

APPENDIX X: NEW YORK STATE REQUIREMENTS FOR LOCAL SOLID WASTE MANAGEMENT PLANS

This SWMP has been prepared in accordance with NYSDEC Part 360 Regulations for Comprehensive Solid Waste Management Planning. New York State law specifies the minimum contents of a SWMP. To summarize, SWMPs must contain:

1. *A viable solution to the planning unit's solid waste management needs.* The SWMP must:
 - Take into account the objectives of the State's solid waste management policy;
 - Provide for, or take into account, management of all solid waste within the planning unit; and
 - Embody sound principles of solid waste management, natural resources conservation, energy production, and employment creating opportunities.

 2. *Clear, specific guidance, including selection of appropriate solid waste management technologies and timetables to provide a smooth transition which does not interrupt the environmentally sound management of solid waste generated in the planning unit.* At a minimum, the SWMP shall:
 - Characterize the planning unit;
 - Characterize the solid waste stream to be managed;
 - Assess existing and alternate solid waste management programs and facilities;
 - Address comments and views expressed by concerned governmental, environmental, commercial and industrial interests and the public on the waste reduction, recycling, reuse and disposal alternatives;
 - Provide a Comprehensive Recycling Analysis (CRA) (see the following explanation);
 - Describe the management plan and systems to be implemented for each of the various waste streams;
 - Identify the parties with responsibility to implement each element of the plan and the steps which must be undertaken by each;
 - Set forth a timetable for implementing the plan;
 - Describe the participation in the preparation of the plan of each municipality which has chosen to participate in such preparation; and
 - Describe measures to secure participation of neighboring jurisdictions, limitations imposed by the proposed plan on the solid waste management programs of such
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neighboring jurisdictions, and additional alternatives which would be available if a SWMP including such jurisdictions were prepared.

NYSDEC Subpart 360-1.9(f) Regulations provide specific criteria for a CRA. A CRA must include the following:

- Identification of the actual or estimated quantity of recyclables, by type, that could potentially be recovered (whether or not feasible at the time of application), reflecting the State's solid waste management policy identified in section 27-0106 of the ECL and (for applications submitted before April 1, 1989) the goals and objectives of the New York State Solid Waste Management Plan in effect at the time of permit application. This identification must be determined by means of the following:
 - an analysis of the composition (i.e., quantity and characteristics) of the solid waste presently generated within the facility's service area and projections for future waste generation including data which accounts for seasonal variations. This analysis may be based upon applicable published information. These projections must include a year-by-year evaluation of the solid waste stream generation for the expected life of the project;
 - an identification and evaluation of the types of solid waste contained in the overall waste stream (such as newsprint, corrugated and other grades of paper, glass, aluminum, ferrous and nonferrous metals, construction and demolition debris, rubber, tires, batteries, plastics, yard wastes) and, if the application pertains to a solid waste incinerator, (its residue) that could be reused, recovered as recyclables or composted; and
 - a description of the various strategies to achieve a reduction in the amount of solid waste destined for disposal including, but not limited to residential source separation and collection, intermediate processing, industrial and commercial recyclables recovery efforts, composting, and public education efforts describing the benefits of reuse and recyclables recovery.
 - An evaluation of existing efforts to recover recyclables. This evaluation must include the following:
 - a description of the various strategies to achieve a reduction in the amount of solid waste destined for disposal including, but not limited to residential source separation and collection, intermediate processing, industrial and commercial recyclables recovery efforts, composting, and public education efforts describing the benefits of reuse and recyclables recovery.
 - an assessment of the impact of the proposed recyclables recovery effort on existing recyclables recovery programs.
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- Identification of available and potential markets for recovered recyclables. This identification must be determined by means of the following:
 - a review of available information to identify potential markets;
 - a survey of potential markets for recovered recyclables, an identification of all local and regional markets contacted, and the results of the survey. Survey data also must include material quality requirements and market pricing structures, if available; (iii) an identification of the types of processing necessary for separation and upgrading of recovered recyclables to assure market acceptance;
 - an identification of market services available for assistance in preparation and transportation of recovered recyclables; and
 - an identification of current and future restrictions to market development.
 - Identification of alternative source separation/recyclables recovery programs considered, the proposed program and reasons for selection of the proposed program. This must contain the following:
 - if a solid waste incinerator is the subject of the application, an engineering analysis of the Btu value of the solid waste before and after recyclables recovery for the proposed life of the project to determine if increases in recyclables recovery activities will necessitate changes in facility size and capacity; and
 - full documentation of the relationship between the solid waste incinerator, processing facility, or landfill size and capacity, the size and capacity of the selected recyclables recovery program and the effect of the implementation of that recyclables recovery program over the life of the solid waste management facility in question.
 - Recyclables recovery program implementation in terms of:
 - a detailed description of the procedures for implementation of the selected recyclables recovery program, including: plan and scope of operation, equipment to be used, collection arrangements, processing and storage procedures, market agreements, funding sources, the entity responsible for program operation and management, and the availability of staff for program implementation;
 - the inclusion of a schedule with specific dates for implementation of the selected program (including dates to attain specified, progressively increasing percentages of the waste stream that will be recovered as recyclables) and a description of the proposed service area to be included in the selected program;
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- the inclusion of actions to be taken to maximize, to the extent practicable, the development and enhancement of economic markets for recyclables recovered within the service area under local laws or ordinances adopted or to be adopted under section 120-aa of the General Municipal Law; and
 - identification of the specific public relations and education programs to be undertaken for implementation of the recyclables recovery program.
- Legal/institutional analysis, including:
 - an identification of the laws, rules, regulations, or ordinances which could cause potential constraints to the selected recyclables recovery program; and
 - the inclusion of a schedule and description of appropriate local laws or ordinances, if any, that must be adopted to facilitate the implementation of the selected recyclables recovery program and to develop and enhance economic markets for recyclables recovered within the service area.
 - A discussion of possible future actions in the facility's service area to further the objectives of the State's solid waste management policy identified in section 27-0106 of the ECL. This discussion must include:
 - a discussion pertaining to the scope of existing or new recyclables recovery programs;
 - after completing an engineering analysis as required by paragraph (4) of this subdivision, a determination that the facility has been properly sized, taking into account the potential for recyclables recovery and expanding the facility's service area;
 - a discussion of other means of program enhancement to promote recyclables recovery; and
 - a discussion of procurement practices to encourage the use of products containing recyclables.
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