

MONROE COUNTY DEPARTMENT OF HEALTH

DEVELOPMENT REVIEW GUIDELINES

FOR PROPERTIES WITHIN 2000 FEET

OF WASTE DISPOSAL SITES

PREPARED BY

THE MONROE COUNTY DEPARTMENT OF HEALTH

AND THE MONROE COUNTY ENVIRONMENTAL MANAGEMENT COUNCIL

WITH ASSISTANCE FROM

THE MONROE COUNTY DEPARTMENT OF PLANNING,

CITY OF ROCHESTER DEPARTMENT OF COMMUNITY DEVELOPMENT AND

THE NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

AUGUST 1993

CONTENTS

<u>Section</u>		<u>Page</u>
	APPENDICES	ii
	FIGURES	iii
	ABSTRACT	1
1	WASTE DISPOSAL SITE INFORMATION	2
2	WASTE DISPOSAL SITE REVIEW PROCESS	7
3	STATE ENVIRONMENTAL QUALITY REVIEW ACT INTEGRATION	12
	REFERENCE DOCUMENTS	15
	GLOSSARY: ACRONYMS & DEFINITIONS	52

APPENDICES

<u>Appendices</u>	<u>Page</u>
A Monroe County Department of Health and Monroe County Department of Planning Plan Review Authority	16
B Monroe County Department of Health Waste Site Advisory Committee	17
C Information on the New York State Inactive Hazardous Waste Site Remediation Program	18
D Waste Disposal Site Evaluation Form	27
E Instructions for Performing An On-Site Investigation of an Inactive Waste Site and Property Inspection Form	33
F State Environmental Quality Review Act Full Environmental Assessment Form	37
G Approval Conditions for Development Proposals Involving Waste Disposal Sites	49
H Excerpts from Article 27, Section 1317 of the New York State Environmental Conservation Law	51

FIGURES

<u>Number</u>		<u>Page</u>
3-1	The State Environmental Quality Review Act - Waste Disposal Site Review Process	14
C-1	Hazardous Waste Site Classification System	25

**MONROE COUNTY DEPARTMENT OF HEALTH
DEVELOPMENT REVIEW GUIDELINES
FOR PROPERTIES WITHIN
2000 FEET OF WASTE DISPOSAL SITES**

ABSTRACT

This document describes the process the Monroe County Department of Health uses when reviewing proposed developments on or within 2000 feet of a waste disposal site. It identifies the information needed for an adequate evaluation and integrates this with the State Environmental Quality Review Act (SEQR) procedures.

Waste disposal sites have the potential to pose a hazard to human health and the environment. Consideration of a nearby waste site's potential effect upon future residents or users of a proposed development is within the purview of government agencies reviewing and approving development proposals. The potential effects may be directly attributable to the waste site, such as those instances where a waste site itself is part of the development and people may come into direct contact with the waste material. On the other hand, the effects may occur more indirectly, such as when utility service is extended through a waste site and contamination subsequently migrates along the sewer, water or other underground line.

Proximity of a proposed development to a waste disposal site does not necessarily suggest disapproval of the project. It may require additional conditions of approval to provide for careful monitoring during construction. Examples of condition statements which could be incorporated in project approvals can be found in Appendix G.

By working closely with local municipalities and developers conducting the site investigations, the Monroe County Department of Health and the Monroe County Environmental Management Council can identify issues that need to be addressed on a site specific basis. Early joint review by the municipality and the county will assist the applicant in obtaining site plan approval. Involving county agencies in the early stages may avert delays when the applicant seeks county permits at a later date.

Information to assist applicants in conducting an investigation are included in this publication. This includes a Waste Disposal Site Evaluation Form and instructions for performing an on-site investigation, as well as a guide for preparing a site inspection report.

SECTION 1

WASTE DISPOSAL SITE INFORMATION

In the early 1980's Monroe County developed a method for identifying inactive waste disposal sites.¹ By systematically reviewing aerial photographs and agency records dating back to the 1930's, the Monroe County Department of Health (MCDOH) and the Monroe County Environmental Management Council (MCEMC) identified two types of waste sites:

- 1.) Confirmed waste site - a site known to contain waste based on information in the MCEMC, MCDOH, New York State Department of Environmental Conservation (NYSDEC) and/or municipal files; knowledge from residents or representatives of municipalities; or through site investigations. It is not known how many of these sites may contain hazardous waste.
- 2.) Suspected waste site - a site that shows up on aerial photographs as surface disturbance involving unidentified material that does not appear to be clean fill.

