling, locations of all leachate sampling points, alarm systems and maintenance, and any required back-up equipment; and	E-9.0, E-10.0, E-11.0, E-18.0	-	E	-	-
4.6(i)(6)	if leachate recirculation is proposed, the leachate management plan must include:	3.7.7	-	-	-	-
4.6(j)	Odor control plan. The odor control plan must include:	E-13.0	-	E, Attachment E-9	-	-
4.6(k)	Gas monitoring and emission control plan. The gas monitoring and emission control plan must include:	E-12.0	-	E, Attachment E-4	-	-
4.6(k)(1)	a description of the day-to-day operation of the landfill gas management system with respect to operation of odor and emission controls;	E-12.0	-	E	-	-
4.6(k)(2)	a description of any air quality monitoring, including monitoring for fugitive landfill odor and air emissions; and	E-12.0	-	E	-	-
4.6(k)(3)	for a landfill with an appurtenant landfill gas-to-energy facility or other landfill gas recovery facility, a discussion of how the landfill's odor and air emission controls are integrated with a recovery facility.	E-2.4, E-5.4.7, E-19.2.2	-	E	-	-
4.6(l)	Winter and inclement weather operation plan. A description of how winter and inclement weather operations will be conducted, including identification of the specific actions to be taken to prevent frost action on the liner system in places where waste will not be placed within one year of construction certification approval.	E-4.0, E-14.0	-	E	-	-
4.6(m)	Residential drop-off operation plan. A description of the operation of a residential drop-off area, if applicable, for non-commercial vehicles to unload waste and recyclables at an area other than the landfill working face.	E-15.0	-	E	-	-
4.6(n)	A radioactive waste detection plan. The radioactive waste detection plan must include procedures for detecting radioactive material; operation and maintenance documents for radiation detectors which address proper equipment placement for effective operation and include setting of investigation alarm setpoint settings and calibration methods; and response procedures to be implemented if radioactive waste is detected.	E-16.0	-	E	-	-
4.6(o)	Emergency response plan. An emergency response plan must include a description of, at a minimum, the actions to be taken in response to:	-	-	-	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
4.6(o)(1)	uncontrolled explosive landfill gases detected on-site or beyond the property boundary;	E-18.2.2, E-18.2.7	-	E	-	-
4.6(o)(2)	unexpected events during the construction and operation of the landfill gas management system, including the equipment to be utilized to maintain proper landfill gas venting and control when normal operations cease; and	E-18.2, E-18.2.4	-	E	-	-
4.6(o)(3)	unexpected events during the subsequent construction and/or daily operation of the landfill's leachate collection and removal system.	E-19.2.2	-	E	-	-
4.6(p)	Conceptual closure, post-closure care, custodial care, and end use plan. The conceptual closure, post-closure care, custodial care, and end use plan must include:	-	-	-	-	-
4.6(p)(1)	a site plan that shows proposed final contours, property lines, storm water drainage system, streams and water courses, roads, structures and, if applicable, the groundwater and leachate treatment system, air pollution control system and any active landfill gas collection system;	-	-	B	-	4, 5, 10, 11
4.6(p)(2)	typical details of final cover system components and facility structures;	E-19.2	-	B, E	-	31
4.6(p)(3)	a description of how the sequential closure of areas of the landfill is expected to progress in concert with the fill progression schedule, including effects of landfill reclamation activities if proposed;	E-7.0, E-19.0	-	E	-	-
4.6(p)(4)	an estimate of the greatest number of landfill cells which, at any given point during the lifetime of the facility, will have received waste but not undergone final closure;	E-19.3.3	-	E	-	-
4.6(p)(5)	an estimate of the maximum volume of waste and alternative operating cover that will be contained within the landfill;	E-19.3.4	-	E	-	-
4.6(p)(6)	sufficient information upon which to estimate closure costs and post-closure and custodial care monitoring and maintenance costs. This information must be based upon the requirements of Subpart 363-9 of this Part, including a rolling 30-year post-closure care period, and must include estimates of:	E-19.4	-	E	E-19-2 - E-19-3E	-
4.6(p)(7)	a conceptual end use for the site, if proposed.	E-19.5	-	E	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
SUBPART 363 LANDFILLS						
5.1	Siting Requirements	-	-	-	-	-
	In addition to the requirements of section 360.8 of this Title, the following siting requirements apply to all new landfills and expansions of existing landfills regulated under this Part:	-	-	-	-	-
5.1(a)	Bedrock and Unconsolidated Deposits	-	-	-	-	-
5.1(a)(1)	Bedrock underlying the site must not be subject to rapid or unpredictable groundwater flow, unless it can be demonstrated to the department that a containment failure of the landfill would not result in contamination entering the bedrock system.	2.1.2.3, D-5.2.2	-	D	-	-
5.1(a)(2)	Unconsolidated Deposits: A minimum of ten feet of unconsolidated deposits must exist beneath the proposed landfill site to minimize the migration of contaminants from the facility.	2.1.2.3, 3.4.2	-	-	-	-
5.1(a)(2)(i)	At new landfill sites, these deposits must consist of low permeability soils with silty and clayey characteristics and with the ability to attenuate and absorb contaminants. Large-scale, permeable deposits, which could result in migration of contaminants off-site prior to detection and/or remediation, must not be present.	NA	NA	NA	NA	NA
5.1(a)(2)(ii)	At existing landfill sites active on or after November 4, 1992 operating under and in compliance with a current permit or order on consent, there are no soil type restrictions provided the applicant demonstrates that the expansion site will have no significant adverse impact on groundwater.	2.1.2.3, D-5.3.3	-	D	-	-
5.1(b)	The site must not be in proximity to any existing mines, caves or other anomalous features that may alter groundwater flow, unless it can be demonstrated to the department that a containment failure of the landfill would not result in contamination	2.1.2.3	-	-	-	-
5.1(c)	Agricultural Land	-	-	-	-	-
5.1(c)(1)	A new landfill or a lateral expansion of an existing landfill may not be located on property which:	2.1.2.3	-	-	-	-
5.1(c)(2)	A new landfill or a lateral expansion of an existing landfill within an agricultural district may not be sited within an agricultural district unless compliance with the requirements of article 25-AA, section 305 of the Agriculture and Markets Law has been demonstrated.	2.1.2.3	-	-	-	-
5.1(d)	Primary water supply aquifers, principal aquifers, and public water supplies.	2.1.2.3	-	-	-	-
5.1(e)	Aircraft Safety	2.1.2.3	-	G	-	-
5.1(f)	Unstable areas. New landfills or expansions of existing landfills must not be located in unstable areas that are susceptible to natural or human-induced events or forces capable of impairing the integrity of some or all of the landfill structural components designed to prevent releases from the landfill. These may include:	-	-	-	-	-
5.1(f)(1)	areas having an active or substantial probability of mass movement where the movement of earth material at, beneath, or adjacent to the landfill may result in downslope transport of soil or rock by means of gravitational influence. Areas of mass movement include, but are not limited to, landslides, avalanches, debris slides or flows, soil fluctuations, block sliding and rockfall; and	NA	NA	NA	NA	NA
5.1(f)(2)	areas where karst topography, with its characteristic surface and subterranean features, has developed as a result of dissolution of limestone, dolomite, or other soluble rock. Characteristic physiographic features present in karst terrain include, but are not limited to, sinkholes, sinking streams, caves, large springs, and blind valleys.	2.1.2.3, D-3.3	-	D	-	-
