



**APPLICATION FOR A SOLID WASTE
MANAGEMENT FACILITY PERMIT**

FOR

**SARATOGA BIOCHAR SOLUTIONS, LLC
CARBON FERTILIZER MANUFACTURING FACILITY
MOREAU, NY**

Prepared For:

Saratoga Biochar Solutions, LLC
26F Congress Street #346
Saratoga Springs, New York 12866

Prepared By:

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October 29, 2021



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Table of Contents

	<u>Page #</u>
1.0 INTRODUCTION	1
2.0 6 NYCRR PART 360 PERMIT APPLICATION	2
3.0 ENGINEERING REPORT	2
4.0 FACILITY MANUAL.....	3
4.1 Waste Control Plan	3
4.2 Operations and Maintenance Plan.....	3
4.3 Training Plan.....	3
4.4 Emergency Response Plan.....	3
4.5 Noise Monitoring and Control Plan	3
4.6 Closure Plan	3

Tables

Table 1	6 NYCRR Part 360 Application Checklist	1
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Attachments

Attachment 1	Application for a Solid Waste Management Facility Permit
Attachment 2	Record of Compliance – Permit Application Supplement
Attachment 3	Engineering Report
Attachment 4	Facility Manual

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1.0 INTRODUCTION

Saratoga Biochar Solutions, LLC (SBS) is proposing to construct and operate a solid waste management facility (SWMF) to manufacture carbon fertilizer from biosolids and wood waste feedstock (hereinafter the “Facility”) with an annual throughput up to 235,200 wet tons of received biosolids and up to 35,280 tons of wood waste. The Facility is designed to be constructed in three phases with each phase consisting of a process line capable of processing up to 10 wet tons per hour of biosolids and up to 1.5 tons per hour of wood waste. Each process line is capable of manufacturing up to 1 ton per hour of Exceptional Quality (EQ) Class A biosolids product (i.e., “carbon fertilizer”) in accordance with 40 CFR Part 503 and 6 NYCRR 361. The selected location is on 5.89 acres composed of Tax Parcels 50.-4-16 (3.07 acres) and 50.-4-22 (2.82 acres), on Farnan Road within the Moreau Industrial Park in the Town of Moreau, Saratoga County, New York, owned by Moreau Industrial Park, LLC.

This application and attached supporting documents and drawings provide a complete application under 6 NYCRR 360.16, effective November 4, 2017. Table 1 provides a checklist of the Permit Application contents. A completed SWMF Application is provided as Attachment 1. A completed Record of Compliance Form is provided as Attachment 2. A complete Engineering Report is provided as Attachment 3, and a complete Facility Manual is provided as Attachment 4.

This project is also subject to local approval by the Town of Moreau Planning Board. An initial Site Plan Application, including a Full Environmental Assessment Form (EAF), was submitted to the Town of Moreau Planning Board in August 2021. During the August 2021 meeting, the Town Planning Board voted unanimously to be Lead Agency under the State Environmental Quality Review Act (SEQRA) and undertake a coordinated review with other involved agencies.

Table 1
6 NYCRR Part 360 Application Checklist

Regulatory Requirement	Description	Location
6 NYCRR 621.3	Uniform Procedures – General Requirements for Permit Applications	
6 NYCRR 621.3(a)(1)	Application for a Solid Waste Management Facility Permit and Record of Compliance	Attachment 1, Permit Application Attachment 2, Record of Compliance
6 NYCRR 621.3(a)(4)	Other NYSDEC Permits	Attachment 3, Engineering Report
6 NYCRR 621.3(a)(6)	Other Regulatory Agency Permits	Attachment 3, Engineering Report
6 NYCRR 621.3(a)(7)	State Environmental Quality Review Act (SEQRA) Review	Attachment 3, Engineering Report
6 NYCRR 621.3(a)(8)	New York State Historic Preservation Act Review	Attachment 3, Engineering Report
6 NYCRR 360.16	Permit Application Requirements and Permit Provisions	
6 NYCRR 360.16(a)	Application for a Solid Waste Management Facility Permit - Signatures	Attachment 1, Permit Application
6 NYCRR 360.16(c)(1)	Contact information	Attachment 1, Permit Application