As of January 1992, approximately 350 confirmed sites and 200 suspected sites have been identified in Monroe County. In an ongoing effort, Monroe County continues to compile a comprehensive inventory of waste sites. The inventory is updated as new information becomes available. However, Monroe County does not claim that the inventory is complete.

These Guidelines explain the process and sources of information that an applicant/developer should utilize when a proposed development is on or within 2000 feet of a waste disposal site. It identifies the information needed for an adequate evaluation and integrates this with the State Environmental Quality Review Act (SEQR) procedures.

Various sources of information exist on the locations of waste disposal sites. This section explains the sources of information and the methods for conducting the research when a proposed development is located near a waste disposal site.

¹. The methodology is documented in Environmental Protection Agency publication EPA 600/4-83-050, October 1983: A Methodology to Inventory, Classify and Prioritize Uncontrolled Waste Disposal Sites.

The following agencies may be available to assist in providing the applicant with information on waste disposal sites or development review procedures:

Monroe County Environmental Management Council (MCEMC)
47 South Fitzhugh Street, Suite 201
Rochester, NY 14614
(716) 428-3023

Monroe County Department of Health (MCDOH)
Division of Environmental Health
111 Westfall Road
Rochester, NY 14692
(716) 274-6067 or 274-6904

Monroe County Department of Planning
47 South Fitzhugh Street
Suite 200
Rochester, NY 14614
(716) 428-5418

New York State Department of Environmental Conservation (NYSDEC)
Region 8 Office, Division of Hazardous Waste Site Remediation
6274 East Avon-Lima Road
Avon, NY 14414
(716) 226-2466

New York State Department of Health (NYSDOH)
42 South Washington Street
Rochester, NY 14608
(716) 423-8071

Local government planning agencies and boards

MONROE COUNTY AGENCY INVOLVEMENT

The MCDOH has legal review and approval authority for a number of actions. These actions and their corresponding legal authorities are listed in Appendix A. The MCDOH established the MCDOH Waste Site Advisory Committee and the MCDOH Waste Site Technical Committee to review waste site information throughout the county. This process included the inventory and review of information on waste sites; review and comment on the NYSDEC publication on inactive hazardous waste sites (reference #4 on page 15); assistance in developing municipal reports on waste sites; review of information and reports on hazardous waste sites; and review and comment on proposed developments near waste sites. Members of this committee are listed in Appendix B.

Preliminary reviews of many developments fall under the review of the Monroe County Department of Planning's Development Review Committee (MCDRC) under the authority of the New York State General Municipal Law, Sections 239 l, m, and n. Waste sites which may impact the proposed development are identified during the review process. The developer and municipality are then advised that an evaluation of the impact of a waste site must be conducted.

MONROE COUNTY WASTE SITE INVENTORY

Waste site inventory reports are developed to identify waste sites throughout the county on a municipal basis. Various sources of information are used to develop the inventories. These include aerial photographs, historic solid waste files, interviews with local government officials and residents, site visits, and subsurface information that documents the existence of waste.

Once information on waste sites in a municipality is compiled, a draft report and map are prepared. The report summarizes information known to date about the waste sites and the map shows the location of the confirmed and suspected waste sites. The draft information is given to the municipalities for review and comment. After the municipality has completed the review of the report and map, the information is published. Information regarding the published reports is available from the MCEMC.

The waste site inventory reports include information about a site such as: the site identification number; the site location; site users/operators; type of waste; years site was active according to aerial photographs and other information; site acreage; NYS Registry number and a summary of the superfund investigation if the site is included on the NYS Registry; information about private and public water wells and public water supplies located near the site; current land use; nearby stream and wetland information; a geologic review of the site; orthophoto/tax map number; United States Geological Survey topographic quadrangle name; tax account number; and other pertinent information about the site.

The waste site maps show the locations of the confirmed and suspected waste sites as well as hazardous waste sites included on the NYS Registry. The maps also show locations of waste sites in adjacent municipalities that are within 2000 feet of the municipal boundary.

The reports and maps are distributed to various agencies and offices within the municipality. The waste site maps are available for review at the following locations:

Monroe County Environmental Management Council
Monroe County Department of Health
Monroe County Department of Planning

Copies of the report and waste site maps are available for purchase from the MCEMC.