5.1(g)	Unmonitorable or unremediable areas. New landfills must be located at sites that will allow environmental monitoring and site remediation to be conducted before off-site impacts occur.	2.1.2.3, D-4.4	-	D	-	-
5.1(g)(1)	Identification of these sites must be based upon the ability to:	-	-	-	-	-
5.1(g)(1)(i)	sufficiently characterize groundwater and surface water flow to determine upgradient and downgradient directions;	2.1.2.3, D-5.2.2.3	-	D	-	-
5.1(g)(1)(ii)	install environmental monitoring points that will detect releases from the entire landfill;	2.1.2.3, D-4.4	-	D	-	-
5.1(g)(1)(iii)	characterize and define a release from the landfill; and	2.1.2.3, D-5.3.3	-	D	-	-
5.1(g)(1)(iv)	determine what corrective actions may be necessary to respond to a contaminant release, and carry out those corrective actions.	2.1.2.3, D-5.4	-	D	-	-
5.1(g)(2)	Lateral expansions of existing landfills that are already contaminating groundwater may be allowed by the department if the proposed area can be constructed in compliance with the regulations. This may be demonstrated using remedial actions at the existing site resulting in a demonstrated improvement in groundwater quality, and any additional monitoring requirements needed to demonstrate the integrity of the expansion area such as leak detection lysimeters installed beneath the liner, statistical triggers of groundwater monitoring, tracers, additional monitoring wells surrounding the site, and any other monitoring methods required by the department.	2.1.2.3	-	-	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPENDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
5.1(h)	Fault areas. New landfills and lateral expansions of existing landfills must not be located within 200 feet of a fault that has had displacement in Holocene time unless the owner or operator demonstrates to the department that an alternative setback distance of less than 200 feet will not result in damage to the structural integrity of the landfill and will be protective of public health and the environment.	2.1.2.3	-	-	-	-
5.1(i)	Seismic impact zones. New landfills and lateral expansions of existing landfills must not be located in seismic impact zones, unless the owner or operator demonstrates to the department that long-term containment structures, including liners, leachate collection and removal system, leachate storage system, and surface water control system, are designed pursuant to the requirements of subdivision 363-4.3(d) of this Part.	NA	NA	NA	NA	NA

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
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SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
SUBPART 363 LANDFILLS						
6.1	General Requirements	-	-	-	-	-
6.1(a)	Applicability. Except as described by the transition requirements of section 360.4 of this Title, all new landfills, lateral and vertical expansions of existing landfills, and subsequent development at existing landfills must conform to the requirements set forth in this Subpart.	-	-	-	-	-
6.1(b)	The owner or operator must submit engineering reports, design drawings, and specifications for all new construction of landfill components described in this Subpart prior to construction. Construction must not commence before written approval is received from the department.	Whole Report	All	All	All	All
6.1(c)	The landfill liner and leachate collection and removal system must be designed and constructed to effectively protect surface and groundwater resources from uncontrolled releases of landfill leachate. The components of the liner system must be placed to achieve a minimum slope of no less than two percent, except along leachate collection pipes, which must have a minimum slope of one percent.	3.4, 3.5.3	-	B, H	-	7 - 10, 22, 23, 25-29
6.1(d)	Any geomembrane, geosynthetic clay liner (GCL), geosynthetic drainage layer, geocushion or other geosynthetic material installed on landfill side slopes must be designed to minimize shear stresses and to withstand the calculated tensile forces acting upon the geosynthetic materials by the transfer of anticipated destabilizing forces to the landfill subgrade. At a minimum, the design must consider the maximum friction angle of any soil-geosynthetic or geosynthetic-geosynthetic interface, along with seepage forces expected in the side slope soil drainage layer in the primary leachate collection and removal system, to ensure that overall slope stability is maintained and to meet the factor-of-safety requirements specified in paragraph 363-4.3(c)(3) of this Part.	3.5.2	-	H	-	-
6.1(e)	For lateral expansions adjacent to existing landfills that do not meet the liner system requirements of this Part (i.e., the existing liner system is single composite and the expansion requires double composite), any encroachment on the existing landfill's side slope must be designed and constructed to meet the liner system requirements of this	NA	NA	NA	NA	NA
6.1(f)	Landfills must be designed to minimize the need to decommission existing monitoring wells and to install new monitoring wells as a result of progressive cell construction into areas where monitoring wells are located.	D-6.2	-	D	-	-
6.1(g)	A pre-construction meeting must be held prior to commencement of construction. This meeting must include, at a minimum:	F-12.5	-	F	-	-
6.1(h)	The owner or operator must notify the department at least seven days prior to each of the following activities:	F-3.2.2	-	F	-	-
6.2	Horizontal Separation Requirements	-	-	-	-	-
6.2	The minimum horizontal separation between the edge of placed waste and the property line must be 100 feet for any landfill, except for landfills in Nassau and Suffolk Counties where the minimum separation must be 50 feet.	2.1.2	-	B	-	4, 19
6.3	Groundwater Separation	-	-	-	-	-
6.3	In cases where the base of the constructed liner system is less than five feet above the seasonal high groundwater elevation, the department will require additional groundwater suppression systems to ensure that groundwater does not come in contact with the lowest portion of the landfill liner. At sites where perched water is encountered, the department will determine with respect to groundwater separation distances whether separation distances will be measured from the perched zone or the non-perched water table. The nature of the materials making up this separation, whether natural or backfilled, is subject to department approval. This minimum five feet separation requirement may be reduced or waived upon demonstration of selection of a suitable landfill site, as defined under section 363-5.1(a) of this Part and, that the proposed activity will have no significant adverse impact on the overall stability of the landfill, the environment, or natural resources and that the landfill's performance will be consistent with that which is expected from the application of this Part. In these cases, the department will require additional groundwater suppression systems to ensure that the seasonal high groundwater table does not come in contact with the lowermost portion of the landfill liner during construction, and until the hydrostatic pressures are equalized by weight of the liner system and/or waste.	3.4.3	-	B	-	7
6.4	Bedrock Separation	-	-	-	-	-
6.4	A minimum of ten feet of vertical separation is required between bedrock and the base of the constructed liner at all points along the liner system, except as provided in paragraph 363-6.11(a)(4). The material between the base of the constructed liner and bedrock, whether natural or backfilled and must consist of low permeability soils with silty and clayey characteristics and with the ability to attenuate and absorb contaminants and is subject to department approval.	3.4.2	-	-	-	-
