



**Date: August 12, 2019**

New York State Department of Environmental Conservation  
1 Hunters Point Plaza  
47-40 21st Street – 4th floor  
Long Island City, NY 11101

ATTN: Denise Harrington Grattan, Environmental Analyst II, DEP

Re: **Response to NOIA Application ID: 2-6105-00889/00001**

**Dear Ms. Grattan:**

Sharps Compliance, Inc. (“Sharps”), is providing the following information to the New York State Department of Environmental Conservation (NYSDEC or Department) regarding Sharps’ proposed Transfer Station (Project). On April 12, 2019, Sharps submitted a request for permit modification and an amended Permit Application requesting permit approval under Article 27 Title 7 Solid Waste Management. The information contained herein is being submitted in response to the Department’s Notice of Incomplete Application (NOIA) dated June 25, 2019.

For ease of reference, each comment from the June 25, 2019 NOIA are presented below in *italics*, followed by Sharps’ response.

*1. The permit application needs to provide a detailed description of the hazardous waste operation from receipt to final disposal. Please include the following information:*

- a. A detailed listing, using the 6 NYCRR 371 NYS hazardous waste codes, of all hazardous wastes that could be received by the facility including the maximum storage and throughput amount for each type. This must be included in the waste control plan.*

**Sharps Response:** All hazardous wastes that could be received by the facility, including the maximum storage and throughput amount for each type, are provided in the following table:

<b>Waste Codes</b>	<b>Daily Max Storage</b>	<b>Max Annual Throughput</b>	<b>Unit of Measure</b>
D001	240	62,400	Gallons
D002	240 or (2,400)	130000 or (1,300,000)	Gallons (Pounds)
D004	500	130,000	Pounds

<b>Waste Codes</b>	<b>Daily Max Storage</b>	<b>Max Annual Throughput</b>	<b>Unit of Measure</b>
D005	500	130,000	Pounds
D006	500	130,000	Pounds
D007	500	130,000	Pounds
D008	500	130,000	Pounds
D009	500	130,000	Pounds
D010	500	130,000	Pounds
D011	500	130,000	Pounds
D022	500	130,000	Pounds
D024	500	130,000	Pounds
D026	500	130,000	Pounds
F001	240	62,400	Gallons
F002	240	62,400	Gallons
F003	240	62,400	Gallons
F005	240	62,400	Gallons
P001	10	2,600	Pounds
P042	10	2,600	Pounds
P075	10	2,600	Pounds
P105	10	2,600	Pounds
U002	500	130,000	Pounds
U003	500	130,000	Pounds
U010	500	130,000	Pounds
U031	500	130,000	Pounds
U035	500	130,000	Pounds
U039	500	130,000	Pounds
U044	500	130,000	Pounds
U058	500	130,000	Pounds
U059	500	130,000	Pounds
U089	500	130,000	Pounds
U112	500	130,000	Pounds
U122	500	130,000	Pounds
U134	500	130,000	Pounds
U150	500	130,000	Pounds
U154	500	130,000	Pounds
U188	500	130,000	Pounds
U200	500	130,000	Pounds
U201	500	130,000	Pounds
U204	500	130,000	Pounds

Waste Codes	Daily Max Storage	Max Annual Throughput	Unit of Measure
U205	500	130,000	Pounds
U206	500	130,000	Pounds
U237	500	130,000	Pounds
U279	500	130,000	Pounds

Although the maximum quantities to be stored of each waste exceeds 2,000 gallons, (9.902263 CY) when combined, Sharps will not store in-transit an accumulation of wastes that total over the amount of 2,000 gallons, (9.902263 CY) at any one time. The maximums are only the highest quantity of each individual waste that Sharps could store in-transit.

The above information has been incorporated into the revised Waste Control Plan (see Section 7.1.3 of the attached revised Engineering Report).

