



Inside This Issue

Pages 2 - 3

**News from
NYSDEC**

Page 3

**NYSASWM
Scholarship
Awards**

Page 4

**Employment
News**

Pages 5 - 6

**Current
Projects**

Page 7

**Upcoming
Events**

NYSASWM Wasteline

c/o NYSAC
540 Broadway
Albany, NY
12297

Editor:
Jillian Blake

The President's Corner



William Rabbia, President

I hope you are enjoying this beautiful summer weather! I know it is sometimes hard to find the time to enjoy the season, especially when dealing with issues we continually face in our roles as solid waste managers, such as plummeting recycling markets and complying with new regulations.

Related to new regulations and transitioning to the new Part 360, I am proud to say NYSASWM has already updated its Landfill Operators Manual and certification course to reflect the new regulations. We held our first updated regulations course in March at Niagara Falls. We intend to offer the course more frequently, to allow landfill operators to comply with the new five-year certification requirement.

I would like to thank all NYSASWM members involved in updating the course and manual, especially John Brusa and his B&L staff and Jeff Bouchard, NYSASWM Executive Director.

(Continued on Page 6)

NYSASWM Sponsors 2018 Internship and Research Project

The NYSASWM Board recently awarded just over \$20,000 for research and intern projects.

The new financial awards programs were started in 2017 by the Association, with the goal of supporting study of solid waste issues, and for internships to individuals interested in careers in the solid waste industry.

A total of \$12,122 is going to SUNY Stony Brook and Dr. David Tonjes for an analysis of Life Cycle Analysis Models for local solid waste management planning units. The research and report will be completed by May 2019 for NYSASWM members' use and presentation at the Federation Conference.

The NYSASWM Board also awarded \$7,999 to SUNY Stony Brook to fund an intern whose project will involve working with (Long Island) Planning Units in an effort to develop model legislation-ordinances to help facilitate and streamline planning unit data collection as required by Part 360.

According to Bill Rabbia, NYSASWM president, the research program aims to promote improved or more efficient solid waste management practices and provides funding to solid waste programs and/or educational institutions to explore non-standard methods in the handling of solid waste and/or its ancillary products or services. Other options for research activity include investigating solid waste management practices to help solid waste managers in considering program feasibility as it relates to future planning, or to provide additional information in response to New York State's environmental goals. Facilities and educational institutions located in NYS are encouraged to request funding for specific research applicable to their situation or needs.

The internship program intends to attract new talent to the field of solid waste management. It provides financial assistance to solid waste entities that hire one or more interns to complete a specific project/study, resulting in the improvement of operations or programs. The project or study proposed should have general relevance to the field of waste management, waste reduction or recycling.

NYSASWM requires that research results be shared with the NYSASWM membership through presentations at conferences and written reports to the Board. Additionally, this program will expose interns to the solid waste management field for potential future career interest. Internship awards can be up to \$8,000.

NYSASWM will solicit applications for both programs again in the Fall of 2018 for consideration at its May 2019 meeting. Those interested in either program can locate the requirements and application on the NYSASWM website at www.nysaswm.org.

Save the Date!!

2018 NYSASWM Fall Conference ■ September 30-October 2
CROWNE PLAZA, LAKE PLACID, NY

Complete details on page 7

News from NYSDEC

**Department of
Environmental
Conservation**

Proposed 6 NYCRR Part 360 Series— Clean-up Rule-Making

The DEC is proposing to amend the 6 NYCRR Part 360 series regulations that were promulgated on November 4, 2017. Since the regulations were issued, the Department has made programmatic changes to implement the regulations and has identified several areas where adjustments to the regulations are appropriate. The proposal will also include amendments to the regulations to implement components of the March 1, 2018 Enforcement Discretion Memorandum addressing certain C&D debris management requirements, allowing for increases in the storage and operational thresholds related to the reuse of concrete and asphalt pavement and the addition of predetermined beneficial uses of this waste stream. The proposed amendments will also include adjustments to clarify the requirements for beneficial reuse of fill material to simplify the authorization process and increase the potential for environmentally sound reuse. The new tracking requirements for waste transport of C&D debris will be amended to remove duplication of waste tracking document language. Based on discussion and feedback from agricultural associations, including the New York State Farm Bureau, revised requirements for the beneficial reuse of tires to secure tarpaulins will be proposed to reduce retention of water while avoiding unnecessary cost to farmers.

