

Attachment J

Operating Noise Impact Assessment

**Mill Seat Landfill Expansion
Facility ID No. 8-2648-00014**

Town of Riga, New York



Operating Noise Impact Assessment



**February 2015
Revised June 2015**

For the Proposed Mill Seat Landfill Expansion
303 Brew Road

Town of Riga, Monroe County, New York
Facility ID No. 8-2648-00014

Operating Noise Impact Assessment

Prepared For:

Monroe County
39 West Main Street
Rochester, New York 14814

Prepared By:

Waste Management of New York, LLC
303 Brew Road
Riga, New York 14428

and

Barton & Loguidice, D.P.C.
Engineers • Environmental Scientists • Planners • Landscape Architects
11 Centre Park, Suite 203
Rochester, New York 14614

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Table of Contents

<u>Section</u>	<u>Page</u>
1.0 Introduction.....	1
2.0 Noise Fundamentals	2
2.1 Multiple Noise Sources	3
2.2 Sound Level Reduction Over Distance	4
3.0 Noise Criteria.....	6
3.1 6 NYCRR Part 360 Regulations	6
3.2 SEQRA Assessment.....	7
4.0 Existing Community Background Sound Levels	9
5.0 Source Sound Levels from Landfill Operations	11
5.1 Working Face Operations	11
6.0 Proposed Landfill Expansion Noise Impact Assessment	14
6.1 Initial Assessment	14
6.2 Refined Assessment	16
7.0 Noise Assessment Results.....	18
7.1 6 NYCRR Part 360 Compliance	18
7.2 SEQR Receptor Impact Assessment	19
8.0 Pre-Waste Placement Analysis	22
8.1 Pre-Waste Placement Working Face Operations	22
8.2 Initial Assessment	23
8.3 Refined Assessment	24
8.4 6 NYCRR Part 360 Compliance	24
9.0 Flare Analysis.....	26
9.1 Flares at Proposed Site Following Proposed Landfill Expansion	27
9.2 SEQR Compliance for Combined Landfill and Flare Noise.....	28
10.0 Construction Noise	30
11.0 Additional Noise Abatement and Mitigation Measures	31
12.0 Conclusions.....	32

Table of Contents – Continued –

Tables

Table 1 – Common Noise Levels	3
Table 2 – Approximate Addition of Sound Levels	4
Table 3 – 6 NYCRR Part 360 Noise Level Limits	6
Table 4 – Community Background Hourly Leq.....	10
Table 5 – Measured Working Face Sound Levels	12
Table 6 – Initial Assessment – 6 NYCRR Part 360 Compliance	15
Table 7 – Refined Assessment – 6 NYCRR Part 360 Compliance Results	19
Table 8 – Predicted Maximum Changes in Background Sound Levels at Receptors ...	20
Table 9 – Measured Nighttime Working Face Sound Levels	23
Table 10 – Initial Assessment – 6 NYCRR Part 360 Compliance	24
Table 11 – Refined Assessment – 6 NYCRR Part 360 Pre-Waste Placement	
Compliance Results	25
Table 12 – Summary of Future Flare Predicted Source Sound Levels	27
Table 13 – Flare Sound Levels Projected in Community Locations	28

Figures

Figure 1 – Noise Monitoring Locations
Figure 2 – Noise Assessment
Figure 3 – Noise Section Locations
Figure 4 – Noise Sections (1 of 4)
Figure 5 – Noise Sections (2 of 4)
Figure 6 – Noise Sections (3 of 4)
Figure 7 – Noise Sections (4 of 4)

Appendices

Appendix A – Sound Level Measurement Data and Calibration Logs
Appendix B – Variance Application from Part 360-1.14(p)
Appendix C – Refined Assessment – Noise Propagation Calculations
Appendix D – Noise Easements

1.0 Introduction

The County is the Owner and permittee of the Mill Seat Landfill. The Mill Seat Landfill is operated by WMNY under a Landfill Lease Agreement with the County. The County and WMNY have been community partners for over 20 years. The Mill Seat Landfill's Solid Waste Management Facility NYSDEC Permit I.D. number is 8-2648-00014). The Permitted Site is located in the Town of Riga, Monroe County, New York. The mailing address is 303 Brew Road, Bergen, New York 14416.

The County is seeking a 6 NYCRR Part 360 Permit for modification to construct and operate the Proposed Landfill Expansion at the Mill Seat Landfill (see Figure 1). This *Operating Noise Impact Assessment* has been completed for the Proposed Landfill Expansion.