- b. *The procedures for ensuring proper segregation of incompatible hazardous wastes at the facility and in loading of the outbound truck.*

**Sharps Response:** Practices include utilization of the Hazardous Material Segregation Table located in 49CFR§177.848, the waste profile of the material for the specific generator, and review of the associated shipping manifests.

1. Dispatch confirms that all materials scheduled for pickup are compatible for the route truck to accept per the Hazardous Material Segregation Table. Only materials that have proper profiles can be scheduled for transport.
2. Drivers are only allowed to accept hazardous wastes that have been scheduled and manifested by dispatch; packaged, labeled, and marked by the generator per 49 CFR parts 172, 173, 178, 179 and 6 CRR-NY 372.2. Any wastes not meeting all requirements here, are refused for transport by the collection driver.
3. Once material arrives back to the facility, off-loading of the materials takes place where another verification utilizing the Hazardous Material Segregation Table is conducted and a review of the associated manifest.
4. All materials stored for outbound shipment via Transporter 2 to the treatment, storage, and disposal facility (TSDF), are sent for review and scheduled for pickup of the materials. Once onsite, Transporter 2's collection driver and an associate of Sharps Compliance, Inc. (as Citiwaste, LLC), conducts a count and verification of materials to the manifests as containers are transferred from truck to truck.

The above information has been incorporated into the revised Engineering Report (see Section 5.1).

- c. *Please detail whether any consolidation of hazardous waste will be allowed, or will the hazardous wastes only be transferred in closed containers. This must be included in the waste control plan.*

**Sharps Response:** Hazardous wastes will only be transferred in closed containers.

The above information has been incorporated into the revised Waste Control Plan (see Section 7.1.3 of the attached revised Engineering Report).

- d. *Please detail the secondary containment procedures during transfer.*

**Sharps Response:** Transferring hazardous waste containers from hazardous waste collection vehicles to hazardous waste in-transit storage vehicle:

1. Hazardous waste collection vehicles containing collected containerized hazardous waste back up to the area where secondary containment pallets are maintained for transfer activities, ensuring the liftgate is positioned over secondary containment pallets.
2. Forklift operators open the back door and raise the liftgate of the hazardous waste collection vehicle.
  - i. Note: The job title of the personnel transferring hazardous waste from the hazardous waste collection vehicles to the hazardous waste in-transit storage vehicle and from the hazardous waste in-transit storage vehicle to the Transporter 2 hazardous waste outbound collection vehicle, is “Forklift Operator” although forklifts will not be utilized to transfer hazardous waste containers.
3. Forklift operators inspect containers holding hazardous waste in the hazardous waste collection vehicles for leakage and then move the containers onto the vehicle liftgate.
  - i. Any signs of hazardous waste leakage are immediately reported to management at which point the leaking hazardous waste container is identified and overpacked to eliminate any further leakage. No further transferring of hazardous waste containers occurs until the leaking hazardous waste container is overpacked and spill has been cleaned up.
4. Forklift operators lower the hazardous waste collection vehicle liftgate down to the secondary containment pallets.
5. Forklift operators transfer containers of hazardous waste from the lowered liftgate of hazardous waste collection vehicles to the lowered liftgate of the hazardous waste in-transit storage vehicle, while over secondary containment pallets the entire route. (Liftgate of hazardous waste in-transit storage vehicle is also positioned over secondary containment pallets). Containers of hazardous waste are transferred one at a time by hand or by dolly, and always over secondary containment pallets.
6. After transferring a container of hazardous waste to the liftgate of the hazardous waste in-transit storage vehicle, forklift operators return to the hazardous waste collection vehicle. Forklift operators inspect secondary containment pallets on

their route back to the hazardous waste collection vehicle for signs of leakage from the previously transferred container of hazardous waste.