6.5	Landfill Subgrade	-	-	-	-	-
6.5(a)	The liner and leachate collection and removal system must be placed on a landfill subgrade that consists of an in-situ soil layer or select fill that is graded and prepared for landfill construction. A foundation-bearing capacity, stability and settlement analysis must be performed in accordance with subdivisions 363-4.3(b), (c), and (d) of this Part.	3.4.2, 3.5	-	B, H	-	7, 22, 23, 25 - 27

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.5(b)	Materials required. The landfill subgrade material must be free of visible organic material and consist of on-site soils, or select fill approved by the department. There must be a minimum thickness approved, pursuant to section 363-6.4 of this Part, below the landfill liner system consisting of low permeability soils with silty and clayey characteristics and which exhibit no large-scale, permeable deposits which could result in migration of contaminants off-site prior to detection and remediation.	3.4.2	-	B, F, Attachment F-1	-	22
6.5(c)	Construction requirements. The subgrade must be sufficiently dry to allow for construction activities and structurally sound to ensure that the first lift and all succeeding lifts of soil placed over it can be adequately compacted to the design requirements and to ensure stability of the landfill.	F-6.4	-	F	-	-
6.5(d)	Certification requirements. Before any material is placed over the landfill subgrade:	-	-	-	-	-
6.5(d)(1)	the project engineer must inspect the exposed surface to evaluate the suitability of the subgrade and to ensure that the surface is properly compacted, smooth, and uniform, and must ensure that elevations are consistent with the department-approved drawings; and	F-6.4	-	F	-	-
6.5(d)(2)	the subgrade must be tested for density and moisture content at a minimum frequency of nine tests per acre.	F-5.2.2	-	F	-	-
6.6	Liner System and Final Cover Requirements	-	-	-	-	-
6.6(a)	Double composite liner system. Except as otherwise described in this Part for monofills and C&D debris landfills, all landfills regulated under this Part must have a double composite liner system that consists of a primary leachate collection and removal system, a geocushion, a primary composite liner constructed of a geomembrane liner and a GCL, a secondary leachate collection and removal system, a geocushion, and a secondary composite liner system constructed of a geomembrane liner and two feet of low permeability soil. The landfill must be designed and constructed to meet or exceed the following liner system requirements:	3.4	-	B	-	22
6.6(a)(1)	On slopes less than or equal to ten percent, the liner system must consist of a double composite liner system which meets the following requirements:	-	-	-	-	-
6.6(a)(1)(i)	the primary composite liner must be comprised of a nominal 60 mil or thicker high density polyethylene (HDPE) geomembrane placed above and in direct and uniform contact with an appropriately specified GCL. In landfills located within the deep recharge area of Nassau or Suffolk County, the primary geomembrane must be a nominal 80 mil or thicker HDPE geomembrane; and	3.4.8	-	B	-	22
6.6(a)(1)(ii)	the secondary composite liner must be comprised of a nominal 60 mil or thicker HDPE geomembrane placed above and in direct and uniform contact with a minimum two-foot-thick low-permeability soil layer that has a remolded hydraulic conductivity of 1×10^{-7} centimeter per second or less.	3.4.6	-	B	-	22
6.6(a)(2)	On slopes greater than ten percent, the liner system must consist of a double liner system which meets the following requirements:	-	-	-	-	-
6.6(a)(2)(i)	from the toe of the slope to five vertical feet up the side slope, the primary liner must meet the double composite liner requirements of subparagraph 363-6.6(a)(1)(i) of this section. Above five vertical feet up the side slope, the primary liner may be constructed of a nominal 60 mil HDPE or thicker geomembrane. For landfills located within the deep recharge area of Nassau or Suffolk County, the primary geomembrane must be a nominal 80 mil or thicker HDPE geomembrane; and	3.4.8	-	B	-	22
6.6(a)(2)(ii)	the secondary composite liner must meet the requirements of subparagraph 363-6.6(a)(1)(ii) of this subdivision.	3.4.6	-	-	-	-
6.6(a)(3)	The liner system must include a primary leachate collection and removal system that is designed to maintain no more than 12 inches of leachate depth (head) above the primary liner, except during 24-hour, 25-year storm events and except in sump areas. The leachate collection and removal system must be designed to function with proper maintenance throughout the active life, post-closure period, and custodial care period of the landfill.	3.4.9	-	H	-	-
6.6(a)(3)(i)	The primary leachate collection and removal system must be a minimum of two feet thick.	3.4.9, F-5.4	-	B, F	-	22
6.6(a)(3)(ii)	On slopes less than or equal to ten percent, the 24 inches of primary leachate collection and removal system must have a hydraulic conductivity of 1.0 centimeter per second or greater. Alternatively, the upper 12 inches of primary leachate collection and removal system may have a hydraulic conductivity of 0.1 centimeter per second or greater if the lower 12 inches has a hydraulic conductivity of one centimeter per second or greater.	3.4.9	-	B, F, Attachment F-1	-	22
6.6(a)(3)(iii)	On slopes greater than ten percent, the entire 24 inch thickness of the primary leachate collection and removal system must have a hydraulic conductivity of 0.1 centimeter per second or greater.	3.4.9	-	B, F, Attachment F-1	-	22
6.6(a)(4)	The liner system must include a secondary leachate collection and removal system placed between the primary and secondary liners with a design capacity of at least 1,000 gallons per acre per day and a maximum detection time of 24 hours using steady state flow calculations in a saturated medium.	3.4.6	-	B, H	-	8, 22
6.6(a)(4)(i)	On slopes less than or equal to ten percent, the secondary leachate collection and removal system must include a geosynthetic drainage layer and a minimum of one foot of soil drainage media with a hydraulic conductivity of 0.1 centimeter per second or greater, and a maximum leachate depth (head) of one inch.	3.4.6, F-5.4	-	B, F	-	22

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.6(a)(4)(ii)	On all slopes greater than ten percent, the secondary leachate collection system may be constructed of a geosynthetic drainage layer system designed to meet the hydraulic and mechanical needs of the landfill with a head that does not exceed the thickness of the confined drainage layer.	3.4.6	-	B	-	22
6.6(b)	C&D debris landfills, papermill sludge monofills, and municipal waste combustor ash monofills. Except in Nassau or Suffolk County, the minimum liner requirement for landfills used for the disposal of C&D debris, papermill sludge, or municipal waste combustor ash is a single composite liner comprised of a nominal 60 mil or thicker HDPE geomembrane placed above and in direct and uniform contact with a minimum two-foot-thick low-permeability soil layer that has a remolded hydraulic conductivity of 1x10 ⁻⁷ centimeter per second or less. Above the composite liner, a leachate collection and removal system is required that meets the requirements of paragraph 363-6.6(a)(3) of this section. The department may require additional liner components or other restrictions depending upon the waste to be disposed, monitorability of the site, or other site conditions.	NA	NA	NA	NA	NA