Clarifications will also be made to Part 363 solid waste landfill requirements to ensure compliance with 40 CFR Part 258 federal requirements. Revisions will also allow municipalities, except those located in Nassau and Suffolk Counties, operating existing disposal facilities to continue to accept tree debris without the need for Part 360 permits. Clarification will be added to restrict the types of solid waste management facilities allowed to operate inside of a mine within Nassau and Suffolk Counties.

Due to concerns raised related to groundwater quality on Long Island and the potential for mulch processing and composting facilities to contribute to groundwater contamination, the proposed rule will incorporate the requirements of a recent state law addressing these concerns. The rule will include requirements for quarterly groundwater quality monitoring at these facilities and require storage area liners in certain circumstances. The proposal will also improve and simplify the process for municipalities to receive municipal waste reduction and recycling grants.

The Department anticipates that the proposed amendments will be available for public comment in late Fall 2018.

NYSDEC to Hold Stakeholder Meeting Regarding Recycling Markets and Strategies

New York State's dedication to waste reduction and recycling is second to none. Our counties, towns, cities and villages – in partnership with the state's recycling grants and solid waste management planning programs - have invested enormous amounts of time, effort and money over the years to establish and enhance their programs. However, concerns have recently been raised related to import restrictions on recyclables levied

by China as part of their National Sword program. DEC will hold a stakeholder meeting in August at our Central Office location where we will discuss impacts on the recycling markets and strategies to address the situation going forward. Through this meeting, we hope to gain insights and work on cooperative solutions, which will continue New York State's commitment to waste reduction, reuse and recycling.

Proposed 6 NYCRR Part 368 Product Stewardship and Product Labeling

The DEC continues to develop draft regulations to help with the implementation and increased overall performance of the NYS Electronic Equipment Recycling and Reuse Act program. The proposed regulations will clarify numerous statutory requirements for electronics manufacturers and e-waste management facilities covered under the Act. The proposed regulations would be part of a more comprehensive regulatory proposal that would also update Recycling Labeling requirements; Mercury-Added Consumer Product Labeling;

including the new Electronic Waste Collection, Recycling and Reuse regulations. The draft regulations are expected to be available for public review later this summer.

As reported to the Department, for the 2017 program year, e-waste collection and recycling was at an all-time high at 106.2 million lbs. being collected and the 2018 statewide goal was increased 3.4 million lbs. over the previous year to 102.8 million lbs.

NYSDEC Releases Report on Pharmaceutical Stewardship

On June 1, 2018, New York State Department of Environmental Conservation (DEC) Commissioner Basil Seggos announced the release of the agency's report on pharmaceutical stewardship developed in consultation with the New York State Department of Health. Report recommendations include establishing an independent pharmaceutical stewardship organization to provide oversight of a statewide program funded by pharmaceutical manufacturers rather than consumers or taxpayers. The report is the result of a comprehensive assessment of existing programs in New York and across the country, as well as meetings with key stakeholders about the proper management and disposal of unused, expired, and unwanted pharmaceuticals.

In the report, DEC, in consultation with DOH, recommends establishing an independent pharmaceutical stewardship organization to oversee a statewide program that is funded by pharmaceutical manufacturers rather than burdening consumers or pharmacies. In addition, the report recommends that all New York pharmacies be required to maintain a pharmaceutical waste collection receptacle and offer pre-paid mail-back envelopes. Recommendations also include education and outreach with information about accepted materials; safe disposal methods approved by DEC under federal regulations; and regular

reports on the efficacy of the program provided by the proposed pharmaceutical stewardship organization.

The report's recommendations complement DEC's current \$2 million pilot Pharmaceutical Take-Back Program. To date, the pilot program has distributed 87 collection boxes to participating retail pharmacies, hospitals, and long-term care facilities across the state. The pilot program to safely collect unused and expired waste medication was launched by DEC in December 2017, and a total of 246 facilities have agreed to participate.