- i. Any signs of hazardous waste leakage are immediately reported to management at which point the leaking hazardous waste container is identified and overpacked. No further transferring of hazardous waste containers occurs until the leaking hazardous waste container is overpacked and the spill has been cleaned up including within the containment pallets.
7. Forklift operators continue transferring hazardous waste containers from the liftgate of collection vehicle to the liftgate of the in-transit storage vehicle until the liftgate of the in-transit collection vehicle is ready to be raised. Forklift operators raise the liftgate of the in-transit collection vehicle, (along with containers of hazardous waste on the in-transit storage vehicle liftgate).
8. Forklift operators transfer the containers of hazardous from the liftgate of the in-transit storage vehicle onto secondary containment pallets inside the in-transit storage vehicle. Forklift operators review the Hazardous Material Segregation Table, referencing manifests on the containers of hazardous waste, before placing hazardous waste containers on secondary containment pallets inside the in-transit storage vehicle, to ensure hazardous wastes are properly segregated. (Secondary containment pallets inside the in-transit storage vehicle are labeled for placement of hazardous waste to further ensure incompatible hazardous wastes are not placed together).
9. Once all hazardous waste has been transferred from the collection vehicle to the in-transit storage vehicle, forklift operators close the doors of both the collection vehicle and the in-transit storage vehicle.

Transferring hazardous waste containers from hazardous waste in-transit storage vehicle to Transporter 2 hazardous waste outbound collection vehicle:

1. The Transporter 2 hazardous waste outbound collection vehicle backs up to Sharps' dock, (where secondary containment pallets extend from the hazardous waste in-transit storage vehicle to the dock).
2. The driver from the Transporter 2 hazardous waste outbound collection vehicle opens the back door of the Transporter 2 hazardous waste outbound collection vehicle.
3. A dock plate is placed from on top of secondary containment pallets to the Transporter 2 hazardous waste outbound collection vehicle.
4. Forklift operators open the back door and raise the liftgate of the in-transit storage vehicle.
5. Forklift operators inspect containers holding hazardous waste and secondary containment pallets in the hazardous waste in-transit storage vehicle for leakage.
  - i. Any signs of hazardous waste leakage are immediately reported to management at which point the leaking hazardous waste container is identified and overpacked to eliminate further leakage. No further transferring of hazardous waste containers occurs until the leaking hazardous waste container is overpacked and the spill has been cleaned up.
6. Forklift operators transfer containers of hazardous waste from secondary

containment pallets located inside the in-transit storage vehicle to the liftgate of the in-transit storage vehicle.

7. Forklift operators lower the liftgate of the in-transit storage vehicle down to secondary containment pallets. (Liftgate of in-transit storage vehicle is positioned over secondary containment pallets).
8. Forklift operators transfer containers of hazardous waste from the lowered liftgate of the hazardous waste in-transit storage vehicle to the Transporter 2 hazardous waste outbound collection vehicle, while over secondary containment pallets the entire route. Forklift operators and Transporter 2 driver conduct a count, and verification of materials to the manifests, as containers of hazardous waste are transferred to the Transporter 2 hazardous waste collection vehicle. Containers of hazardous waste are transferred one at a time by hand or by dolly, and always over secondary containment pallets.
9. After transferring a container to the Transporter 2 hazardous waste outbound collection vehicle forklift operators return to the in-transit storage vehicle. Forklift operators inspect secondary containment pallets on their route back to the in-transit storage vehicle for signs of leakage from the previously transferred container of hazardous waste.
  - i. Any signs of hazardous waste leakage are immediately reported to management at which point the leaking hazardous waste container is identified and overpacked. No further transferring of hazardous waste containers occurs until the leaking hazardous waste container is overpacked and the spill and containment pallets are cleaned.
10. Forklift operators continue transferring hazardous waste containers from the in-transit storage vehicle to the Transporter 2 hazardous waste outbound collection vehicle until all hazardous waste containers intended to be transferred to Transporter 2 hazardous waste outbound collection vehicle have been transferred.
11. Forklift operators obtain the date of delivery and signature of the driver of the Transporter 2 hazardous waste outbound collection vehicle on the manifest(s) associated with the hazardous waste containers transferred to Transporter 2 hazardous waste outbound collection vehicle. Forklift operators retain a copy of the manifest(s) signed by the driver of Transporter 2 hazardous waste outbound collection vehicle and give the remaining copies of the manifest(s) to the driver of Transporter 2 hazardous waste outbound collection vehicle.
12. Forklift operators close the backdoor of the in-transit storage vehicle.