6 NYCRR 360.16(c)(2)(i)	Regional Map (Showing Service Area)	Attachment 3, Engineering Report, Figure 1
6 NYCRR 360.16(c)(2)(ii)	Vicinity Map	Attachment 3, Engineering Report, Figure 2
6 NYCRR 360.16(c)(2)(iii)	Site Plan	Attachment 3, Engineering Report, Appendix A
6 NYCRR 360.16(c)(3)	Engineering Report	Attachment 3, Engineering Report
6 NYCRR 360.16(c)(4)	Facility Manual	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(4)(i)	Waste Control Plan	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(4)(ii)	Operations and Maintenance Plan	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(4)(iii)	Training Plan	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(4)(iv)	Emergency Response Plan	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(4)(v)	Noise Monitoring and Control Plan	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(4)(vi)	Closure Plan	Attachment 4, Facility Manual
6 NYCRR 360.16(c)(5)	State and Local Plan Consistency	Attachment 3, Engineering Report
6 NYCRR 362-1	Thermal Treatment Facilities	
6 NYCRR 362-1.4(a)	Engineering Report	Attachment 3, Engineering Report
6 NYCRR 362-1.4(b)	Waste Control Plan	Attachment 4, Facility Manual
6 NYCRR 362-1.4(c)	Residue Management Plan	Attachment 4, Facility Manual
6 NYCRR 362-1.4(d)	Radioactive Waste Detection Plan	Attachment 4, Facility Manual

2.0 6 NYCRR PART 360 PERMIT APPLICATION

A completed NYSDEC Solid Waste Management Facility Permit Application Form is provided as Attachment 1. Required elements of the permit application are included as indicated in Table 1. A completed Record of Compliance Form is provided as Attachment 2.

3.0 ENGINEERING REPORT

An Engineering Report prepared in accordance with requirements of 6 NYCRR 360.16(c)(3) is included as Attachment 3. The Engineering Report describes and includes all required engineering and design elements, as indicated in Table 1.

4.0 FACILITY MANUAL

A Facility Manual prepared in accordance with requirements of 6 NYCRR 360.16(c)(4) is included as Attachment 4. The Facility Manual describes all required operational elements, as indicated in Table 1, including a Waste Control Plan, Operations and Maintenance Plan, Training Plan, Emergency Response Plan, Noise Monitoring and Control Plan, Residue Management Plan, Radioactive Waste Detection Plan, and Closure Plan.

4.1 Waste Control Plan

The Waste Control Plan describes acceptable waste that will be received at the Facility. The Waste Control Plan provides detailed procedures for inspection of incoming waste with specific measures for screening, identifying, and managing unauthorized waste. Unauthorized waste that will not be accepted at the Facility specifically includes, but is not limited to, municipal solid waste, construction and demolition debris, friable asbestos-containing material (ACM), mercury-added consumer products, radioactive waste, infectious and regulated medical waste, and hazardous wastes.

4.2 Operations and Maintenance Plan

The Operations and Maintenance (O&M) Plan describes detailed methods and procedures for proper and safe operation of the Facility. The O&M Plan is prepared in accordance with requirements of 6 NYCRR 360.16(c)(4)(ii). O&M procedures include process flows, machinery types, water handling, noise management, fire control measures, Facility startup and testing procedures, regular planned maintenance, planned shutdown procedures, and contingency plans for troubleshooting, unplanned shutdowns, and emergencies.

4.3 Training Plan

The Training Plan describes training requirements for Facility personnel.

4.4 Emergency Response Plan

The Emergency Response Plan provides comprehensive measures for implementing safety procedures and for addressing anticipated and unanticipated situations and/or emergencies.

4.5 Noise Monitoring and Control Plan

The Noise Monitoring and Control Plan describes noise sources associated with the Facility, offsite receptors, mitigation measures, and monitoring protocols to ensure sound level restrictions are not exceeded.