The pilot is funded with \$2 million from the state's Environmental Protection Fund, which covers the full cost of purchasing U.S. Drug Enforcement Administration-compliant medication drop boxes, as well as the cost of up to 50 inner liners, pick up, transport and destruction of collected waste pharmaceuticals for a period of two years. At the end of the pilot program participants are required to continue the program, at their own expense, for six additional months. As proposed by the Governor, the Enacted Budget for 2018-19 includes an additional \$1 million to support the expansion of this pilot program.

The report is available at www.dontflushyourdrugs.net.

New York State Announces \$4 Million in Grants to Expand Food Waste Recycling

On June 12, 2018 New York State Department of Environmental Conservation (DEC) Commissioner Basil Seggos announced \$4 million in grant funding for generators of excess wholesome food and food scraps to expand their capacity to donate wholesome food or divert it to organics recycling facilities. An estimated 40 percent of the food produced in the United States goes uneaten while about 2.5 million New Yorkers are food insecure.

The funding is provided by the State's Environmental Protection Fund (EPF) and is administered by Empire State Development (ESD). ESD has contracted with the New

York State Pollution Prevention Institute (P2I) to operate the funding program. P2I is working closely with DEC on multiple efforts to reduce the generation of food scraps and recycle food scraps that remain and this funding will help generators expand their sustainability efforts.

For more information on how food scrap generators can implement programs to reduce and divert wasted food, visit New York State P2I's Food System Sustainability Clearinghouse, an online clearinghouse of information and resources for businesses including guidance on food waste self-assessment, donation practices and source separating protocols.

NYSASWM Awards \$14,500 in Scholarships

The NYSASWM Board of Directors reached its 70th scholarship award with funding of \$14,500 to five students this year. Scholarships went to:

\$5,000 - Ryan McMullan, who is studying Environmental Sustainability, Health and Safety at RIT in its BS/MS program.

\$3,500 - Evan Zachary, studying at RIT with a major in Environmental Sustainability, Health and Safety with a Minor in Business Management.

According to Joe Stockbridge, chairman of the Scholarship Committee, NYSASWM has awarded a total of \$177,000 to 52 students since the inception of the program.

\$2,000 each to:

Ms. Naveida Huggins, who is studying Environmental Sustainability, Health and Safety at RIT in its BS/MS program.

Ms. Nicole Leonard, who is working toward her BS in Environmental Science and Forestry at Syracuse University.

Ms. Emily Duncan who is Studying Civil and Environmental Engineering at RPI, working toward both BS and MS degrees.

Employment News

Madison County's Jim Zecca Retires after 30 Years in the Solid Waste Industry

Madison County's Director of Solid Waste Management, James A. Zecca, retired in May after 30 years as head of the Department of Solid Waste and Sanitation.

According to a news release from the County, Zecca took a small, insignificant site and transformed it into an energy efficient facility. Madison County's landfill became an example of green initiatives under his management.

His recycling efforts began when he started the first recycling program at SUNY Cobleskill in the 1970's. He then went on to become Recycling Center supervisor in Wilton and then the Town of Milford Recycling and Bio-solids Composting Coordinator in New Hampshire in the '80s.

In the late '80s, as Mayor of Oriskany Falls, he initiated the first mandatory curbside recycling program in Oneida County utilizing an old, vacant dairy building as the recycling center.

"Throughout my tenure at the Madison County Dept. of Solid Waste, I was fortunate to have a great group of people working shoulder to shoulder with me to turn a small, rather insignificant landfill into a showplace for renewable energy," Zecca stated, reflecting on his years of service to Madison County and the numerous programs and services he and his team provided for the residents of this rural community.

"Working together we — Russ Hammond and his crew, Recycling Coordinator Sharon A. Driscoll, the office staff of Lynne Shephard, Cindi Shoener, Sarah Gaudin, and all those who came before in our office, the current and former staff at Barton and Loguidice engineering, Attorney Bill Buchan and his wife Sharon, ARC Manager Mike Bowe and former manager Ken Stone and all the others that are too numerous to mention -- accomplished great things here in Madison County," Zecca said.