The purpose of the *Operating Noise Impact Assessment* is to present the results of the noise impact assessment for the Proposed Landfill Expansion of the Mill Seat Landfill. This assessment consisted of reviewing potential noise impacts from the Proposed Landfill Expansion to satisfy the requirements of the State Environmental Quality Review Act (SEQRA), and also to assess compliance with 6 NYCRR Part 360. The assessment consisted of collecting background sound level data to determine the existing sound levels at locations surrounding the Permitted Site and collecting operational noise data from the primary noise contributors during daily operations. Working face noise sources were identified as the most significant noise sources at the Mill Seat Landfill. This data was utilized in evaluating the Proposed Landfill Expansion for potential noise impact to offsite receptors and to determine compliance with applicable 6 NYCRR Part 360 noise regulations.

Hours of operation for the Proposed Landfill Expansion upon which this review is based are not proposed to change from current operations. Based upon site measurements and observations at the site, working face operations which commence at 7:00 a.m. are the primary source of noise for the site. Noise from the Permitted Site between 6:00 a.m. and 7:00 a.m. is generated by the removal of daily cover from the previous day's operation in order to accommodate waste placement, as well as the operation of the on-site LFGTE Facility and/or flares. A separate analysis for pre-waste placement operations prior to 7:00 a.m. is included in Section 8.0. In addition, a separate analysis for operation of LFG flares has been included in Section 9.0.

2.0 Noise Fundamentals

Noise can be generally defined as unwanted sound in and around our environment. The degree of disturbance or annoyance of an intruding noise depends on various factors including the magnitude and nature of the intruding noise, the magnitude of the background or pre-development ambient sound present without the intruding noise, and the nature of the activity of people in the area where the noise is heard. Noise and sound references within this *Operating Noise Impact Assessment* may be used interchangeably.

The magnitude, or loudness, of sound waves (pressure oscillations) is described quantitatively by the terms sound pressure level, sound level, or simply noise level. Sound waves contain energy in the form of pressure and are measured along a logarithmic scale in units called decibels (dB). Decibels are used to quantify sound pressure levels just as degrees are used to quantify temperature and inches are used to quantify distance. The faintest sound level that can be heard by a young healthy ear is about zero (0) dB, a moderate sound level is about 50 dB, and a loud sound level is about 100 dB. Various common outdoor sound levels are listed below (Table 1).

To evaluate noise impacts and report time-varying sound levels it is common practice to measure the equivalent steady-state sound level (Leq). The equivalent steady-state sound level is the level of a steady-state sound that has the same total (equivalent) energy as the time-varying sound of interest, taken over a specified time period. Thus, the equivalent steady-state sound level is a single-valued level that expresses the time-averaged total energy of the sound energy. It includes both the high sound level single-event ambient sounds and the relatively steady lower sounds. The Leq value provides an indication of the effects of sound on people, and is also useful in establishing the ambient sound levels at a potential noise source.

A sound level meter is used to measure noise and is a standardized instrument. Sound level meters are typically designed and constructed in accordance with the standards established by the American National Standards Institute. Sound can be measured in various “weighting networks” for varying sound frequencies. The A-weighted scale most closely approximates how the human ear responds to sound at various frequencies, and is typically used for community sound level measurements. A noise value of dBA is often used as a unit of measurement that reflects this A-weighted noise level. Important to note is that the A-weighted levels are the accepted method of gauging of what may or what may not be considered an impact to humans by the NYSDEC, the NYSDOT, the Federal Highway Administration, and the USEPA. 6 NYCRR Part 360 requires that the A-weighting scale be used in noise studies. The A-weighted scale has been used in this *Operating Noise Impact Assessment*. The use of the A-weighted scale is also consistent with guidance from the NYSDEC, typical

accepted engineering procedures involving environmental noise studies, and the discussion included above.

Table 1 Common Noise Levels		
Sound Source	dBA	Response Criteria
	150	
Carrier Deck Jet Operation	140	
	130	Painfully Loud Limit Amplified Speech
Jet Takeoff (200 feet) Discotheque Auto Horn (3 feet) Riveting Machine	120	
	110	Maximum Vocal Effort
Jet Takeoff (2000 feet) Shout (0.5 feet)	100	
N.Y. Subway Station Heavy Truck (50 feet)	90	Very Annoying Hearing Damage (8 hours, continuous exposure)
Pneumatic Drill (50 feet)	80	Annoying
Freight Train (50 feet) Freeway Traffic (50 feet)	70	Telephone Use Difficult Intrusive
Air Conditioning Unit (20 feet)	60	
Light Auto Traffic (50 feet)	50	Quiet
Living Room Bedroom	40	
Library Soft Whisper (15 feet)	30	Very Quiet
Broadcasting Studio	20	
	10	Just Audible
	0	Threshold of Hearing

Source: NYSDEC Assessing and Mitigating Noise Impacts (Feb, 2001)

2.1 Multiple Noise Sources

Due to the logarithmic property of noise measurements, the total sound pressure created by multiple sound sources does not create a mathematical additive effect. For instance, two (2) proximal noise sources that are 65 dBA each do not have a combined noise level of 130 dBA. In this case the combined noise level is 68 dBA. A mathematical formula was used in this study to calculate the additive effect.