4.6 Closure Plan

A Closure Plan is provided that is consistent with requirements of 6 NYCRR Part 360 and 362-1, including a closure cost estimate.

ATTACHMENT 1

**APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY
PERMIT**



DEC APPLICATION NO.

ACTIVITY NUMBER(S)

DIVISION OF MATERIALS MANAGEMENT
APPLICATION FOR A SOLID WASTE MANAGEMENT FACILITY PERMIT

Please read all instructions before completing this application

Reset Form

Please TYPE or PRINT clearly

1. APPLICATION TYPE (CHECK ALL APPLICABLE BOXES):

[X] Initial (New) [] Modification [] Renewal (Existing permit expiration date: _____)

2. APPLICANT IS:

[X] Facility Owner [X] Facility Operator

3. IS APPLICATION FILED BY OR ON BEHALF OF A MUNICIPALITY?

[] YES (Name of municipality: _____) [X] NO

4. FACILITY NAME AND LOCATION (Attach USGS Topo Map showing exact location)

Name: Saratoga Biochar Solutions, LLC

Address: 2-12 Electric Drive

Town: Moreau County: Saratoga

Coordinates: NYTM-E 613,193 NYTM-N 4,793,258

Existing solid waste management facility permit number (if applicable): NA

[] Check here if facility owner, operator and/or real property owner has changed since last application was submitted.

5. FACILITY OWNER'S INFORMATION

Name: Saratoga Biochar Solutions, LLC

Address: 26F Congress Street #346

City/State/Zip: Saratoga Springs, NY 12866

Phone number: 518-391-0566

Email: rapy@northeasternbiochar.com

6. FACILITY OPERATOR'S INFORMATION

Name: Saratoga Biochar Solutions, LLC

Address: 26F Congress Street #346

City/State/Zip: Saratoga Springs, NY 12866

Phone number: 518-391-0566

Email: rapy@northeasternbiochar.com

7. ENGINEER'S INFORMATION

Name: Andrew Millspaugh, P.E.

NYS Professional Engineer License #: 094708

Firm Name: Sterling Environmental Engineering, P.C.

Address: 24 Wade Road

City/State/Zip: Latham, NY 12110

Phone number: 518-456-4900

Email: Andrew.Millspaugh@sterlingenvironmental.com

8. REAL PROPERTY OWNER'S INFORMATION

Name: Moreau Industrial Park, LLC

Address: 296 Ballard Road

City/State/Zip: Wilton, NY 12831

Phone number: 518-461-5139

Email: alan.c.oppenheim@gmail.com

[X] Check here if facility owner is not real property owner. See instruction page for written permission requirement.

9. TYPE OF FACILITY (CHECK ALL APPLICABLE BOXES)

- [X] Combustion & Thermal Treatment (362-1) [] Navigational Dredge Material Handling & Recovery (361-9)
[] C & D Debris Handling & Recovery (361-5) [] Nonspecific Facilities (360.17)
[] Composting & Other Organics Processing (361-3) [] Recyclables Handling & Recovery (361-1)
[] Household Hazardous Waste Collection (362-4) [] Research, Development, and Demonstration (360.18)
[] Land Application & Associated Storage (361-2) [] Transfer (362-3)
[] Landfill (363) [] Waste Oil (374-2)
[] Regulated Medical Waste (365) [] Waste Tire Handling & Recovery (361-6)
[] Mulch Processing (361-4) [] Used Cooking Oil & Yellow Grease (361-8)
[] Municipal Solid Waste Processing (362-2)

10. NAME(S) OF ALL MUNICIPALITIES IN SERVICE AREA:

Communities throughout the entire state of New York and Western New England west of the Connecticut River. The service area may change based on negotiated arrangements over time.

11. SOLID WASTE ACCEPTED: *Identify facility capacity and throughput of each waste type, as applicable*

Up to 235,200 wet tons per year of biosolids sourced from wastewater treatment plants. Up to 35,280 tons per year of wood waste.