6.6(c)	Other industrial waste monofills. Except in Nassau or Suffolk County, monofills used solely for the disposal of solid waste resulting from industrial operations other than those described above are subject to the double composite liner requirements described in subdivision 363-6.6(a) of this section and section 363-6.7 of this Subpart, unless the applicant demonstrates that an alternative liner system is justified. The department may impose additional or less stringent requirements on these monofills based on the pollution potential of the waste. For those monofills where the applicant demonstrates that an alternative liner system is justified, the need for a formal variance is waived.	NA	NA	NA	NA	NA
6.6(d)	Final cover system. Except as otherwise described in this Part, all landfills must have at a minimum a final cover system that consists of a composite barrier layer, barrier protection and drainage layer, and topsoil layer meeting the requirements of sections 363-6.15 through 363-6.18 of this Subpart and Subpart 363-10 of this Part. The final cover system must be designed to preclude precipitation from entering the landfill and be capable of preventing landfill gas migration to the atmosphere.	3.8.3	-	B, H	-	31
6.7	Components of Double Composite Liner System	-	-	-	-	-
6.7(a)	Primary and secondary composite liners.	-	-	-	-	-
6.7(a)(1)	Primary composite liner. The primary composite liner must be constructed using a GCL which restricts flow through the GCL equal to or better than a compacted soil liner with a hydraulic conductivity of 1 x 10 ⁻⁷ centimeters per second or less and which is constructed with bentonite demonstrating chemical and physical stability. The GCL must be placed below and in direct and uniform contact with the primary geomembrane liner. The carrier geotextile of the GCL must be a material that will inhibit the migration of bentonite into the secondary leachate collection and removal system.	3.4.7, F-8.1	-	B, F	-	22
6.7(a)(2)	Secondary composite liner. The secondary composite liner must be constructed using a minimum two-foot-thick soil liner placed below and in direct and uniform contact with the secondary geomembrane liner. The soil component of the secondary composite liner	3.4.4, F-5.2.1, F-5.2.2	-	B, F	-	22
6.7(a)(2)(i)	be free from stones greater than one inch in diameter and stones having an angular surface;	F-5.2.1	-	F	-	-
6.7(a)(2)(ii)	be a total of at least 24 inches in compacted thickness;	3.4.4, F-5.2.1	-	B, F	-	22
6.7(a)(2)(iii)	have a remolded hydraulic conductivity of 1 x 10 ⁻⁷ centimeters per second or less throughout its thickness;	3.4.4, F-5.2.1	-	B, F	-	22
6.7(a)(2)(iv)	be constructed and maintained to minimize the presence of cracks and granular material as long as it is exposed, as specified in a department-approved CQA/CQC plan; and	F-5.2.1	-	F	-	-
6.7(a)(2)(v)	be overlain by and in direct and uniform contact with a geomembrane.	3.4.4, F-5.2.2	-	B, F	-	22
6.7(b)	Construction requirements. The project engineer must ensure that the installation of the soil and/or GCL components of the liner system conforms to the following minimum requirements:	F-8.5	-	F	-	-
6.7(b)(1)	GCL liner components	F-8.5	-	F	-	-
6.7(b)(2)	Soil liner components	-	-	-	-	-
6.7(b)(2)(i)	The soil component of the liner system must be placed at a slope of no less than two percent in directions perpendicular to leachate collection pipes, and no less than one percent in directions parallel to the leachate collection pipes. The soil component of the liner system must be placed at a slope of no greater than 33 percent in any direction.	F-5.2	-	F	-	-
6.7(b)(2)(ii)	During compaction, proper control of the moisture content, lift thickness, compactive energy/kneading action, placement operations and other details necessary to effectively destroy soil clods, eliminate lift interfaces and avoid mixing with subgrade soils must be maintained. The final compacted thickness of each lift must not exceed eight inches. Placement of the first lift of the soil component of the liner system must prevent mixing of the soil liner system materials and subgrade.	F-5.2.2	-	F	-	-
6.7(b)(2)(iii)	The moisture content and compacted density of the soil component of the liner system must be maintained at all times within the range identified in the moisture-density-permeability relation developed in accordance with subparagraph 363-6.7(c)(2)(v) of this section to ensure that the remolded lift hydraulic conductivity is less than or equal to 1 x 10 ⁻⁷ centimeters per second.	F-5.2.1	-	F	-	-
6.7(c)	Certification requirements	-	-	-	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.7(c)(1)	For GCLs, the project engineer must certify that:	-	-	-	-	-
6.7(c)(1)(i)	all GCL sheets used in liner system construction have been inspected by the manufacturer and at the job site for needles and sheet defects; and	F-8.4	-	F	-	-
6.7(c)(1)(ii)	all construction meets the requirements of paragraph 363-6.7(b)(1).	F-8.5	-	F	-	-
6.7(c)(2)	For soil barrier components, the project engineer must certify the quality control testing of any soil liner materials, document that the specified material meets the approved engineering drawings, engineering report, CQA and CQC plan, and project specifications. The hydraulic conductivity requirement for the soil liner material must be less than or equal to 1 x 10 ⁻⁷ centimeters per second. Before and during construction of the soil component of the liner system, the results of the following testing at a minimum must be reviewed and accepted by the project engineer prior to placement:	F-5.2.1	-	F	-	-
6.7(c)(3)	Quality assurance testing of soil components required under this paragraph must be compared to and evaluated against the quality control testing of paragraph (2) of this subdivision where applicable.	F-5.2.1	-	F	-	-
6.8	Geomembrane Liners	-	-	-	-	-
6.8(a)	Materials required. The geomembrane base liner material must be constructed of HDPE polymer that is acceptable to the department. Geomembrane base liners constructed of other polymers may be approved by the department based on the equivalent design requirements of Section 363-6.21 of this Part if demonstrated to have equivalent chemical resistance, construction durability, and service life expectancy.	3.4.5, 3.4.8	-	B	-	22
6.8(b)	Construction requirements	-	-	-	-	-
6.8(b)(1)	The geomembrane in both the primary and secondary composite liner systems must be installed in direct and uniform contact with the underlying low-permeability soil layer or GCL in a manner that eliminates waves and creases and must be field seamed to control fluid migration from the landfill.	3.4.5, 3.4.8, F-6.4	-	B, F	-	22
6.8(b)(2)	Geomembranes must be installed at a minimum slope of two percent, except slopes parallel to the leachate collection pipe must have a minimum slope of one percent.	3.4.5, 3.4.9, F-6.4	-	F	-	-
6.8(b)(3)	The surface of the supporting soil upon which the geomembrane will be installed must be free of stones, organic matter, cracks, irregularities, protrusions, loose soil, and any abrupt changes in grade.	F-6.4	-	F	-	-
6.8(b)(4)	The anchoring system must be constructed as shown on the approved engineering drawings to eliminate potential liquid leakage into the secondary leachate collection and removal system by, at a minimum	-	-	B	-	22, 30
6.8(b)(5)	Field seams must be constructed in accordance with the following:	-	-	-	-	-
6.8(b)(5)(i)	field seams must be oriented parallel to the line of maximum slope (i.e., oriented along, not across the slope). In corners and irregularly shaped locations, the number of field seams must be minimized. The number of horizontal seams must be minimized. Horizontal seams must be more than five feet from the toe of slope in either direction.	F-6.4	-	F	-	-
6.8(b)(5)(ii)	field seams must be primarily made by using a dual-track thermal fusion seaming method. Extrusion welding of field seams must be minimized to the extent practical;	F-6.4	-	F	-	-
6.8(b)(5)(iii)	the seam area must be free of moisture, dust, dirt, debris, and foreign material before seaming;	F-6.4	-	F	-	-