Where L_T = combined noise level and $L_{1,2,\dots,n}$ = noise level in decibels the formula is:

$$L_T = 10 \cdot \log_{10}(10^{(L_1/10)} + 10^{(L_2/10)} + 10^{(L_3/10)} + 10^{(L_n/10)})$$

The following table provides a simplification of the mathematical equation by reducing the formula to a convenient method of adding decibels. These are to be used as a rule of thumb and will give a reasonable summation of multiple sound sources.

Table 2	
Approximate Addition of Sound Levels	
Difference Between Two Sound Levels	Add to the Higher of the Two Sound Levels
1 dB or less	3 dB
2 to 3 dB	2 dB
4 to 9 dB	1 dB
10 dB or more	0 dB
From NYSDEC Program Policy "Assessing and Mitigating Noise Impacts".	

When the difference between the two (2) sound levels is 0-1 dB, 3 dB is added to the higher of the two (2) sound levels to compensate for the additive effects. For several sources of noise present at the same time, the difference between the two (2) lowest sound pressure levels is calculated, and then that result is added to the next highest source. This process is followed until all the sound levels are accounted for. As an example, if noise sources of 65 dBA, 67 dBA, 72 dBA and 74 dBA were to be added, the resultant sound level would be:

$$65 \text{ dBA} + 67 \text{ dBA} = \Rightarrow \mathbf{69 \text{ dBA}} \quad 69 \text{ dBA} + 72 \text{ dBA} = \Rightarrow \mathbf{74 \text{ dBA}} \quad 74 \text{ dBA} + 74 \text{ dBA} = \mathbf{77 \text{ dBA}}$$

Or;

$$65 + 67 + 72 + 74 = \mathbf{77 \text{ dBA}}$$

2.2 Sound Level Reduction Over Distance

It is important to have an understanding of the way noise decreases with distance. The decrease in sound level from any single noise source normally follows the "inverse square law". That is, the sound pressure changes in inverse proportion to the square of the distance from the sound source. At distances beginning at approximately ten (10) feet from a sound source, every doubling of

the distance produces a six (6) dB reduction in the sound for point sources such as air conditioners, compressors, a rock concert, or a rock crusher. Therefore, a sound level of 70 dBA at 50 feet would have a sound level of approximately 64 dBA at 100 feet. At 200 feet sound from the same source would be perceived as a level of approximately 58 dBA. When dealing with a “line source,” such as moving traffic stream, the sound levels will decrease approximately three (3) dBA over hard surfaces such as water, asphalt, or concrete and between five (5) and six (6) dBA per distance doubled over grass or other soft surfaces. In addition to sound level reduction over distance, other factors such as topography, ground effects, atmospheric conditions, and barriers can have an effect on noise attenuation rates.

3.0 Noise Criteria

The following sections provide a description of the noise criteria that apply to the Proposed Landfill Expansion and those reviewed as part of this *Operating Noise Impact Assessment*. The criteria includes 6 NYCRR Part 360-1.14(p), NYSDEC noise policy and guidance document (Assessing and Mitigating Noise Impacts, 2001) and local Town noise ordinance for the Town of Riga (Noise Law of the Town of Riga, 2009). 6 NYCRR Part 360 has specific noise level limits that apply to 6 NYCRR Part 360 solid waste permitted facilities, while the NYSDEC policy and guidance document on noise establishes noise level thresholds based on land use type/setting and acceptable noise level increases resulting from a proposed action. The Town of Riga noise ordinance is a general nuisance ordinance. There are no specific ordinance provisions that require review for the Proposed Landfill Expansion.

3.1 6 NYCRR Part 360 Regulations

This *Operating Noise Impact Assessment* will generally evaluate the potential noise impact resulting from the Proposed Landfill Expansion. For components that would be regulated by 6 NYCRR Part 360, the significance of the noise generated is assessed by comparison to the noise standards included in those regulations.

6 NYCRR Part 360 regulates noise levels at solid waste management facilities, which would include many features of the Proposed Landfill Expansion. 6 NYCRR Part 360-1.14(p) regulates noise levels resulting from equipment or solid waste management operations at these facilities. Noise generated by facility operations must not exceed the following hourly equivalent steady state sound levels (Leq(h)) at or beyond the property line, at locations zoned or otherwise authorized for residential purposes (with the exception of properties for which a regulatory variance or noise easement have been obtained):

Table 3		
6 NYCRR Part 360 Noise Level Limits		
Setting	7 a.m. – 10 p.m.	10 p.m. – 7 a.m.
Rural	57 dBA	47 dBA
Suburban	62 dBA	52 dBA
Urban	67 dBA	57 dBA