FOR MODIFICATION APPLICATION ONLY

12. DOES THE MODIFICATION APPLICATION INVOLVE (CHECK ALL APPLICABLE BOXES):

New waste type New equipment Waste acceptance rate increase Facility expansion (including landfill)

SKIP QUESTION #13 AND #14 IF APPLYING FOR RENEWAL ONLY

13. APPLICATION DESCRIPTION

Include a brief description of new or modification request

Application for a solid waste management facility that will manufacture a marketable Class A carbon fertilizer from a feedstock of primarily biosolids sourced from wastewater treatment plants. Wood will be used as a minor feedstock component for moisture control. The manufacturing process implements drying and pyrolysis to produce a marketable carbon fertilizer for use as a soil fertilizer.

14. FACILITY SIZE

a. Facility size proposed (acres) 3.30
b. Total site area (acres) 5.89

For modification application ONLY

c. Associated facility size change (acres) NA

For Landfill ONLY

d. Facility size ultimately planned (acres) NA
e. Existing landfill area on this site and adjacent properties (acres) NA
f. Ultimate facility height above ground level (feet) NA

15. IS A VARIANCE REQUESTED FROM ANY PROVISION OF 6 NYCRR PART 360 SERIES?

Yes No If yes, submit an application for variance and cite specific provision(s) here: _____

16. REAL PROPERTY OWNER CERTIFICATION

Corporation Partnership Sole Proprietorship Municipality/other government entity Other: _____

I hereby attest that I am the owner of the real property on which the facility is located or the proposed or modified facility will be located and am signing in my individual capacity.

Or if signing in a representative capacity: I hereby attest that I am the (indicate title or capacity) MEMBER, an authorized representative of the owner of the real property on which the facility is located or the proposed or modified facility will be located. I am duly authorized on behalf of said owner to sign make this certification on this application.

I grant permission for the applicant to apply for the permit, and construct and operate the facility described in the application in accordance with a final DEC permit or approval. I also grant permission for the department to access the above-described real property, including any adjacent areas, during all reasonable times (including but not limited to 7:00 am to 7:00 pm Monday through Friday, and additional facility hours of operation, and as appropriate during emergencies and similar exigent circumstances) without the property owner, applicant or other representative of the property owner or facility present. If the property is posted with "keep out" signs or fenced with an unlocked gate, department staff may still enter the property. Department staff may traverse the property, inspect the facility, take measurements, analyze site physical characteristics, take soil and vegetation samples, sketch and photograph the property, and conduct other activities necessary to evaluate the permit application or assess the facility's compliance with the permit and any other applicable statutory or regulatory requirements.

I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

Signature: [Signature] Print Name: Daniel Goldstein Date: 11/1/2021
Title or Representation if signing in a representative capacity: Member

