

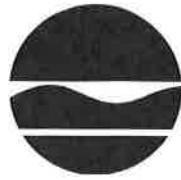
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 2

47-40 21ST Street, Long Island City, NY 11101-5407

Phone: (718) 482-4997 • FAX: (718) 482-4975

Website: www.dec.ny.gov



Joe Martens
Commissioner

March 27, 2015

By First Class Mail & Email

Livio Forte II
A&L Recycling
38-40 Review Avenue
Long Island City
Queens, NY 11101

RE: DEC Permit ID 2-6304-00336/00002

A&L Recycling Transfer Station 38-40 Review Avenue, Long Island City, Queens NY

Throughput Capacity: 30,000 Gallons per day

Maximum Storage: 73,000 Gallons

Effective Date: 3/27/2015

Expiration Date: 3/26/2020

Article 27 Title 7 Solid Waste Management NOTICE OF PERMIT RENEWAL

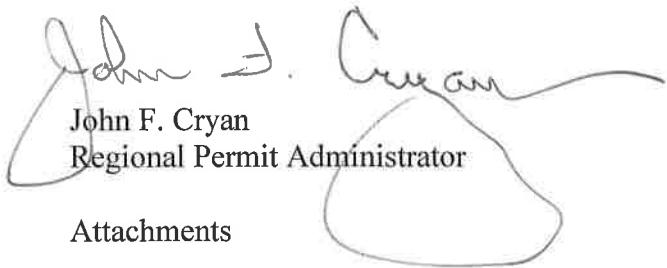
Dear Mr. Forte:

Enclosed is the Solid Waste Management permit modification and renewal and for the above referenced facility. The Phase 2 facility reconfiguration (modification) is now supported by the revised Engineering Report. Please read and follow all conditions carefully. Provide a full copy of the active permit to all agents, contractors, and employees performing any part of the permitted activities.

By the reference in Part 373-2.8, acceptable financial assurance ultimately shall be held in a standby trust fund. Permittee shall, within thirty (30) days after the effective date of this renewal, submit to the Regional Permit Administrator a Standby Trust agreement. Permittee shall keep its financial assurance instrument in effect for the life of the issued permit.

If you are unable to comply with any permit conditions or have a question regarding compliance with a specific requirement, please contact the DMM Environmental Monitor at (718) 482-4996. If you have a question regarding the administration of your permit, please contact Iver Anderson at (718) 482-4062, or email (iver.anderson@dec.ny.gov).

Sincerely,



John F. Cryan
Regional Permit Administrator

Attachments

- DEC Permit No./Expiration Date Sign
- Active Permit

cc: (by email)

Livio Forte II, A&L Recycling
Robert LoPinto, Shapiro Engineering, Div. of Walden Envir. Engineering
S. Arakhan, DEC Materials Mngmt.
M. Assi DEC Materials Mngmt.
N. Rana, DEC Materials Mngmt.
M. Moore, DEC DEP
I. Anderson, DEC DEP
J. Nehila, DEC OGC
Abas Braimah, DSNY
Steven Brautigam, DSNY
T. Milora, DSNY
File



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

A & L RECYCLING
38-40 REVIEW AVENUE
LONG ISLAND CITY, NY 11101-2019

Facility:

A & L RECYCLING
38-40 REVIEW AVE
LONG ISLAND CITY, NY 11101

Facility Location: in QUEENS COUNTY **Village:** Long Island City

Facility Principal Reference Point: NYTM-E: 589.6 NYTM-N: 4509.7

Latitude: 40°44'00.1" Longitude: 73°56'20.0"

Project Location: 38-40 Review Ave., LIC, NY 11101

Authorized Activity: Operation of a Waste Oil/Grease Processing facility for non-petroleum oil that is authorized to process up to 30,000 gallons per day of animal fats and vegetable oils, with a maximum on-site storage capacity of 73,000 gallons. The revised Engineering Report supports the Phase 2 facility reconfiguration, previously permitted. The facility is authorized to operate 24 hours a day, Monday through Saturday.

Permit Authorizations

Solid Waste Management - Under Article 27, Title 7

Permit ID 2-6304-00336/00002

| | | |
|------------------|----------------------------------|-----------------------------------|
| Renewal | Effective Date: <u>5/18/2006</u> | Expiration Date: <u>5/18/2011</u> |
| Modification # 3 | Effective Date: <u>6/4/2010</u> | Expiration Date: <u>6/4/2015</u> |
| Modification # 4 | Effective Date: <u>3/27/2015</u> | Expiration Date: <u>3/26/2020</u> |

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: JOHN F CRYAN, Regional Permit Administrator
Address: NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY 11101 -5407

Authorized Signature:

Date 03/29/2015



Permit Components

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

- 1. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the permit application, plans and materials prepared by Shapiro Engineering, titled Engineering Report Transfer Station Permit Modification at A&L Recycling, prepared for A&L Recycling on December 8, 2006; revised January 14, 2014; final revised December 5, 2014; and December 8, 2014 Cover Letter. However, if any portion of such documents conflict with any provision of this permit, the permit provision must prevail.
- 2. Maintenance of Surety** For the duration of the active permit, the Permittee must maintain its Bond No. 21749 with U.S. Specialty Insurance Company (or its equivalent), for \$120,000 as periodically amended by the Permittee in conformance with Paragraph No. 7 of such bond, and accepted by the Department.
- 3. Equipment Replacement** The Department is to be notified in writing prior to replacement of individual pieces of storage or processing equipment. The Department will make the determination, in writing, whether the intended replacement is a Permit Modification that requires an application submittal.
- 4. Disposal Facility Agreements** Within 30 days of issuance of this modification the applicant will need to submit to the department an update to Appendix K to include all the documents as follows: (1) a complete, current copy of each authorization required to operate the destination facility and (2) a copy of a letter from the operator of the destination facility stating the amount of each type of material it shall accept from A&L Recycling, including any conditions it places on such acceptance. These documents should be presented in the same order as listed in this appendix.
- 5. Facility Operator Change** The Permittee must not change facility operator unless and until the Permittee (a) submits the information included in the application form "Solid Waste Management Facilities - Corporate Data" as it pertains to the proposed new operator, and (b) receives the Department's written approval of such change.
- 6. Separate Submission** Renewal applications shall be submitted separately from permit modification applications. The Permittee must submit a renewal application at least 180 days before permit expiration for Solid Waste Management Facilities, per 6 NYCRR Part 360.
- 7. Truck Traffic** All truck traffic entering and leaving the site shall use only authorized NYCDOT truck traffic routes, and conform to the Transportation plans noted in SWM Permit Condition "Conformance with Plans".



8. Truck Queuing There must be no on-street truck queuing or parking in association with the operation of the subject facility.

9. Closed Doors Each exterior gate and door of the subject facility must remain closed except to allow vehicles, equipment, or personnel to enter or exit such gate or door.

10. Solid Waste Disposal The Permittee must send waste material only to the solid waste disposal facilities identified in the documents cited in SWM Permit Condition "Conformance with Plans" and that are approved by this Department.

Prior to the expiration of any permit required to operate any such disposal facility, the Permittee must submit to the Regional Solid Waste Engineer (DEC Engineer), in duplicate, a complete copy of the renewal or extension of such permit. If the Permittee fails to submit such a copy, or if any such disposal facility loses any governmental authorization required for its operation (for any reason, including expiration and failure to renew permit, permit suspension, permit revocation, facility closure, cessation of operations, or facility abandonment), the Permittee must immediately cease sending solid waste to such facility, and must notify the DEC Engineer of such cessation and the reason(s) for same.

Prior to the date that the Permittee proposes to add disposal facilities to the list of such facilities to which it is authorized to send solid waste, the Permittee must submit the following data to the DEC Engineer: (a) a complete copy of each state authorization required to operate the disposal facility, and (b) a letter from the operator of such disposal facility stating the amount and type of solid waste it shall accept from the subject transfer station, including any conditions it places on such acceptance. The Permittee may add to the disposal facilities to which it sends solid waste only after the DEC Engineer approves such addition in writing. If the Permittee seeks to delete a disposal facility to which it is authorized to send solid waste, the Permittee must submit to the DEC Engineer a list of each disposal facility to which the Permittee wishes to stop sending solid waste.

11. Removal of Unauthorized Waste Immediately after the discovery that unauthorized solid waste has been off-loaded at the facility, such waste shall be isolated and secured in the unauthorized storage area shown on plans and in the Engineering Report made a part of this permit and identified in SWM Permit Condition "Conformance with Plans". If unauthorized waste is liquid, hazardous, friable asbestos, or otherwise cannot be safely secured in the authorized waste storage area, such unauthorized waste must be secured on the tipping floor. Within 24 hours of the discovery of any unauthorized waste in the facility, such unauthorized waste will be removed from the subject facility by a licensed hauler, identified as an authorized waste vendor in the Engineering Report, which will transport unauthorized waste to an appropriately permitted facility.