The above information has been incorporated into the revised Engineering Report as a newly added section (see Section 11.7.1).

- e. *The contingency and closure plans for hazardous waste management.*

**Sharps Response:** Hazardous Waste Contingency and Final Closure Plans are attached and have been incorporated into the attached revised Engineering Report as Appendices O and P, respectively. Please note the Cross-Reference Table, previously Appendix O of the Engineering Report, has been re-designated as Appendix Q in the revised Engineering Report.

- f. *The listed of all disposal locations and their state permits for each type of waste.*

**Sharps Response:** Table 5.3 of the Engineering Report (provided below) lists Veolia ES Technical Solutions, L.L.C 1 Eden Lane Flanders, NJ 07836, Mt. Olive Township, Morris County; Facility Permit No.: HWP160001; EPA ID No.: NJD980536593; EPA Part B Permitted TSDF for treatment of hazardous waste. The Veolia ES Technical Solutions, L.L.C 1 Eden Lane Flanders, NJ 07836, Mt. Olive Township, Morris County Facility is the location for all hazardous waste transferred through the 893 Shepherd facility.

<b>Table 5.3 Treatment Facilities</b>			
<b>Name of Facility</b>	<b>Address</b>	<b>Phone NO.</b>	<b>Permit NO.</b>
Alpha Bio-Med Services, LLC.	600 Industrial Road Nesquehoning, PA 18240	713-660-3508	PADEP 400696 for the storage and treatment of RMW and Chemo Wastes.
Veolia ES Technical Solutions, L.L.C	1 Eden Lane Flanders, NJ 07836 Mt. Olive Township / Morris County	(973) 691-3933	Facility Permit No.: HWP160001 EPA ID No.: NJD980536593 EPA Part B Permitted TSDF for treatment of hazardous waste.

2. *On the permit application, box 11, identifies the maximum storage of hazardous waste as 20,000 gal but this is not described in the application, this should be corrected for consistency also, identify the maximum storage in cubic yards.*

**Sharps Response:** The application has a typographical error. The maximum amount of hazardous waste to be stored at any one time will be 2,000 gallons. The application, box 11, has been corrected (see Appendix E of the attached revised Engineering Report). Applicable sections of the Engineering Report have been revised to include the maximum amount of hazardous waste to be stored in-transit in both gallons, (2,000) and cubic yards, (9.902263) (see attached).

3. *Include documentation from the building department that the handling of hazardous waste meets the NYC building code and, also include documentation from the fire department showing that that the handling of hazardous waste meets the NYC fire code.*

**Sharps Response:** Neither Sharps Compliance, Inc. current quantities, nor proposed maximum storage quantities, of in-transit storage hazardous wastes exceed the maximum allowable quantities listed in NYC BC 307 Table 307.1(1) or Table 307.1(2) which would trigger the requirement for High Hazard Occupancy.

Documentation from the fire department, indicating that the handling of hazardous waste meets the requirements of the New York City Fire Code (NYC FC), respectively, will be provided to the Department.

4. *Identify the purpose for needing to refrigerate hazardous waste.*

**Sharps Response:** Sharps has no intention to refrigerate hazardous waste.

5. *Please provide transporter EPA identification Number according to 6NYCRR 372.3(a)(3).*

**Sharps Response:** The transporter's EPA identification number is NYR000139295.

The above information has been incorporated into the revised Engineering Report (see Section 1).