The Permitted Site is located in a rural community, and as such, the rural noise limits contained in 6 NYCRR 360-1.14(p) apply. The regulatory limit for sound from operations during daytime periods is an hourly equivalent Leq sound

level of 57 dBA received beyond the facility property line at rural areas zoned or otherwise available for residential purposes. The limit for operations during nighttime periods between 10:00 p.m. and 7:00 a.m. is an hourly equivalent Leq sound level of 47 dBA beyond the facility property line at rural areas zoned or otherwise available for residential purposes. These are the most conservative (lowest) sound level limits provided in the regulation. The sound level limits are focused on places where people live and do not apply to areas that are not zoned or that are otherwise not available for residential purposes. Normal waste receiving hours for the facility occur on weekdays from 7:00 a.m. to 3:30 p.m. and Saturdays from 7:00 a.m. to 9:30 a.m. (excluding listed holidays); however, the current permitted hours of operation for the Mill Seat Landfill begin at 6:00 a.m.¹ Hours of operation for the Proposed Landfill Expansion upon which this review is based are not proposed to change. Prior to 7:00 a.m., only basic maintenance activities, such as daily equipment preparation and removal of daily cover from the working face with a bulldozer, are performed.

The regulation also provides that if the background residual sound level (excluding any contributions from the solid waste management facility) exceeds these sound level limits, the facility must not produce an Leq sound level exceeding that background level. With that in mind, utilizing the principal of sound addition, the total sound level from the facility generated sound and the background sound at a background location is allowed by regulation to be up to three (3) dBA greater than the background level. It should be noted that sound addition is logarithmic (i.e., cannot be simply added together), which means that two (2) individual sound sources with the same sound level when combined together will result in a combined sound level that is three (3) dBA higher than the individual sound levels. It should be further noted that increases in sound levels of between zero (0) and three (3) dBA have no appreciable effect on receptors (NYSDEC, 2001).

3.2 SEQRA Assessment

In addition to comparing noise levels to the 6 NYCRR Part 360 sound level limits, the Proposed Landfill Expansion was also evaluated for potential impacts pursuant to criteria developed by NYSDEC for purposes of environmental impact reviews under SEQRA. The NYSDEC policy document, *Assessing and Mitigating Noise Impacts* (NYSDEC, 2001), provides guidance for noise impact assessments.

¹ The LFGTE Facility located on the Permitted Site typically operates 24/7. Environmental impact reviews of this facility have been initiated and completed separately from the Proposed Landfill Expansion. As no changes to this facility are being proposed as part of the Proposed Action, the review of LFGTE Facility noise has not been included in this assessment.

The NYSDEC policy includes the following thresholds for significant sound pressure level increase (SPL):

“The goal for any permitted operation should be to minimize increases in sound pressure level above ambient levels at the chosen point of sound reception. Increases ranging from 0-3 dB should have no appreciable effect on receptors. Increases from 3-6 dB may have potential for adverse noise impact only in cases where the most sensitive of receptors are present. Sound pressure increases of more than 6 dB may require a closer analysis of impact potential depending on existing SPLs and the character of surrounding land use and receptors. SPL increases approaching 10 dB result in a perceived doubling of SPL. The perceived doubling of the SPL results from the fact that SPLs are measured on a logarithmic scale. An increase of 10 dB(A) deserves consideration of avoidance and mitigation measures in most cases. The above thresholds as indicators of impact potential should be viewed as guidelines subject to adjustment as appropriate for the specific circumstances one encounters.”

The NYSDEC policy further states: “In non-industrial settings the SPL should probably not exceed ambient noise by more than six (6) dB(A) at the receptor. An increase of six (6) dB(A) may cause complaints. There may be occasions where an increase in SPLs of greater than six (6) dB(A) might be acceptable. The addition of any noise source, in a nonindustrial setting, should not raise the ambient noise level above a maximum of 65 dB(A). This would be considered the “upper end” limit since 65 dB(A) allows for undisturbed speech at a distance of approximately three (3) feet.”

4.0 Existing Community Background Sound Levels

The Mill Seat Landfill is located east of Interstate 490 (I-490), south of Route 33A and west of Johnson Road in the Town of Riga, Monroe County, New York (see Figure 1). The Mill Seat Landfill consists of one (1) active disposal area, a maintenance facility, weigh scales, landfill gas collection systems, leachate collection and storage facilities, an office building for landfill personnel, and a LFGTE Facility.

The Proposed Footprint comprises approximately 118.3 acres of existing agricultural land located directly to the south of the Mill Seat Landfill. Portions of this area have previously been permitted for soil borrow activities associated with landfill operation.

Land uses adjacent to the Permitted Site include agricultural fields, residential and vacant lots, and a recreational area. The Permitted Site is surrounded by, but not included in, the South Western Agricultural District as designated by the Monroe County Department of Planning. The Permitted Site is, however, zoned RA, or rural/agricultural, by the Town of Riga. Surrounding parcels are also zoned RA, with the exception of some northern adjacent parcels which are zoned GI, or general industrial.