6.8(b)(5)(iv)	field seaming is prohibited when either ambient air or sheet temperature is below 32° F, when the sheet temperature exceeds 158° F, when the ambient air temperature is above 120° F, during periods of sustained winds in excess of 20 miles per hour, or during periods of precipitation; and	-	-	F, Attachment F-1	-	-
6.8(b)(5)(v)	the field crew foreman of the liner installer must have a documented minimum qualification of installing at least 50 acres of previous landfill or comparable geosynthetic systems, on a minimum of five different projects. Each welding machine must be operated by a welding technician who has been certified to operate the welder by a certification program acceptable to the department.	-	-	F, Attachment F-1	-	-
6.8(c)	Certification requirements	-	-	-	-	-
6.8(c)(1)	The project engineer must certify that the results of the quality control testing for all geomembranes meet the requirements of the approved engineering drawings, reports, and specifications before the installation of any geomembrane, including the following information:	F-6.4.3	-	F	-	-
6.8(c)(2)	The project engineer must review the appropriate documentation to certify that the quality control testing of any fabricated factory seams of geomembrane sheets took place at the factory in accordance with the following requirements:	-	-	-	-	-
6.8(c)(2)(i)	the geomembrane was fully inspected for uniformity, damage, imperfections, holes, cracks, thin spots, foreign materials, tears, punctures, and blisters. Any imperfections must be immediately repaired and reinspected;	F-6.4	-	F	-	-
6.8(c)(2)(ii)	nondestructive seam testing was performed on all fabricated seams over their full length using a test method acceptable to the department; and	F-6.4.1	-	F	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

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6.8(c)(2)(iii)	destructive seam testing was performed on a minimum of two samples per factory fabricated geomembrane sheet. The samples must be taken from extra material at the beginning or end of sheet seams, so that the geomembrane sheet is not damaged and the sheet geometry is not altered. A laboratory acceptable to the department must have performed the required testing on the samples taken. If a sample fails a destructive test, the entire seam length must be reconstructed or repaired using a method acceptable to the department, and retested in accordance with subparagraph (ii) of this paragraph.	F-6.2.1	-	F	-	-
6.8(c)(3)	The project engineer must certify that quality assurance testing was performed in the field during liner installation demonstrating that the liner conforms to the approved engineering drawings, reports, and specifications and the following requirements:	-	-	-	-	-
6.8(c)(3)(i)	For each lot number of geomembrane material that arrives at the site, a sample must be collected and archived	F-6.2.1	-	F	-	-
6.8(c)(3)(ii)	All geomembrane must be visually inspected for uniformity, damage, imperfections, holes, cracks, thin spots, foreign materials, tears, punctures, and blisters. Any imperfections must be immediately repaired and reinspected.	F-6.4	-	F	-	-
6.8(c)(3)(iii)	The project engineer must ensure that trial seams are constructed and destructive seam tests are performed:	F-6.4.1	-	F	-	-
6.8(c)(3)(iv)	The entire length of all field seams must be nondestructively tested in accordance with the procedures listed in this subparagraph using a test method acceptable to the department. The project engineer or designated representative must:	-	-	-	-	-
6.8(c)(3)(iv)(a)	monitor all nondestructive testing;	F-6.4.1	-	F	-	-
6.8(c)(3)(iv)(b)	record the location, date, name of tester, and results of all testing;	-	-	F	-	-
6.8(c)(3)(iv)(c)	inform the installer of any required repairs; and	F-6.4.1	-	F	-	-
6.8(c)(3)(iv)(d)	overlay all seams which cannot be nondestructively tested with the same geomembrane. The seaming and patching operation must be inspected by the project engineer for uniformity and quality.	F-6.4.1	-	F	-	-
6.8(c)(3)(v)	Destructive testing must be performed on the geomembrane liner seams in accordance with the following requirements using test methods acceptable to the department:	-	-	-	-	-
6.8(c)(3)(v)(a)	Seam samples must be taken at a rate of one sample per 1,000 feet of seam length or one sample for each seaming machine operating on a given day, whichever is more frequent. All sample locations must be documented.	-	-	F, Attachment F-1	-	-
6.8(c)(3)(v)(b)	The project engineer must approve the sample size, which must be large enough to perform the required testing.	F-6.4.1	-	F	-	-
6.8(c)(3)(v)(c)	An independent laboratory acceptable to the department must perform the required testing, which must include testing for seam strength and adjacent geomembrane elongation, and peel adhesion (and separation in-plane for high density polyethylene) using testing procedures acceptable to the department.	F-6.4.1	-	F	-	-
6.8(c)(3)(v)(d)	If a sample fails destructive testing, the seam must be reconstructed in each direction between the location of the sample that failed and the location of the next acceptable sample; alternatively, the welding path may be retraced to intermediate locations at least ten feet in each direction from the location of the sample which failed the test, in which case a second sample must be taken for an additional field test at each of those locations. If these second samples pass, the seam must be patched or reconstructed between the locations of the second samples. If a second sample fails, this process must be repeated.	F-6.4.1	-	F	-	-
6.8(c)(3)(v)(e)	All acceptable seams must lie between two locations where samples passed the test procedures found in clause (d) of this subparagraph.	F-6.4.1	-	F	-	-
6.8(c)(3)(vi)	Upon completion of geomembrane seaming, patching, or reconstruction, post-construction care of the installed geomembrane must commence and, at a minimum, include timely covering and temporary weighting using sandbags, as necessary, to prevent damage from wind uplift, construction, or other sources.	F-6.4	-	F	-	-
6.8(c)(3)(vii)	After placement of the soil drainage layer, an electrical resistivity leak location evaluation, and/or other geomembrane liner integrity evaluation approved by the department, must be conducted on areas of both the primary and secondary liners with slopes of ten percent or less by a person independent of the geomembrane installer. All discovered liner defects must be repaired, and a written report of the findings and verification of repairs must be submitted to the department with the construction certification report required in section 363-6.19 of this Subpart.	F-6.4.2	-	F	-	-
6.9	Geocushion Material	-	-	-	-	-
6.9	An appropriately designed and specified geocushion of sufficient weight to prevent deformation and damage must be placed above any geomembrane.	3.4.6, 3.4.9	-	B	-	22
6.9(a)	Materials requirements. Only needle-punched, nonwoven geocushion material may be used. Documentation must be provided by the manufacturer indicating that each roll has been inspected at the point of manufacturing for the presence of broken needles using an in-line metal detector. Every roll accepted at the site must be labeled with the manufacturer's name, including geotextile style and type, lot and roll numbers, and roll dimensions (length, width, and gross weight). The geocushion material must be demonstrated to be chemically compatible with waste and leachate with which it will come in contact.	F-9.1, F-9.2	-	B, F	-	22
6.9(b)	Construction requirements	-	-	-	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.9(b)(1)	All rolls of geocushion materials received and stored at the landfill must be enclosed in protective wrapping that is opaque and waterproof. Outdoor storage of rolls must not exceed manufacturer's recommendations or nine months, whichever is less. For storage periods longer than nine months, rolls must be stored off the ground under an additional cover or tarp beyond the manufacturer's wrapping or be placed within an enclosure.	F-9.4	-	F	-	-