Not only is the Madison County landfill celebrated in Central New York, its successes have reverberated around the globe. Scientists,

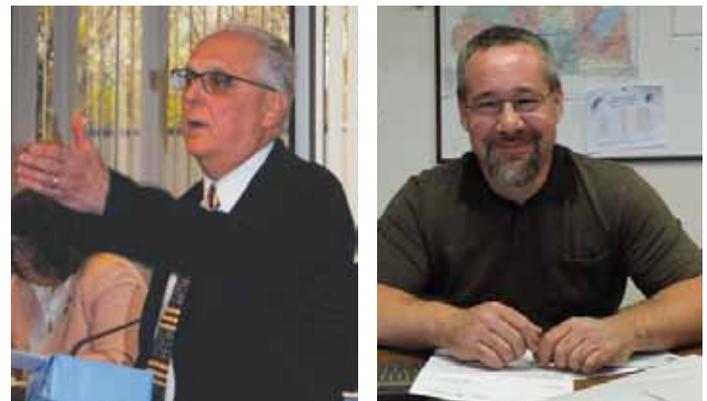
news reporters and those involved in the solid waste industry from Australia, Ecuador, Russia and Sweden, along with visitors from across the United States, have toured the Buyea Road landfill site seeking information on renewable energy from Zecca.

Zecca became head of the Madison County Dept. of Solid Waste and Sanitation in 1988. During his tenure, he pursued alternative energy programs including solar energy and gas-to-energy. In 2011 Madison County was the first municipality in the nation to close its landfill with energy-generating solar technology. The landfill features Carlisle's Spectro Power Cap Solar Cover system that provides superior environmental protection as a landfill closure system while generating clean, renewable energy for the ARC Recycling Center.

Zecca's latest efforts were centered on establishing a plastics and tires-to-energy facility at the newly created Agriculture and Renewable Energy Park (a business park) on Buyea Road next to the landfill site. His wish was to establish a collection site for tires along with agricultural and rigid plastics that would be turned into synthetic gas or diesel fuel.

A long time board member of the NYS Association for Solid Waste Management and a founding member of the NYS Association for Reduction, Reuse and Recycling, Zecca was presented with the 2014 New York State NYSAR3 Leadership Award for Lifetime Achievement during the 25th anniversary conference of NYSAR3 in Cooperstown.

BELOW LEFT: Jim Zecca, who retired May 31 as director of the Madison County Department of Solid Waste, thanks members of the county Board of Supervisors, his department's employees, members of all county departments and others he has worked with during his 30 years with the county.



ABOVE RIGHT: David B. Rhodes, recently appointed Director of the Fulton County Department of Solid Waste, crafts the 2019 budget.

New Director Named at Fulton County Department of Solid Waste

David B. Rhodes was appointed as the Director of the Johnstown-based department in March.

He started with the department as Operations Manager, and then moved to the newly created position of Deputy of Operations before accepting the Director position. He now oversees a total of 37 full time employees and 14 part time workers. The department consists of a 165,000 ton per year landfill, with a 9.3 acre expansion constructed last year, which recently opened.

He also oversees the County's Recycling Facility which is undergoing modifications from dual stream processing to preparation of single stream recycling for transport to the Oneida-Herkimer Solid Waste Authority recycling facility; seven transfer stations, a landfill gas to electric facility, every other year household hazardous waste program and a variety of recycling programs.

He received his Bachelor of Science degree in civil engineering from the Rochester Institute of Technology. His previous work experience involved management of bridge and road construction projects.

He was also elected last fall to represent the Northern Region 1 on the NYSASWM Board of Directors.

Current Projects

Source Separated Organics Project

— Submitted by **Jim Biamonte**

The Oneida-Herkimer Solid Waste Authority has been evaluating options for organics diversion to find a practical and economical solution to integrate into its existing solid waste management system. Therefore, engineering consultants, Barton & Loguidice, (B&L), were tasked to conduct a source-separated organics processing facility (SSOPF) feasibility study. Since the Oneida County Sewer District (OCSD) will be installing anaerobic digesters directly adjacent to the Authority’s Eastern Transfer Station (ETS) in Utica, the study looked at the feasibility of processing the food waste and diverting it to OCSD’s new digesters.