In order to assess existing community background sound levels, acoustical measurements were made with calibrated sound level meters at six (6) locations surrounding the Permitted Site. The locations where the measurements were made are shown on Figure 1. These locations (P-1 through P-6) correspond to the noise monitoring locations that are monitored quarterly in accordance with the Mill Seat Landfill's *Environmental Monitoring Plan*, and provide a representation of sound levels around the Permitted Site near offsite properties.

The measurements were made on November 15, 2013 during landfill operation in order to characterize the existing community background sound levels. Calibrated Quest SoundPro DL Type 1 Sound Level Meters, herein referred to as "meters", were used to measure and record sound levels at each monitoring location. Prior to initiating sound level measurements, field measurements of temperature and wind speed were taken to verify that weather conditions were within the operating parameters recommended by the manufacturer of the noise meter. The conditions were partly cloudy, west/southwest winds and temperatures ranging from 40 to 50 degrees Fahrenheit; all within manufacturer operating parameters. Each meter was calibrated before and after every sound level reading with a Quest QC-10 Calibrator. Following calibration, each meter was set up on a tripod at a height of approximately five (5) feet above the ground and set to record at an A-weighting and slow response settings (6 NYCRR Part 360 required settings). The equivalent steady state sound levels (Leq) were recorded by the meters to obtain background, or ambient, sound levels. Throughout the sampling period, observations regarding specific sources of noise that

contributed to overall background noise levels were recorded. Table 4 summarizes the average background sound level for each monitoring location at the site. This information is also provided on Figure 1.

Table 4 Community Background Hourly Leq			
Background Measurement Location	Monitoring Period	Hourly Equivalent Sound Level (dBA)	Primary Source(s) of Noise
P-1	12:28 – 13:39	55	LFGTE noise, truck traffic entering site, highway noise audible
P-2	11:12 – 12:49	43	Distant train noise, backup alarms from landfill, highway noise, birds
P-3	9:28 – 10:33	50	Highway noise, birds, hunter gunfire
P-4	10:24 – 11:31	53	Highway noise, birds, local traffic
P-5	13:04 – 14:34	50	Highway noise, birds
P-6	12:10 – 13:26	52	Highway noise, backup alarm from landfill, birds

The duration of monitoring varied from approximately one (1) to one and a half (1 ½) hours, providing representative hourly Leq values (Leq (1hr)) for the locations surrounding the Permitted Site. The community sound levels ranged from a low of 43 dBA at location P-2 located east of the landfill along O'Brien Road, to a high of 55 dBA at location P-1 located at the entrance to the Permitted Site. The primary contributor of ambient sound levels at the monitored locations was traffic noise from adjacent roadways; I-490 traffic noise was audible at several locations. All background levels monitored were less than the 57 dBA Part 360 compliance limit.

5.0 Source Sound Levels from Landfill Operations

The predominant source of noise at the Permitted Site is generated by working face operations. Working face operations include waste vehicles entering the active waste disposal area, dumping waste, heavy equipment pushing and compacting the waste, and trucks exiting the area. Working face activities are often shielded from direct line of site to offsite receptors by waste berms, soil stockpiles, and surrounding topography, all of which reduce offsite noise impacts.

Waste placement activities at the working face do not commence until 7:00 a.m. The predominant source of noise at the Permitted Site prior to 7:00 a.m. is generated by the removal of daily cover from the previous day's operation in order to accommodate waste placement, as well as the operation of the LFGTE Facility and /or flares. A separate analysis for pre-waste placement operations prior to 7:00 a.m. is included in Section 8.0. In addition, a separate analysis for operation of LFG flares has been included in Section 9.0.

Noise impacts from the operation of the LFGTE Facility have previously been reviewed under separate actions, and will not change as part of this Proposed Action. As such, the LFGTE Facility noise was determined to be existing, not changed by the Proposed Action; therefore, does not require further evaluation.

In addition, noise generated from soil borrow area activities has also previously been reviewed under separate actions, and will not change as part of this Proposed Action. The location of the soil borrow area operations will primarily be within the Proposed Footprint. Based on a review of the previous soil borrow area noise impact assessment, noise levels generated from the soil borrow area are more than ten (10) dBA less than noise levels generated from working face operations. Therefore, utilizing the working face noise levels in this *Operating Noise Impact Assessment* is appropriate to assess "worst case" offsite impacts as there will be no additive effects of these two (2) operations based on this ten (10) dBA difference in operating sound levels. It should be noted that soil hauling activities at the working face were ongoing during the landfill working face monitoring event, further described in Section 4.1, and are therefore incorporated into this assessment.

5.1 Working Face Operations

Acoustical measurements were made at three (3) locations on the existing active working face of the Mill Seat Landfill. The measurement locations were selected to provide a safe vantage point and clear view of the equipment operating at the active working face, as well as of the waste vehicles entering, unloading at, and leaving the active working face area. The measurements were collected on-site on November 15, 2013, throughout the daily operational hours

of the Mill Seat Landfill (previously identified in Section 3.1). The locations where the measurements were taken are shown on the Figure 1 aerial photograph. Actual sound level measurement data is included in Appendix A.