6.9(b)(2)	During placement, stones, excessive dirt, or moisture must not be entrapped either within or beneath the geocushion materials.	F-9.5	-	F	-	-
6.9(b)(3)	The geocushion materials must be placed with minimal wrinkles or folds.	F-9.5	-	F	-	-
6.9(b)(4)	Geocushion materials must be connected or seamed together using methods approved by the department.	F-9.5	-	F	-	-
6.9(c)	Certification requirements. The project engineer must provide:	-	-	-	-	-
6.9(c)(1)	certification that all geocushion materials placed on the site have been inspected by the manufacturer and at the job site for needles and sheet defects;	F-9.4, F-9.5	-	F	-	-
6.9(c)(2)	verification that the physical and mechanical properties of the designed geocushion material were supplied and installed per the project specifications; and	F-9.2	-	F	-	-
6.9(c)(3)	certification that quality control testing was performed in accordance with the requirements of paragraph 363-6.8(c)(1) of this Subpart for any geocushion materials.	F-9.2	-	F	-	-
6.10	Soil Drianage Layers	-	-	-	-	-
6.10	In addition to the requirements of subdivision 363-6.6(a) of this Subpart, all soil drainage material used in the primary and secondary leachate collection and removal systems of the landfill must conform to the following requirements.	3.4.5, 3.4.8	-	B	-	22
6.10(a)	Materials required. The soil drainage layer must be free of any organic material, have less than five percent by weight pass the No. 200 sieve after placement, and have no more than 15 percent calcium carbonate equivalent as determined by appropriate test methods using a solution with a pH representative of landfill leachate.	F-5.2	-	F	-	-
6.10(b)	Construction requirements.	-	-	F, Attachment F-1	-	-
6.10(c)	Certification requirements	-	-	F, Attachment F-1	-	-
6.11	Leachate Collection Pipes	-	-	-	-	-
6.11(a)	The following requirements apply to leachate collection pipes.	-	-	-	-	-
6.11(a)(1)	The primary and secondary leachate collection and removal system and the gas collection condensate piping system must be designed and built to allow for representative sampling of leachate and condensate and to operate with proper maintenance without clogging during the landfill's active life and post-closure care period. The primary collection pipe network must be sized for peak flow attributed to a 24-hour-25-year storm to be removed from the landfill cell within seven days or less.	3.7.3	-	B, H	-	8, 9, 23, 25 - 29
6.11(a)(2)	All leachate collection pipe networks located in the primary and secondary leachate collection and removal systems must be designed to allow for accessibility of equipment for effective video monitoring, routine cleaning and maintenance of key collection lines in each separately operating cell	3.7.3	-	B	-	8, 9, 23, 25 - 29
6.11(a)(3)	All leachate conveyance lines, gas condensate lines and appurtenances, including manholes, sumps, and metering pits located outside the liner system of the landfill must be designed to have double containment and must be constructed to provide for effective leak detection and collection.	3.7.3	-	B	-	25 - 29
6.11(a)(4)	Leachate conveyance lines, gas condensate lines and appurtenances including manholes, sumps, and metering pits located outside the landfill liner system are not required to maintain the minimum separation of five feet from the seasonal high groundwater table, and are not required to maintain the minimum separation of ten feet from bedrock.	-	-	-	-	-
6.11(b)	Materials required. The leachate collection pipes must:	-	-	-	-	-
6.11(b)(1)	be a minimum of eight inches in inside nominal diameter for primary pipes and six inches in inside nominal diameter for secondary pipes;	3.7.3	-	B, H	-	25 - 29
6.11(b)(2)	have adequate structural strength to support the maximum static and dynamic loads and stresses that will be imposed by the overlying material, including the drainage layer, liners, waste material, and any equipment used in the construction and operation of the landfill; and	3.7.3	-	H	-	-
6.11(b)(3)	be chemically compatible with leachate.	3.7.3	-	-	-	-
6.11(c)	Construction requirements. Leachate collection pipes must be installed in accordance with the requirements of the approved engineering drawings, reports, and specifications and must be designed to have a minimum slope of one percent.	F-10.1.3	-	F	-	8, 9
6.11(d)	Certification requirements. The project engineer must certify that the requirements of paragraphs 363-6.6(a)(3) and (4) of this Subpart are met and that all leachate collection pipes are cleaned, debanded and inspected upon completion of construction using video inspection equipment or other methods acceptable to the department to verify that the system is free of obstructions and construction-related debris.	F-10.1.3	-	F	-	-
6.12	Geosynthetic Drainage Layers	-	-	-	-	-
6.12(a)	Geosynthetic drainage layers must comply with the following.	-	-	-	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
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SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.12(a)(1)	Any geosynthetic drainage layers designed for use in a groundwater suppression system or a leachate collection and removal system must meet the structural and hydraulic transmissivity design requirements using actual boundary conditions at the maximum adjusted design load for a minimum period of 100 hours, modified to take into consideration the long-term conditions for creep representative of site conditions, and other reduction factors.	3.4.3	-	H	-	-
6.12(a)(1)(i)	For hydraulic flow capacity calculations, the design engineer must use a factor of safety of at least three, and consider the reduction in transmissivity due to creep, biological clogging, and chemical clogging.	3.4.3	-	H	-	-
6.12(a)(1)(ii)	The chemical and physical resistance of the geosynthetic drainage material must be adequate so that its hydraulic transmissivity is not adversely affected by waste placement or leachate.	-	-	F, Attachment F-1	-	-
6.12(a)(2)	Any geosynthetic drainage layers designed for use in a final cover system for either drainage or gas venting must meet the transmissivity design requirements using actual boundary conditions at the maximum adjusted design load for a minimum period of 100 hours, and appropriate reduction factors and must consider any proposed landfill end use structures.	3.8.3	-	H	-	-
6.12(a)(2)(i)	For hydraulic flow capacity calculations, the design engineer must use a factor safety of at least three.	-	-	H	-	-
6.12(a)(2)(ii)	The hydraulic design of the geosynthetic drainage layer should be performed using the saturated hydraulic conductivity of the barrier protection layer.	-	-	H	-	-
6.12(b)	Construction requirements	-	-	-	-	-
6.12(b)(1)	Geosynthetic drainage layers must not be seamed or fastened horizontally more than once per length of side slope. If horizontal seams are necessary, they must be staggered between adjacent rolls. The geosynthetic drainage layers must be seamed or fastened together in accordance with industry standards.	-	-	F, Attachment F-1	-	-
6.12(b)(2)	The geosynthetic drainage layer must be installed in accordance with the procedures set forth in paragraphs 363-6.8(b)(2) through (4) and subparagraph 363-6.8(b)(5)(iii) of this Subpart.	F-7.5	-	F	-	-
6.12(b)(3)	If a geosynthetic drainage layer is specified in the primary leachate collection and removal system, a 24-inch soil drainage layer is required which meets the minimum requirements of section 363-6.10 of this Subpart.	3.4.9	-	B, F, Attachment F-1	-	22
6.12(b)(4)	If a geosynthetic drainage layer is specified in the secondary leachate collection and removal system, a 12-inch soil drainage layer which meets the requirements of section 363-6.10 of this Subpart is required in all areas where the liner slope is less than ten percent.	3.4.6	-	B, F, Attachment F-1	-	22