B&L determined that the separate collection and processing of commercial organics as a feedstock for the OCSD anaerobic digesters would be feasible. Last year the Authority issued a Request for Proposals (RFP) for design, construction and

installation of an organics processing facility adjacent to the Authority’s ETS. One joint proposal from RRT Design and Construction (RRT) and B&L was received. After review, the Authority entered into an agreement with RRT for the design, procurement and installation of the SSOPF. The facility is scheduled to be constructed beginning in Summer 2018 as an addition to the ETS and is scheduled to be operating by first quarter 2019. The Permit Application was submitted for approval to NYSDEC in June of this year. Once completed, the SSOPF will accept commercially/institutionally generated organics (hospitals, colleges, grocery stores, restaurants, food producers) from the region for processing into a slurry which will then be transported via tanker truck to the neighboring OCSD digesters. At the digesters, the slurry will be processed with bio-solids to create power.

Steuben County Cell Construction

— Submitted by **Steve Orcutt**

Steuben County Bath Landfill has started construction on Cell #4, a \$6MM 7.7 acre cell that will be completed by October 2018. Marcy Excavation Services is the general contractor for the project.

PHOTO at RIGHT: Subgrade Preparation for Cell #4 at the Steuben County Landfill

BELOW: Unpaid “intern” oversees cell construction at the Steuben County Landfill



Construction at the Development Authority of the North Country Materials Management Facility

There are more changes on the horizon at the Development Authority of the North Country’s Materials Management Facility in Rodman. The Authority has recently received bids for the initial earthwork portion of their recently permitted lateral landfill expansion, known as the Southern Expansion. This project is slated to be completed over the 2018 and 2019 construction seasons and will include the placement of over 800,000 cubic yards of embankment, over a mile and a half of perimeter and access road construction, and the installation of extensive stormwater management infrastructure. The

2018 phase of the construction will include site preparation for the construction of the first two cells of the Southern Expansion, to be completed under a separate contract in 2019. In the meantime, Marcy Excavation Services is currently onsite installing 22 additional vertical landfill gas extraction wells, installing over 2,000 feet of additional gas conveyance piping, and upsizing approximately 3,000 feet of the existing gas conveyance header to accommodate current and future LFG collection and energy development initiatives at the current landfill.

Flower City Pickers

— Submitted by *Evan Zachary*

The Rochester Public Market has been a hub of local commerce since 1905 by offering affordable food products alongside artisan crafts and everything in between. Over the past four years, a grassroots organization called Flower City Pickers Inc. (FCP) has been applying the principles of effective waste management by turning refuse to resource through the recovery and redistribution of surplus and unsold produce and bread to a network of shelters and pantries across Monroe County. “Rochester has some serious financial challenges so support can be sparse but we’re trying to be a leading example of how you can create social and environmental benefit in a cost-effective way,” said FCP Director, Evan Zachary. Since October 2015 FCP has recovered and redistributed over 600,000 lbs of food waste from the Rochester Public Market and is aiming to expand their efforts to include more food waste generators and outlets for donation. To find out more, sign up to volunteer, or donate check out www.flowercitypickers.com



Municipal Law Challenge Denied

— Submitted by *Bill Lawrence*

West Group Law attorneys successfully defended the Rockland County Solid Waste Management Authority (the “Authority”) against an Article 78 proceeding in New York state court. The Authority, which is a public benefit corporation, requested proposals for solid waste and recyclables collection services in a nearby village. Two proposals were submitted: one by the petitioner, and one by the competitor. Petitioner challenged the award of the contract to the competitor because the competitor’s pricing was higher than that of the petitioner. Petitioner alleged that General Municipal Law Section 103 and the Authority’s own procurement policy required that the award of public works contracts go to the “lowest responsible bidder.”