6. *Please provide the detailed description of the secondary containment system of the storage area (Box Truck, C-03, C-04) at the facility. Please discuss how it meets the requirement of 6 NYCRR 373-2.9(f).*

**Sharps Response:** Drum spill containment pallets are utilized as secondary containment in the box truck, (hazardous waste in-transit storage vehicle):

- The drum spill containment pallets underlie the containers, is free of cracks or gaps and is sufficiently impervious to contain leaks, spills and accumulated precipitation until the collected material is detected and removed.
- The drum spill containment pallets maintain containers elevated and protected from contact with accumulated liquids.
- The drum spill containment pallets have sufficient capacity to contain the volume of the largest free liquid container, (55 gallons) that is placed on them.
- Run-on into the drum spill containment pallets is prevented by the designed elevation of the system. The drum spill containment pallets also have a sump capacity greater than required by 6 CRR-NY 373-2.9(f)(iii), to contain any run-on that might enter the drum spill containment pallets.

The above information has been incorporated into the revised Engineering Report as a newly added section (see Section 11.7.2).

7. *Please provide packaging details of the hazardous waste containers (container type, marking, specification, etc.).*



**Sharps Response:** Hazardous waste containers/shipments prepared by generators, intended to be transported by Sharps Compliance, Inc. (as Citiwaste, LLC) are confirmed to meet the Packaging requirements, (49 CFR parts 173, 178 and 179), Labeling requirements, (49 CFR part 172) and Marking requirements (49 CFR part 172) by Sharps' collection drivers prior to signing and dating the manifest, (acknowledging acceptance of the hazardous waste from the generator). Any containers/shipments prepared by the generator, intended to be transported by Sharps Compliance, Inc., (as Citiwaste), that do not meet with the Packaging, Labeling, Marking or Manifest requirements referenced in 6 CRR-NY 372.2 are refused for transport by Sharps' collection drivers.

Below is a current list of containers Sharps' offers to generators for the packaging of hazardous waste.

Description	Rating
Pail, 5-GAL Black	1H2/Y30/S/XX 1H2/X11.5/S/XX
5 GL Square Pail w/ Cap, Natural HDPE	3H1/Y1.8/100
5 Gallon Poly, Liquid Rated Drum	1H1/Y1.8/100/XX
5 Gallon Steel, Liquid Rated Drum	1A1/Y1.8/100
15 Gallon Poly, Liquid Rated Drum	1H1/Y1.8/150/XX
15 Gallon Steel, Liquid Rated Drum	1A1/X1.4/250/XX
30 Gallon Poly, Liquid Rated Drum	1H1/Y1.9/150 1H1/Y1.4/150 with vent
30 Gallon Steel, Liquid Rated Drum	1A1/Y1.5/150
55 Gallon Poly, Liquid Rated Drum	1H1/Y1.9/150 1H1/Y1.4/150 with vent
55 Gallon Steel, Liquid Rated Drum	1A1/X1.8/300
Lab Pack - 5 Gallon, Open Top Drum	1H2/Y43/S
Lab Pack - 15 Gallon, Open Top Drum	1H2/X65/S 1H2/Y100/S
Lab Pack - 30 Gallon, Open Top Drum	1H2/Y125/S
Lab Pack - 55 Gallon, Open Top Drum	1H2/Y100/S 1H2/X65/S

The above information has been incorporated into the revised Engineering Report (see Section 2.1).

8. *In order to establish an accurate bond amount the department will require that the applicant provide quotes from three different reputable contractors for the costs associated with the removal and disposal of hazardous waste handled at this facility. This closure cost estimate should be itemized to be based on the maximum amount of hazardous waste stored at the facility. Note that this amount would be in addition to that already approved by the department for RMW.*

**Sharps Response:** There has been a difficulty with obtaining quotes for closure costs because contractors are aware there is no potential business associated with providing the quote.

Sharps has received quotes from two (2) different reputable contractors for the costs associated with the removal and disposal of the maximum amount of the most expensive waste stream, (60% Hydrochloric Acid, 20% Methanol and 20% water), to treat, of hazardous waste to be stored in-transit.