6.12(c)	Certification requirements. The project engineer must certify the following information as part of certification.	-	-	-	-	-
6.12(c)(1)	Results of applicable geosynthetic quality control testing required in paragraph 363-6.8(c)(1) of this Subpart.	F-7.2	-	F	-	-
6.12(c)(2)	Results of hydraulic transmissivity testing performed in a laboratory in accordance with subdivision 363-6.12(a) of this Part including confirmation that the head within the leachate collection and removal layer will remain less than the thickness of that layer for the design flow of 1,000 gallons per acre per day in the secondary leachate collection and removal system is met.	F-7.3	-	F	-	-
6.12(c)(3)	That the construction quality assurance staff have performed visual inspections for any depressions or irregularities on all installed products.	F-7.5	-	F	-	-
6.12(c)(4)	That post-construction care procedures were carried out to protect the geosynthetic drainage layer from the intrusion of fines related to water-borne and wind-borne sedimentation.	F-7.5, F-11	-	F	-	-
6.13	Filter Layer Criteria	-	-	-	-	-
6.13(a)	If a filter layer is included, it must be designed to prevent the migration of fine soil particles into a coarser grained material, and to allow water or gases to freely enter a drainage structure (e.g., pipe or drainage blanket) without clogging.	-	-	-	-	-
6.13(b)	Materials required.	-	-	-	-	-
6.13(b)(1)	Graded cohesionless soil filters. Granular soil material used as a filter must have no more than five percent by weight passing the No. 200 sieve and no soil particles larger than three inches in any dimension.	NA	NA	NA	NA	NA
6.13(b)(2)	Geosynthetic filters. Geosynthetic filter material must demonstrate adequate permeability, soil particle retention, resistance to clogging, and chemical and physical resistance to adjacent materials so that it is not adversely affected by waste placement, overlying material or leachate generated at the landfill. Geosynthetic filter openings must be sized in accordance with the following criteria:	3.4.3.1	-	-	-	-
6.13(b)(3)	Clogging potential of soil or geosynthetic filter system must be assessed using a long-term permeameter test method or other methods acceptable to the department.	-	-	F, Attachment F-1	-	-
6.13(c)	Construction requirements. Geosynthetic filters must not be damaged during installation and must be installed in a manner that does not reduce their ability to function as designed.	-	-	F, Attachment F-1	-	-

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.13(d)	Certification requirements. For geosynthetic filters, the project engineer must assess the polymer type and density, ultraviolet stability, mechanical properties, weight, tensile strength, permittivity, apparent opening size, and puncture strength. The project engineer must certify that post-construction care procedures were implemented to protect the soil or geosynthetic filter from the intrusion of fines related to water-borne and wind-borne sediments.	-	-	F, Attachment F-1	-	-
6.14	Intermediate Cover	-	-	-	-	-
6.14	An intermediate cover must be constructed of a geomembrane or soil layer which will inhibit precipitation from entering the waste mass, contain leachate outbreaks, and inhibit migration of decomposition gases.	3.8.2, E-8.0	-	E	-	-
6.14(a)	Materials required	-	-	-	-	-
6.14(a)(1)	If a geomembrane is utilized as intermediate cover, the geomembrane material must be chemically and physically resistant to materials it contacts, and be able to accommodate the expected forces and stresses such as those caused by settlement of waste and wind uplift.	NA	NA	NA	NA	NA
6.14(a)(2)	Soil utilized as intermediate cover must be a minimum thickness of 12 inches.	3.8.2	-	-	-	-
6.14(b)	Construction requirements. Intermediate cover geomembranes must be seamed in accordance with the manufacturer's recommendations, and must be installed on top of operating cover.	NA	NA	NA	NA	NA
6.15	Gas Venting					
6.15	The project engineer must demonstrate that landfill gas will be adequately controlled and removed from the landfill in a manner to ensure the overall stability of the landfill and its final cover system, and to reduce the concentration and pressure gradient of explosive gases to control gas migration.	3.9	GCCS PLAN	GCCS PLAN	GCCS PLAN	GCCS PLAN
6.16	Final Cover - Composite Barrier Layer	-	-	-	-	-
6.16(a)	After a landfill ceases to accept waste as specified in section 363-10.3 of this Part, a final cover consisting of a composite barrier must be installed. The project engineer must consider the projected service life of the final cover system, settlement, erosion, and seepage forces in the overall stability of the final cover system.	3.8.3	-	B, H	-	31
6.16(a)(1)	The composite barrier layer must consist of a GCL and a separate geomembrane.	3.8.3	-	B	-	31
6.16(a)(1)(i)	GCL. The GCL must be specified by the project engineer upon demonstrating both physical and chemical stability of the bentonite used in the GCL. The GCL component of the composite cover must meet the requirements of paragraph 363-6.7(b)(1) and subdivision 363-6.7(c) of this Subpart.	-	-	F, Attachment F-1	-	-
6.16(a)(1)(i)(a)	On slopes equal to or greater than 25 percent and for side slope terraces on those slopes, the GCL component of the composite barrier may be eliminated.	F-8.1	-	B, F	-	31
6.16(a)(1)(ii)	Geomembrane barrier layer of composite cover. The barrier layer must be constructed to limit precipitation migration into the landfill.	3.8.3	-	F, Attachment F-1	-	-
6.16(a)(1)(ii)(a)	The geomembrane material must be chemically and physically resistant to materials it contacts, and be able to accommodate the expected forces and stresses such as those caused by settlement of waste.	-	-	F, Attachment F-1	-	-
6.16(a)(1)(ii)(b)	A geomembrane comprised of linear low-density polyethylene polymer must have a nominal thickness of 40 mils or thicker. A geomembrane comprised of HDPE must have a nominal thickness of 60 mils or thicker.	F-6.0	-	B, F	-	31
6.16(b)	Construction requirements	-	-	-	-	-
6.16(b)(1)	GCL. GCLs must be constructed in accordance with paragraph 363-6.7(b)(1) of this Part.	3.4.7, F-8.0	-	B, F	-	31
6.16(b)(2)	Geomembrane barrier layer. Geomembrane barrier layers must be constructed in accordance with the requirements of 363-6.8(b) of this Part with the following exceptions:	F-6.0	-	B, F	-	31
6.16(b)(2)(i)	the geomembrane must be placed between a four percent minimum slope and a 33 percent maximum slope; and	3.8.3.2	-	B	-	31
6.16(b)(2)(ii)	where GCL is used, the geomembrane must be placed in direct and uniform contact with the underlying GCL.	3.8.3.1	-	B	-	31
6.16(c)	Certification Requirements. Certification for the installation of a composite barrier layer must be conducted in accordance with the same conditions found in paragraph 363-6.8(c) of this section, except for the electrical resistivity testing provisions of subparagraph 363-6.8(c)(3)(vii) of this section.	F-6.4	-	F	-	-
6.17	Final Cover - Barrier Protection and Drainage Layer	-	-	-	-	-
6.17	A barrier protection layer must be constructed in accordance with the provisions of this section. The barrier protection layer must protect the geomembrane barrier layer from root penetration, be stable for the specified slopes and resist erosion.	3.8.3	-	B, H	-	31
6.17(a)	Construction requirements. The barrier protection layer, including any drainage layer, must consist of a minimum of 12 inches of soil where cool season vegetation is specified or a minimum of 18 inches of soil where warm season vegetation is specified. One hundred percent of the soil used to construct the lower six inches of this layer must pass a two-inch sieve	3.8.3, F-5.3.2	-	B, F	-	31

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES

Seneca Meadows, Inc.