12. Procedure for Minor Facility Change

a.) Except as provided in subparagraph (b) of this Permit Condition, any proposed change, including but not limited to one that would (i) affect the hours of facility operation; or (ii) increase the volume(s) or vary the type(s) of any waste accepted at the facility; or (iii) increase the parking or queuing of vehicles associated with the subject facility; or (iv) increase the physical extent of the facility; or (v) increase the transportation, noise, odor, dust, or other impact of the facility, requires prior written authorization from the Department in the form of a permit or permit modification. No such change is to be initiated unless and until first obtaining such permit or permit modification.

b.) Any proposed change that would be a minor alteration, such as the addition of a tarping rack or the reconfiguration of the facility's physical plant without the addition of any waste processing



equipment, may be performed in accordance with the following procedure: No less than 30 days before the Permittee's proposed initiation of any such minor structural or operational alteration(s) to the subject facility, the Permittee must provide written notice, in duplicate, to the Regional Solid Waste Engineer (DEC Engineer) and the Regional Permit Administrator.

Such notice must include the following: (i) a revised facility site plan, process flow diagram, or other detailed drawing(s), as appropriate, specifically illustrating such change(s) and (ii) a letter which (a) details such change(s); (b) amends the Permittee's Engineering Report or other material, as appropriate; and (c) identifies the Permittee's proposed date to initiate such change(s). The Permittee must not initiate any such change(s) prior to the Permittee's proposed date to do so, unless otherwise authorized by the Department. Notwithstanding the foregoing, the Department reserves the right to deny or modify the Permittee's requested change or to require that it be subjected to a full permit or permit modification process.

13. Daily Records Daily facility records must include (a) the date and time of all inbound and outbound trucks, (b) the license plate number of all outbound trucks, and (c) the company name or state of registration of all outbound trucks. Such records must be kept on-site for at least seven years.

14. Facility Log The Permittee must maintain, at the facility, a log recording all (i) customers from whom material was collected and (ii) facilities to which material was sent. Such log must meet the following requirements:

- a.) For each truckload brought to the facility, this log must record the date and time of the delivery, a list of the names and addresses of the customer(s) who generated the load, and the nature and quantity of material received.
- b.) Log entries for outgoing material must include the type of material (e.g., animal fat, water with a trace of vegetable oil), the quantity of material, the destination of the material, and the date and time of shipment from the facility.
- c.) Copies of such log, together with all invoices, manifests, records of inspection, and records of any spill or other emergencies, must be maintained at the facility for a minimum of seven years.

15. Emergency Event Notification In the case of each of the following events: (i) a fatality or injury on-site; (ii) a fire, explosion, or other significant event which affects facility operation; (iii) the activation of the facility's alarm system; or (iv) an unscheduled closure of the subject facility exceeding 24 hours, the Permittee must take the following steps, as appropriate. If the event occurs on a non holiday weekday, from 9am-4pm, the Permittee must, within one hour following such event, send the Regional Solid Materials Engineer a telephone message (at 718/482-4996) and an e-mail message (R2DMM@dec.ny.gov) with the following information:

- (a) the name and address of the facility where the event occurred; (b) the date, time, and nature of the event; and (c) the name and phone number of a facility staff person the Department can contact regarding such event. (If the event occurs at a time other than a non holiday weekday, from 9am-4pm, the Permittee must, within one hour following the event, leave such information in e-mail and voicemail messages for the Regional Solid Materials Engineer pursuant to the Department's instructions delivered to the Permittee prior to the issuance of the instant permit.)

Regardless of the time of the event, before noon on the first business day following the event, the



Permittee must, in addition, e-mail a statement to the Regional Solid Materials Engineer with the following information: (a) the name and address of the facility where the event occurred, (b) the date, time, and specific location of the event; (c) the circumstances leading up to the event, (d) an adequately detailed description of the subject event; (e) an explanation of how the event was handled; (f) an explanation of the steps that the Permittee shall take to avoid and/or better handle such an event; and (g) the name and phone number of a facility staff person the Department can contact regarding such event.

16. Control Site Access Access to and use of the facility shall be controlled by fencing, gates, and signs. A sign posted at all access points shall state the hours of operation and the types of waste accepted by the facility.

17. Annual Report An annual report shall be submitted no later than 60 days after the first day of January following each year of operation to NYSDEC Division of Materials Management (DMM), 47-40 21st Street, Long Island City, NY 11101 and NYSDEC Division of Materials Management, 625 Broadway, Albany, NY 12233. Each annual report shall include, at a minimum, all information required by 6 NYCRR Part 360, plus the following data:

- a.) The facility name, address, contact person, phone number, and location.
- b.) A listing of each storage tank and trailer located at the facility together with its capacity.
- c.) A monthly summary of the volume, in gallons, of each type of material received by, and transported from, the Permittee.
- d.) A quantitative monthly detailing, in gallons, of each incoming and outgoing load, including: -
 - (i) for each incoming load, the quantity of material in gallons, and the type of material (e.g., animal fat;water with a trace of vegetable oil).
 - (ii) for each outgoing load, the name and address of the destination and transporter .and the date and time of shipment.
- e.) For each shipment of sludge from the subject facility, the shipment date, volume in gallons. NYSDEC permit number and EPA identification of the transporter used. name and address of the shipment's final destination .and a copy of the supporting manifests and other documentation .
- f.) The results of all chemical analyses that were conducted on incoming and outgoing loads.
- g.) A description of all spills or emergencies that occurred at the facility and corrective actions taken.
- h.) A list of all shipments of unauthorized waste that were rejected or inadvertently accepted by the facility ,including but not limited to the following information regarding each such shipment: the date and time that the shipment was rejected or inadvertently accepted; a description of the unacceptable waste rejected or inadvertently accepted; the quantity of material rejected or inadvertently accepted; the generator of the material; a description of how the shipment was handled and disposed; and the date the shipment was removed from the Permittee's facility.
- i.) A description of all accomplished or proposed changes to the facility's physical plant, operations , or processes as described in the documents cited in SWM Permit Condition "Conformance with Plans".



j.) A CD-copy of the annual report.

18. Submission Request Unless otherwise accepted by the Regional Solid Waste Engineer (DEC Engineer), the Permittee's submission to the department must conform to the following requirements. Each submission must be a "hard copy" and in duplicate. Each duplicate must be accompanied by an electronic version of the document in an OCR-PDF format.

Engineering Reports should include a sleeve containing a searchable OCR-PDF copy of the report and related documents on a CD. The CD must contain a OCR-PDF file for each separately bound volume of the report, each large-format drawing, and any cover letter. For those documents prepared by a professional engineer, appropriate portions of the document must display the engineer's seal and signature (e.g., the report's cover and the report's large-format drawings). The engineer's seal and signature must be reflected on the applicable OCR-PDF files located on the CD. In addition each OCR-PDF file on the CD should be named to reflect its content (e.g., "Facility Name" Engineering Report, "Site Plan" Drawing No 1, Cover Letter, etc).

19. Monitor Provisions

a.) The Permittee must fund the environmental monitoring services performed by the Department related to the operation of the subject facility. These monitoring services and associated requirements include, but are not limited to inspections, compliance monitoring, enforcement, preparation for and attendance at meetings, preparation and analysis of documents, and the equipment and supplies used to support these monitoring services.

b.) Funds necessary to support the subject monitoring services must be provided to the Department by the Permittee on an annual basis. The sum to be provided must be based on the cost of the Department's annual environmental monitoring services of the subject facility, and is subject to annual revision. Said annual payments must be made by the Permittee as long as the subject facility is being constructed or operated under the terms of this permit, or until the monitoring requirement no longer exists, whichever comes first.

c.) The Permittee shall be billed for the subject environmental monitoring services annually, each fiscal year, beginning on April 1. If this permit is effective subsequent to April 1, the Permittee may be billed for an amount sufficient to meet the anticipated cost of monitoring the subject facility through the end of the current fiscal year.

d.) The Department may revise the subject required payment on an annual basis to include all of the Department's costs associated with monitoring services. The annual revision may take into account such factors as inflation, salary increases, changes in operating hours and procedures, and an increase or decrease in the amount of monitoring necessary. Upon written request by the Permittee, the Department shall provide the Permittee with a written explanation of the basis for any such revision. If such a revision is required, the Department will notify the Permittee of the pending revision no less than 60 days in advance of the effective date of the revision.

e.) Prior to making its annual payment, the Permittee will receive, and have an opportunity to review, an annual work plan of the monitoring services that the Department will undertake during the following year.

f.) Payments must be in advance of the period in which they will be expended, and must be made



within 30 days of receiving a bill from the Department. Payments shall be addressed to: NYS DEC, Bureau of Revenue Accounting (10th Floor), 625 Broadway, Albany, NY 12233 5012, Attn: Bureau Chief of Revenue Accounting.

g.) Failure to make the required payments shall be a violation of this Permit. The State reserves all rights to take appropriate action to enforce the above-described payment provisions.

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC REGION 2 HEADQUARTERS
47-40 21ST ST
LONG ISLAND CITY, NY11101 -5407

4. Submission of Renewal Application The permittee must submit a renewal application at least 180 days before permit expiration for the following permit authorizations: Solid Waste Management.

5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;



- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

**New York State
Department of Environmental Conservation**

eNOTICE

The Department of Environmental Conservation (DEC) has issued permit(s) pursuant to the Environmental Conservation Law for work being conducted at this site. For further information regarding the nature and extent of work approved and any Departmental conditions on it, contact the Regional Permit Administrator listed below. Please refer to the permit number shown when contacting the DEC.

Regional Permit Administrator

Permit Number 2-6304-00336/00002

Expiration Date 03/26/2020

NOTE: This notice is NOT a permit

John F. Gryan
47-40 21st Street
LIC, NY 11101
(718) 482-4997