During typical landfilling operations, two (2) compactors and two (2) bulldozers operate at the working face. The landfill working face equipment in operation during the measurement period included the following:

- One (1) Caterpillar 836H Compactor
- One (1) Caterpillar 836G Compactor
- One (1) Caterpillar D8T Bulldozer
- One (1) Caterpillar D6R Bulldozer

In addition to the working face waste moving and compaction equipment, a Caterpillar 345BL excavator was loading stockpiled soil into a Caterpillar 2400E soil haul truck at the working face, and the haul truck was transporting the soil to the bottom of the working face for daily cover. Further, there was significant audible noise from birds (gulls) on the landfill working face and near the sound level meters.

Data obtained from the noise monitoring event was reviewed for the peak hour Leq for that day. The results of the sound level readings are summarized in Table 5, below.

Landfill Working Face Measurement Location	Distance to Working Face Operations ¹ (Feet)	Monitoring Period	Sound Level Range (dBA)	Peak Hourly Equivalent Sound Level (dBA)	Primary Source(s) of Noise
WF-1	215	10:05 - 14:03	70 - 73	73	Compactor, soil haul truck and waste trucks
WF-2	345	10:34 - 13:59	66 - 70	70	Compactor, soil haul truck and waste trucks
WF-3	185	10:18 - 14:14	68 - 73	73	Compactor, soil haul truck and waste trucks
Note: ¹ Distance to center of working face operations					

As taking long-term readings on an operational landfill is unsafe and impractical, meters were set up at a safe setback from operations, and the distance from the meter to the center of working face operations was measured. Working face equipment is not anticipated to change as part of the Proposed Action, and therefore provides representative noise levels for the operation of the Proposed Landfill Expansion. The readings were normalized to the sound level at 50 feet from equipment to determine compliance with 6 NYCRR Part 360-1.14(p). The normalized working face readings were determined to exceed the 80 dBA limit at 50 feet for operating equipment. Since these are representative of current operating conditions and are not proposed to change, a variance from 6 NYCRR Part 360-1.14(p) is being pursued. The variance application is included as Appendix B to this Attachment.

6.0 Proposed Landfill Expansion Noise Impact Assessment

The predictions utilized in this impact assessment use the hourly Leq levels that are based upon peak periods of landfill operations at locations closest to nearby sensitive receptors (i.e., from the limits of waste). Actual landfill operations are anticipated to generate lower sound levels than those calculated, as well as will generally be further away from sensitive receptors throughout the course of operations, creating further noise attenuation and reducing sound levels experienced at sensitive receptor locations.

Off-site noise impacts were evaluated in accordance with the procedure identified in NYSDEC's noise program policy document (NYSDEC, 2001), which consists of three (3) levels of impact evaluation. The first, or initial evaluation, is generally a conservative method of determining impacts, and consists of using data obtained during a noise study and projecting the data offsite using the inverse square law (distance doubling) method as described previously in Section 2.2. When this evaluation indicates that noise levels from the project will not exceed any noise standards and will not be a significant increase to receptors (offsite residential properties/neighbors), no further analysis is necessary. If impacts are predicted in the first level, the second level consists of a refinement of the noise impact potential by factoring in any additional noise attenuation that will be provided by existing natural topography, fabricated structures, or additional applicable attenuation factors. If, after taking into account these additional attenuating features the potential still exists for adverse noise impact, other types of noise analyses or modeling should be used to characterize noise. The third level includes an analysis of mitigation measures to avoid, or diminish significant noise effects to acceptable levels.

6.1 Initial Assessment

For the initial assessment, noise was projected to the Proposed Site property lines and nearby receptor locations using the inverse square law (distance doubling) calculation. The inverse square law predicts that sound levels decrease at an incremental rate with the increase in distance from a noise source. Landfill working face operations are defined as point sources for noise attenuation assessment. This attenuation is also described in ISO Standard 9613-2, Acoustics of Sound During Propagation Outdoors – Part 2: General Method of Calculation. The equation for calculating distance attenuation for point sources is:

$$r_2 = r_1 \times 10^{((L_1 - L_2)/20)}$$

Where:

r_2 = Distance required to achieve L_2 sound level (feet)

r_1 = Reference distance from source sound (feet)

L_1 = Source sound level (dBA) at distance r_1

L_2 = Sound level at input distance r_2 (dBA) (57 dBA for 6 NYCRR Part 360 compliance)

Since working face waste disposal operations are not fixed in a single position, worst case operating scenarios were used to estimate peak sound levels off site. The worst case operating scenario for off-site noise propagation estimates are the locations where operations are closest to these off-site receptors. In order to estimate worst case noise levels at each offsite location identified for evaluation, the outer limits of waste disposal were used as the locations for these projections (see Figure 2 for Proposed Footprint limits).