SMI Valley Infill
1786 Salcman Road, Waterloo, New York

SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.17(b)	A drainage layer constructed of either a soil layer or geosynthetic drainage layer must be installed between the barrier layer and the barrier protection layer unless stability analysis meeting the requirements of 363-4.3(c)(3)(iv) indicates that a drainage layer is not required. If a geosynthetic drainage layer is utilized, it must be designed and constructed in accordance with the requirements in section 363-6.12 of this Subpart.	3.8.3	-	B, F, Attachment F-1	-	31
6.18	Final Cover - Topsoil	-	-	-	-	-
6.18	A topsoil layer must be designed and installed over the landfill, unless the department approves a geosynthetic designed to serve as the uppermost layer of the final cover system.	3.8.3	-	B	-	31
6.18(a)	Materials required. The topsoil or alternative material layer must be suitable to maintain vegetative growth.	3.8.3	-	B	-	31
6.18(b)	Construction requirements. The topsoil or alternative material layer must be at least six inches thick. A thicker layer will be required, if either of the following conditions exist:	3.8.3	-	B, F, Attachment F-1	-	31
6.19	Construction Certification	-	-	-	-	-
6.19	The certification required in subdivision 360.16(j) of this Title must include a report prepared by the project engineer which demonstrates that the landfill was constructed in accordance with the department-approved engineering design and permit requirements, and the report must include the following:	F-12.6	-	F	-	-
6.19(a)	at a minimum, all CQA and CQC testing as required in this Subpart. It must include documentation of any failed test results and results of all retesting performed, descriptions of procedures used to correct improperly installed, damaged, or irregular material, and electrical resistivity leak location survey data and reports;	F-12.6	-	F	-	-
6.19(b)	record drawings noting any deviation from the approved engineering plans;	F-12.7	-	F	-	-
6.19(c)	a comprehensive narrative including, but not limited to, daily reports from the project engineer and a series of color photographs of major project features;	F-12.5, F-12.6	-	F	-	-
6.19(d)	a certification that the primary liner system leakage rate was below 20 gallons per acre per day using a rolling average for 30 consecutive days;	F-12.4	-	F	-	-
6.19(e)	certification that an electrical resistivity leak location evaluation, and/or other geomembrane liner integrity evaluation as approved by the department was conducted on both the primary and secondary liners in accordance with the provisions of subparagraph 363-6.8(c)(3)(vii) of this Part.	F-6.4.2	-	F	-	-
6.20	Above Ground and On-Ground Leachate Storage Tank Requirements	-	-	-	-	-
6.20(a)	Except as described in the transition requirements in section 360.4 of this Title, only a storage tank system may be used to store leachate. The aboveground and on-ground leachate storage tank system must be capable of containing a minimum of three consecutive months combined primary and secondary leachate flow based on calculations required by subdivision 363-4.3(e) of this Part unless an alternate storage and transport system is approved by the Department, and must have a secondary containment system capable of retaining leachate in the event of a leachate spill.	3.7.6	-	-	-	-
6.21	Equivalent Design Standards and Use of Waste as Construction and Operational Material	-	-	-	-	-
6.21(a)	An applicant may propose an equivalent design for any landfill component through the submission of documentation substantiating the alternative component's ability to perform in the same manner as the component specified in this Part. Equivalency determinations are not subject to the variance requirements of section 360.10 of this Title.	-	-	-	-	-
6.21(b)	When the equivalent design involves the substitution of waste for components of the facility's liner or final cover system, and where it can be demonstrated that these substitutions are below the uppermost barrier layer of the final cover and above the primary composite liner, equivalency determinations are not subject to the variance requirements of section 360.10 or beneficial use requirements of section 360.12 of this Title.	-	-	-	-	-
6.21(b)(1)	Equivalent design applications for the use of waste tire-derived aggregate in a leachate collection and removal system or gas venting layer must:	-	-	-	-	-
6.21(b)(1)(i)	address procedures for receipt of waste tires or waste tire-derived aggregate and on-site processing or storage;	3.4.10, E-17	-	E	-	-
6.21(b)(1)(ii)	treat the waste tire-derived aggregate as conventional construction material and comply with the landfill's design and the applicable soil drainage layer provisions of section 363-6.10 of this Part. This must include specifications for gradation analysis and permeability testing for both CQA and CQC;	3.4.10, E-17	-	E	-	-
6.21(b)(1)(iii)	specify that the waste tires or waste tire-derived aggregate are free of soil, petroleum products or other contaminants;	3.4.10, E-17	-	E	-	-
6.21(b)(1)(iv)	specify that waste tires must be processed in a manner to keep exposed wires to no more than three inches;	3.4.10, E-17	-	E	-	-
6.21(b)(1)(v)	specify that waste tires or waste tire-derived aggregate that were exposed to fire are not processed for use under this paragraph;	3.4.10, E-17	-	E	-	-
6.21(b)(1)(vi)	specify that the leachate collection and removal system or gas venting layer must incorporate an appropriately specified 12-inch layer of soil or stone between any geomembrane or GCL and a waste tire-derived aggregate layer; and	3.4.10	-	B	-	22, 31

TABLE A-1
REGULATORY SUMMARY TABLE FOR ENGINEERING REPORT AND APPEDICES
6 NYCRR PART 360 SOLID WASTE MANAGEMENT FACILITIES
Seneca Meadows, Inc.
SMI Valley Infill
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SECTION	REQUIREMENT/REGULATION	TEXT	TABLES	APPENDIX	FIGURES	PLANS
6.21(b)(1)(vii)	demonstrate that the final thickness of the waste tire-derived aggregate layer after compression will be a minimum of 24 inches.	3.4.10	-	-	-	-
6.21(c)	Use of waste as an alternative to operating cover.	NA	NA	NA	NA	NA
6.21(d)	Use of other materials as AOC.	NA	NA	NA	NA	NA
6.22	Survey Control and Location Coordinates	-	-	-	-	-
6.22(a)	One permanent survey benchmark of known elevation measured from a United States Geological Survey (USGS) benchmark must be established and maintained for each 25 acres of developed landfill, or part thereof, at the site. This benchmark must be the reference point for establishing vertical elevation control. One permanent survey benchmark of known elevation measured from a United States Geological Survey (USGS) benchmark must be established and maintained for each 25 acres of developed landfill, or part thereof, at the site. This benchmark must be the reference point for establishing vertical elevation control.	E-7.2	-	E	-	-
6.22(b)	One permanent survey benchmark of known elevation measured from a United States Geological Survey (USGS) benchmark must be established and maintained for each 25 acres of developed landfill, or part thereof, at the site. This benchmark must be the reference point for establishing vertical elevation control.	E-7.2	-	E	-	-