17. APPLICANT CERTIFICATION

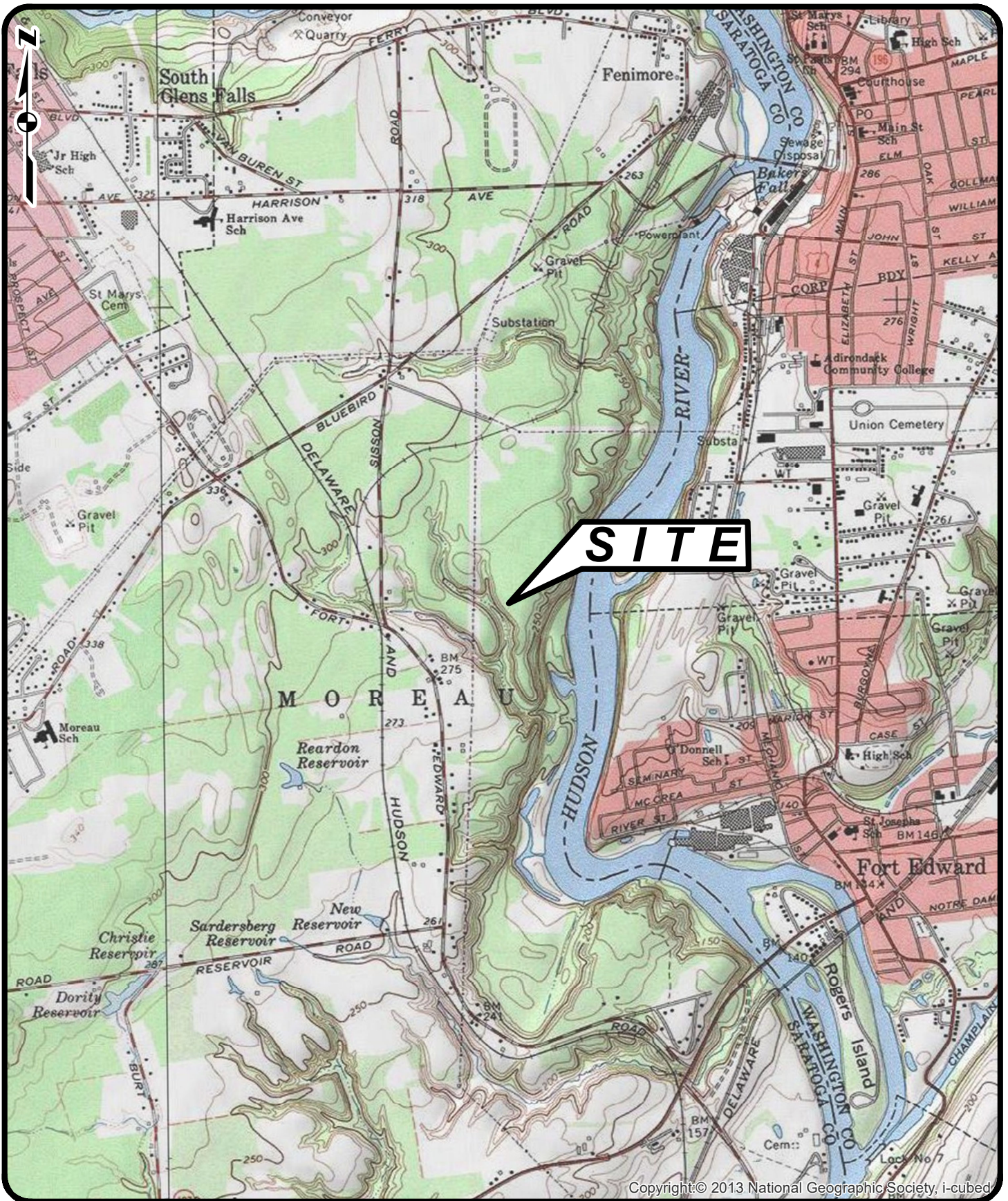
Corporation Partnership Sole Proprietorship Municipality/other government entity Other: _____

I hereby attest that I am the (check one) President/Vice President General Partner Sole Proprietor Duly Authorized Municipal Representative of (APPLICANT) Raymond Apy SARATOGA BIOCHAR SOL. and the legally responsible party for this application as presented to NYSDEC. I affirm that the statements and information provided on this application and all attachments submitted herewith are true, accurate, and complete.

I am aware that any false statement made herein is punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law. I accept full responsibility for all damage, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and agree to indemnify and hold harmless the State from any and all causes of action in law or equity, resulting from the said project.

Signature: [Signature] Print Name: RAYMOND APY Date: 11-1-2021

S:\Sterling\Projects\2020 Projects\Saratoga Biochar Solutions - 2020-20\Drawings-Maps-Figures\GIS\2020-20001G- FIG 1 SITE LOC MAP.mxd



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STERLING

Sterling Environmental Engineering, P.C.
24 Wade Road • Latham, New York 12110

SITE LOCATION MAP
SARATOGA BIOCHAR SOLUTIONS, LLC
CARBON FERTILIZER MANUFACTURING FACILITY

TOWN OF MOREAU

SARATOGA CO., NY

PROJ.NO. 2020-20	DATE: 10/25/2021	SCALE: 1" = 2,000'	DWG.NO. 2020-20001G	FIGURE 1
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ATTACHMENT 2

RECORD OF COMPLIANCE – PERMIT APPLICATION SUPPLEMENT