The noise level obtained from the three (3) monitoring locations at the working face were analyzed to determine the peak $Leq(1hr)$ measured during the monitoring event. As the meters were setup at varying distances from the center of working face operations, each source sound level (L_1) and corresponding reference distance (r_1) were analyzed utilizing the distance attenuation equation to determine the “buffer distance” required to attenuate noise levels to less than 57 dBA (the 6 NYCRR Part 360 compliance limit). Table 6 below summarizes the results of this analysis:

Table 6				
Initial Assessment – 6 NYCRR Part 360 Compliance				
Landfill Working Face Measurement Location	Distance to Working Face Operations (r_1) (Feet)	Peak Hourly Equivalent Sound Level (L_1) (dBA)	Part 360 Compliance Limit at Receptor Distance (L_2)	“Buffer Distance” for Initial Compliance Assessment (r_2) (Feet)
WF-1	215	73	57	1,357
WF-2	345	70	57	1,541
WF-3	185	73	57	1,167

Based on this initial assessment, data obtained from measurement location WF-2 results in the longest “buffer distance” to attenuate working face noise levels to less than the 6 NYCRR Part 360 compliance level of 57 dBA. This data was therefore used as the source noise level for working face

operations for the offsite projections in order to predict a “worst case” noise level based on this measurement data. The nearest Proposed Site property line is approximately 880 feet from the Proposed Footprint western limits.

There are also several properties located outside the Permitted Site that are owned by the County or WMNY. These properties are classified as being contiguous with the Permitted Site for the purpose of this assessment. One (1) WMNY-owned property, 850 Bovee Road, will be transferred to the County as part of the Proposed Action and a portion of the Proposed Footprint constructed over it. Noise easements for other adjacent properties owned by WMNY have been executed between the County and WMNY, and are included in Appendix D.

6.2 Refined Assessment

In accordance with the NYSDEC program policy document, the analysis was refined for select property line locations where the initial assessment indicated potential impacts. The locations for the refined assessment were identified by one of two (2) categories: the first were property line locations where the initial assessment resulted in an exceedance of 57 dBA (denoted as PL1 – PL5 on Figure 2). The second were nearby offsite residential use receptor locations (denoted as R1 – R4 on Figure 2). Additional attenuation factors were reviewed as part of the refined assessment including attenuation that is provided by the atmosphere (A_{atm}), vegetation (A_{veg}), and ground effects (A_{gr}).

Atmospheric attenuation was calculated using ISO 9613-2, Section 7.2, equation (8). Atmospheric attenuation, which is the absorption of sound in the atmosphere, is a function of temperature, relative humidity, frequency, and distance. For A-weighted sound levels from sources, an atmospheric attenuation coefficient of 0.0007 dBA/ft. was utilized in the calculations (Source: ISO Standard 9613-2, Table 2).

Dense vegetation provides additional attenuation depending on site specific conditions. Dense vegetation at a depth of greater than 100' between a receptor and sound source is considered to reduce sound levels by three (3) to seven (7) dBA. There is approximately 1,200 feet of dense vegetation present between receptor R1 and the Proposed Site; therefore, as a conservative assumption an additional vegetation attenuation factor of five (5) dBA was applied.

Ground effects attenuation was calculated using the ISO 9613-2, Section 7.3, equation (10). Ground effects attenuation, which is the result of sound reflected by the ground surface interfering with the sound propagating directly from source to receiver, is a function of ground type, ground profile and distance from source to receptor. The ground type between the Proposed Footprint and offsite receptors generally is defined by open grass and agricultural fields, and wooded areas. Inputs to the calculation include the direct line distance from the source (at a height of ten (10) feet aboveground) to receiver (at a height of five (5) feet above ground), as well as the area between this line and the ground profile. Data from cross sectional profiles of the locations between the landfill and receptors were used to calculate the site specific ground attenuation in accordance with ISO 9613-2. Cross sections were analyzed in three (3) different stages: from the landfill limits (Stage 1), the midpoint on the landfill (Stage 2), as well as the high point of the landfill (Stage 3). Results obtained from the cross sections were input into the ISO equation (10).

The refined assessment calculations are provided in Appendix C. Upon review, it was determined that although there were locations from the Stage 2 and 3 analysis where the attenuation due to ground effects was slightly less than Stage 1; the locations at Stage 2 and 3 were further away than the Stage 1 analysis, which resulted in greater distance attenuation and a lower sound level at the receptors. As such, Stage 1 analysis was utilized to estimate worst case offsite impacts. There were several cross sectional profiles that showed topographic barriers breaking the line of sight between the sound source and the offsite receptor location. For these locations, the conservative barrier line of sight attenuation of five (5) dBA was used as the ground effects attenuation factor.

