



Department of Environmental Conservation

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DEC ANNOUNCES RELEASE OF PROPOSED FINAL SOLID WASTE REGULATIONS FOR PUBLIC COMMENT

*Revised Amendments to Part 360 Regulations Strengthen State's Ability to Protect Water Quality and
Natural Resources from Illegal Dumping and Solidify Prohibitions on Disposal of Drilling Wastes*

DEC to Host Public Hearing on July 13

Public Comments Accepted through July 21

The New York State Department of Environmental Conservation (DEC) is proposing amended revisions to the state's Solid Waste Management Regulations, commonly referred to as Part 360, DEC Commissioner Basil Seggos announced today. DEC's Part 360 regulations set design standards and operational criteria for all solid waste management facilities.

"Illegal dumping and improper waste management protocols are a growing threat to our environment, and through Governor Cuomo's leadership, New York is setting a national standard for solid waste management and waste reduction," **said Commissioner Seggos.**

"These proposed revisions, which incorporates the important public comments we previously received, will bolster the state's ability to crack down on bad actors and ensure regulatory efficiencies necessary to protect public health, our communities and natural resources."

The proposed revisions are part of the ongoing public regulatory process, which began in February 2016, to update these important regulations. The initial proposal contained comprehensive revisions to DEC's existing solid waste management regulations, including changes to combat emerging threats posed by illegal disposal of construction and demolition debris (C&D) and historic fill, as well as measures to strengthen oversight of previously unregulated mulch processing facilities to address potential threats to water quality and the environment across the state. The revisions announced today include changes made in response to previous comments received during the prior public comment period, in particular:

Prohibit the Disposal of Fluids from Oil and Gas Production

The proposed revisions strengthen current prohibitions on the disposal of flowback water and production brine from oil and gas production.

Improve Construction & Demolition Debris and Fill Material Management

The amended revisions to Part 360 address the management of C&D debris and fill material, including enhanced tracking for C&D debris generated in New York City, as well as for fill materials containing contaminants generated anywhere in the state.

Improve Management of Compost and Mulch

A new section has been added to govern facilities that produce and store mulch. New criteria will reduce environmental impacts from larger mulch facilities, including odors, dust, groundwater, and fires. Enhanced criteria for composting facilities to address potential groundwater impacts have also been added.

In addition, the amended revisions include an extended timeframe to enable existing facilities to transition to new exemption, registration, and permitting requirements, as well as clarification to regulations for composting and organics processing, including changes for stacking, setbacks, and separation of the requirements for anaerobic digestion.

The revisions also reorganize regulated medical waste requirements, including simplification of requirements for autoclave testing and removal of references to contaminated foods. Additionally, the revised requirements expand eligibility requirements for municipal waste reduction and recycling grants.

Following extensive public outreach that included four public hearings, numerous workshops and technical meetings with stakeholders, and careful consideration of thousands of comments, DEC's revised proposal is now available for review.

Oral and written comments on the proposed rulemaking will be accepted at a public hearing on Thursday, July 13 at 1:00 p.m. at DEC's headquarters at 625 Broadway, Albany, NY. Comments may also be emailed to SolidWasteRegulations@dec.ny.gov until 5:00 pm on July 21, 2017.

A link to the text of the proposed revisions and associated rulemaking documents is available on DEC's website at <http://www.dec.ny.gov/regulations/propregulations.html>.

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