For the purpose of the Closure Cost Estimate Worksheet included in the Final Closure Plan, Sharps used the highest cost quoted, (Veolia, 134 15-gallon container of 60% Hydrochloric Acid, 20% Methanol and 20% water, at \$350.00 per 15-gallon container, (converted to CY, plus \$250.00 Mobilization Fee and \$20.00 Manifest Fee) to calculate the Hazardous Waste Removal cost.

The above referenced quotes have been included in Appendix J of the revised Engineering Report.

9. *Sharps' responses to this Notice of incomplete Application will dictate the Department's comments on the SEQR and PPP components of the application given the PPP and SEQR documents must reflect the full extent of the operations and all permits needed. Hence, upon receipt and review of your response to this NOIA, comments on the SEQR and PPP will be forthcoming.*

**Sharps Response:** Sharps acknowledges the Department's statement regarding issuance of future comment(s) on the SEQR and PPP components of the permit application. Sharps will respond to the comments when issued. No further response required.

10. *To the herein-requested revised engineering report append a dated cover letter which lists each comment in this Notice of incomplete Application and specifies (a) how each such comment is addressed; and (b) where, in the revised engineering report, accompanying drawing, or other associated application materials, such comment is addressed. Identify any and all changes made to the engineering report outlined or not necessarily outlined in this notice by submitting an electronic red strike out version of the engineering report in reply to this notice. Unless otherwise specified, all pages, sections, drawings, appendices, and tables cited in this notice refer to the Sharps Compliance, Inc. revised April 12, 2019 engineering report as prepared by and sealed by Hong Sima, PH.D., P.E on behalf of Sharps Compliance, Inc.*

**Sharps Response:** The herein-requested revised engineering report is being submitted with this Response to NOIA comment letter (dated August 12, 2019). This Response to NOIA comment letter specifies (a) how each NYSDEC comment has been addressed; and (b) where, in the revised engineering report, accompanying drawing, or other associated application materials, such comment has been addressed (if applicable). All changes made to the submitted revised engineering report are identified in an electronic red-lined strikeout version of the engineering report. Unless otherwise specified, all pages, sections, drawings,

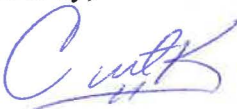
appendices, and tables cited in this notice shall refer to the Sharps Compliance, Inc. revised April 12, 2019 engineering report as prepared by and sealed by Hong Sima, PH.D., P.E on behalf of Sharps Compliance, Inc. Please note that only those pages from the engineering report or other associated materials which been affected by this NOIA are being submitted (see attached).

11. *Submit three hard copies directly to Regional Permit Administrator along with an electronic copy. The electronic version of the revised engineering report should be in a searchable OCR-PDF format and on a CD or similar media. For those documents prepared by a professional engineer, appropriate portions of the document must display the engineer's seal and signature.*

**Sharps Response:** Three (3) hardcopies of this Response to June 25, 2019 NOIA and associated material are being sent directly to the Regional Permit Administrator along with an electronic copy. The electronic version of this NOIA response and associated materials is a searchable OCR-PDF format, provided on a CD. Please note two (2) CDs will also be submitted to Mr. Thomas Killeen, Chief RCRA Permitting Section, Materials Management, NYS Dept. of Environmental Conservation, 625 Broadway, New York 12233-7251, as requested via email on August 1 and 2, 2019. Documents which have been prepared by a professional engineer display the engineer's seal and signature (where appropriate).

If you have any questions or would like to discuss the application, please feel free to contact me at 713- 443-3539.

Sincerely,



Curtis Knisley  
Director Quality & Safety

cc: Hong Sima, Ph.D., P.E.  
Karen Meara, Esq.  
Thomas Killeen, NYSDEC  
NYSDEC, Region 2, Regional Permit Administrator

Enclosures: As stated