West Group Law attorneys filed a motion to dismiss. In the motion, we argued that the petitioner did not state a cause of action upon which relief could be granted because public benefit corporations are not subject to Section 103 of the General Municipal Law or any other low-bid laws. Section 103 only applies to “political subdivisions,” and public benefit corporations are not included in the statutory definition

of “political subdivisions.” In the alternative, we argued that the decision by the Authority was not arbitrary and capricious because the request for proposals expressly stated that it would consider non-price factors, including the proposers past ability to comply with state and local environmental laws. Furthermore, the Authority’s thorough vetting of the petitioner found that the petitioner had a history of violations of both environmental and labor laws.

The court agreed with our arguments, finding that the Authority is not subject to the restrictions of General Municipal Law Section 103. The court further found that the Authority’s actions in choosing the competitor’s proposal complied with both state law and the Authority’s procurement policy. In so finding, the court took into account the fact that the Authority had specifically written the request for proposals to identify which non-price factors it was considering and the evaluation process specifically examined all of those factors. Thus, the court ruled that the Authority had not acted arbitrarily and capriciously and that the petition did not state a claim upon which relief could be granted.

PRESIDENT’S CORNER

— Continued from Page 1

The NYSASWM Board of Directors will continue to work with NYSDEC to provide input and comments on the upcoming Part 360 rulemaking initiative (see NYSDEC update). We need to hear from members on issues that have emerged related to the new regulations so that we can relay your issues and represent the membership to NYSDEC. Please contact myself or Jeff Bouchard with your thoughts and comments.

I would also recommend that members consider applying

for NYSASWM’s new internships and research programs. The NYSASWM Board awarded funds toward internships and research programs at its May 2018 Board meeting. We plan to consider proposals annually. If you are interested in more information on these programs, please visit our website or contact myself or Jeff.

Enjoy the rest of your summer and I hope to see you all in Lake Placid at our Fall Conference.

NYSASWM FALL CONFERENCE



2018 Fall Conference September 30 - October 2 **CROWNE PLAZA** **LAKE PLACID, NEW YORK**

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Conference Topics Include:

- *Part 364 Legislative Updates*
- *PFOA Update*
- *Latest Industry Standards*
- *New Technologies*

QUESTIONS?

Contact Jeff Bouchard @ 518-568-2095

Watch our website for more information www.nysaswm.org

MONDAY NIGHT COMEDIANS!

Upcoming Training & Networking Opportunities



29th Annual Recycling Conference & Trade Show

November 7-8, 2018
Otesaga Resort Hotel
Cooperstown, New York

www.nysar3.org



Solid Waste and Recycling Conference with Trade Show

May 19 - 22, 2019
The Sagamore
on Lake George
Bolton Landing, New York

**NEW YORK STATE ASSOCIATION
FOR SOLID WASTE MANAGEMENT**



c/o NYSAC
540 Broadway ■ Albany, NY 12207

WE'RE ON THE WEB!
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WASTELINE

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**NYSASWM
MEMBERSHIP
BENEFITS**

- Discount registration for the Spring Federation Solid Waste Conference and Vendor Show at the Sagamore Hotel in Lake George
- Discount registration for the Annual Fall NYSASWM Conference and Vendor Show
- Discount registration to annual Landfill Operator Training Program
- Subscription to the NYSASWM newsletter— *Wasteline*
- Track legislation on behalf of the membership and alert members to bills that may have an impact on their systems
- Scholarship Program with first consideration given to the children of NYSASWM members
- Countless opportunities for networking & technology transfer as a member of the largest organization representing solid waste managers in New York State

**JOIN NYSASWM
TODAY!**

MEMBERSHIP APPLICATION

New York State Association for Solid Waste Management
Established 1975

Please complete the following:

Check type of membership:

- () Municipal, political subdivision or public benefit corporation
- () Other professional

Name: _____ Title: _____

Company: _____

Mailing Address _____

City: _____ State: _____ Zip: _____

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* Note that dues are per person (not per company) and are in effect for the calendar year. Please make checks payable to: "NYSASWM" (dues are \$ 75.00 per person per calendar year) and mail to:

**New York State Association for Solid Waste Management
Membership Department, P.O. Box 13461, Albany, New York 12212**

Please note that while NYSASWM is a not-for-profit organization, membership dues are not tax deductible as a charitable contribution. To the extent permitted under the Internal Revenue Code, dues may be deducted as a business expense.

This newsletter is a membership benefit.