

**STATE OF NEW YORK
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
625 Broadway
Albany, New York 12233**

**NOTICE OF COMPLETE APPLICATION
NOTICE OF AVAILABILITY OF DRAFT 6NYCRR PART 373 PERMIT
NOTICE OF PUBLIC COMMENT PERIOD
NOTICE OF LEGISLATIVE PUBLIC HEARING
NOTICE OF PUBLIC AVAILABILITY SESSION**

NORLITE, LLC

EPA ID No. NYD080469935

DEC No.: 4-0103-00016/00016

Date: June 25, 2014

The New York State Department of Environmental Conservation (NYSDEC) has reviewed the 6NYCRR Part 373 Hazardous Waste Management Permit renewal application submitted by:

Norlite, LLC
628 South Saratoga Street (State Route 32)
Cohoes, NY 12047

The NYSDEC has made a tentative determination to renew the 6NYCRR Part 373 Hazardous Waste Management Permit to Norlite, LLC (Norlite) and issue the Proposed Statement of Basis.

State regulations require that the public be given forty-five (45) days to comment on the draft permit and proposed Statement of Basis. The public comment period begins on June 25, 2014 and will extend through August 15, 2014.

FACILITY DESCRIPTION AND PROPOSED ACTION:

Norlite is a manufacturer of lightweight aggregate. The lightweight aggregate raw material is shale that is mined on the property. To produce the lightweight aggregate, the shale is introduced to two rotary kilns where it is heated and expanded. The aggregate material is crushed and sized to meet the customers' specifications and is the necessary ingredient needed to produce lightweight concrete.

The kilns are fueled by natural gas, fuel oils, used oils, comparable fuels and hazardous waste fuels. The primary heat source is the hazardous waste fuels. The kilns are considered industrial furnaces and are equipped with air pollution control systems to comply with emission standards for industrial furnaces burning hazardous waste under the Resource Conservation and Recovery Act (RCRA) and the Clean Air Act – Maximum Achievable Control Technology (MACT).

Hazardous wastes received from off-site are a mixture of industry related solvents and oils from an assortment of chemical and pharmaceutical manufacturers, petroleum refinement and storage facilities, and other hazardous waste treatment companies.

NYSDEC has prepared a Fact Sheet for the public's use which provides further details on the draft permit and proposed Statement of Basis and associated opportunities for public involvement in the process.

This NYSDEC action is intended as a renewal of Norlite's existing 6NYCRR Part 373 Hazardous Waste Management Permits. **This new draft permit will not authorize an expansion in facility size or operating capacity for Norlite.** Under 6NYCRR Part 621.5(c)(26), permit renewals that include no material change in permit conditions or the scope of permitted activities are considered Type II actions under SEQR. Therefore, no additional SEQR review is required.

The new draft permit maintains the requirements stipulated in the existing permit for Norlite to provide financial assurance for closure of the facility and it maintains requirements for Norlite to provide funding to the NYSDEC for an on-site NYSDEC monitor.

The NYSDEC has completed a proposed Statement of Basis based on the results of the site investigations and interim corrective measures completed at the Norlite Facility. Based on the NYSDEC's evaluation the NYSDEC is proposing a No Further Action and Site Management as the final remedy.

PUBLIC AVAILABILITY SESSION & LEGISLATIVE PUBLIC HEARING

The NYSDEC will conduct an availability session on August 5, 2014 from 6 p.m. to 7 p.m. at the Cohoes Senior Center located at 10 Cayuga Plaza, Cohoes, NY. The purpose of this session will be for NYSDEC staff to answer questions that the public may have on the technical, environmental, and procedural aspects of the draft permit and the Proposed Statement of Basis.

In addition, the NYSDEC has scheduled a legislative public hearing for August 5, 2014 at 7 p.m. at the Cohoes Senior Center located at 10 Cayuga Plaza, Cohoes, NY, to receive unsworn statements from the public on the proposed permit renewal and the Proposed Statement of Basis. It is not necessary to file in advance to speak at this hearing. Lengthy comments, however, should be submitted in writing. Equal weight will be given to both oral and written statements. The Administrative Law Judge (ALJ) may set reasonable time limits for each speaker to afford everyone an opportunity to be heard. The hearing location is reasonably accessible to persons with a mobility impairment pursuant to the State Administrative Procedures Act (SAPA) and interpreter services shall be made available to deaf persons at no charge upon written request to the Administrative Law Judge (ALJ) or contact person at least ten days prior to the hearing.

TENTATIVE DETERMINATION:

The NYSDEC has determined that the Norlite permit application is complete and has made a tentative determination to issue the permit renewal. The new draft permit has been prepared pursuant to the applicable regulations in 6NYCRR Part 373-2 (Final Status Standards for Owners and Operators of Hazardous Waste Treatment, Storage and Disposal Facilities) as well as with all other applicable hazardous waste management laws and regulations.

The NYSDEC has completed a proposed Statement of Basis based on the results of the site investigations and interim corrective measures completed at the Norlite Facility. Based on the

NYSDEC's evaluation the NYSDEC is proposing a No Further Action and Site Management as the final remedy.

DOCUMENT AVAILABILITY

Hard copies of the NYSDEC Fact Sheet, new draft permit and Norlite's application are available for inspection at the following locations:

- Department's Region 4 Office, 1130 North Westcott Road, Schenectady, NY 12306-2014 (Contact Person, Nancy Baker, Environmental Analyst 2); and,
- Cohoes Public Library, 169 Mohawk Street, Cohoes, NY 12047.

Electronic copies of Norlite's application and Norlite documents that are incorporated into the draft permit by reference are available through the following website:

- Norlite's website <http://www.norliteagg.com>

HOW TO PROVIDE YOUR COMMENTS

Any interested person may submit comments. Except for statements made during the Legislative Public Hearing, all such comments must be in writing. All comments will be considered in making the final decision about issuance of the permit. Should the NYSDEC decide to issue the permit, a response to any comments submitted will be given which will identify any changes from the draft versions of the permit and will describe and respond to the issues raised. A notice of the decision will be sent to each person who submits written comments or who requests such notice.

Comments about the draft 6NYCRR Part 373 Hazardous Waste Permit must be sent to:

Ms. Nancy Baker
Environmental Analyst 2
NYSDEC Region 4
1130 North Westcott Road
Schenectady, NY 12306-2014
R4dep@gw.dec.state.ny.us

All persons interested in commenting on the Proposed Statement of Basis should submit their comments in writing to:

Ms. Ruth Curley
Project Manager
NYSDEC
Division of Environmental Remediation
625 Broadway – 12th Floor
Albany, NY 12233

All comments must be submitted no later than August 15, 2014