7.0 Noise Assessment Results

7.1 6 NYCRR Part 360 Compliance

The refined noise assessment calculations to determine 6 NYCRR Part 360 compliance at the Proposed Site property lines is presented in Appendix C. Based on the refined assessment calculations, all but two (2) locations were projected to be in compliance with the 6 NYCRR Part 360 regulatory limit of 57 dBA. The projected maximum Leq(1hr) at the southeastern property line (PL2) is 58dBA and the projected maximum Leq(1hr) at the southwestern property line (PL4) is 59.0 dBA. The remaining locations are all less than the 57 dBA limit of 6 NYCRR Part 360-1.14(p).

It should be noted that locations PL2 and PL4 are on the property line closest to landfill operations for properties in which easements were obtained. A second analysis point (PL2A) was analyzed on the northwest corner of parcel 183.01-1-29 to verify compliance with 6 NYCRR Part 360 regulations. This location represents the property line closest to the landfill in this area that is not subject to a noise easement. The analysis at this location showed a projected maximum Leq(1hr) of 56 dBA, which is in compliance with applicable regulations. The analysis location (PL4) to the southwest of the landfill is located on the northeast corner of a parcel 182.02-1-1.1, which is subject to a noise variance. This property sits adjacent to the north and southbound lanes of Interstate 490 which is separated by a median which is not zoned for residential use. The closest parcel zoned for residential use not subject to a noise easement lies in this direction is on the west side of Interstate 490 which is well beyond the 1,541 foot compliance distance that was calculated as part of the initial assessment outlined in Table 6.

There are three (3) additional properties that are not currently owned by the County and have the potential to experience noise levels greater than 57 dBA. One (1) property is owned by the Town of Riga located at the intersection of Bovee and Brew Road. This property will be transferred to the County and therefore no noise easement is necessary. This property is currently vacant. The other two (2) properties (650 Bovee Road and 824 Brew Road) are currently owned by WMNY. Noise easements for these two (2) properties have been executed between the County and WMNY.

The locations of the off-site noise easement properties are identified on Figure 2 and copies of the noise easements are provided in Appendix D. The 6 NYCRR Part 360 property line compliance results are summarized in Table 7.

Table 7				
Refined Assessment – 6 NYCRR Part 360 Compliance Results				
Property Line ID	Location Description	Leq at Property Line (dBA)	Part 360 Compliance Limit	Comments
PL1	Eastern landfill property line	54	57	In compliance with the 6 NYCRR Part 360 regulatory limit of 57 dBA
PL2	Northwest Corner of Parcel 183.01-1-19	59	57	Obtained Noise Easement
PL2A	Northwest Corner of Parcel 183.01-1-29	56	57	In compliance with the 6 NYCRR Part 360 regulatory limit of 57 dBA
PL3	Southeast Corner of Parcel 182.02-1-1.1	52	57	In compliance with the 6 NYCRR Part 360 regulatory limit of 57 dBA
PL4	Northeast Corner of Parcel 182.02-1-1.1	59	57	Obtained Noise Easement
PL5	Northeast Corner of Parcel 183.01-1-12.2	55	57	In compliance with the 6 NYCRR Part 360 regulatory limit of 57 dBA

7.2 SEQR Receptor Impact Assessment

The receptor impact assessment is presented in Appendix C. The following list of criteria from the NYSDEC Program Policy was used for the assessment of offsite noise impacts:

- The goal for any permitted operation should be to minimize increases in sound pressure level above ambient levels at the chosen point of sound reception. Increases ranging from zero (0) to three (3) dB should have no appreciable effect on receptors. Increases from three (3) to six (6) dB may have potential for adverse noise impact only in cases where the most sensitive of receptors are present. Sound pressure increases of more than six (6) dB may require a closer analysis of impact potential

depending on existing SPLs [sound pressure levels] and the character of surrounding land use and receptors.

- The addition of any noise source, in a non-industrial setting, should not raise the ambient noise level above a maximum of 65 dBA.
- In non-industrial settings, “the sound level should probably not exceed ambient noise by more than six (6) dBA at the receptor”.
- The human reaction to increases in sound pressure level for an increase less than five (5) dB is classified as unnoticed to tolerable.
- An increase of ten (10) dBA deserves consideration of avoidance and mitigation measures in most cases.

Measured background sound levels in the area of the receptor were utilized to assess impacts from landfill operations. Table 8 summarizes the predicted maximum changes in sound levels experienced at these receptor locations.

Table 8					
Predicted Maximum Changes in Background Sound Levels at Receptors					
Receptor Location ID	Location Description	Background Sound Level (dBA) ¹	Predicted Landfill Noise at Receptor (dBA)	Predicted Total Noise Level at Receptor (dBA)	Predicted Change in Noise Level at Receptor
R1	Residential receptor along Obrien Road	43	46	48	5
R2	Residential receptor along Bovee Road	50	54	55	5
R3	Residential receptor along Edgewood Lane	50	50	53	3
R4	Residential receptor along Bovee Road	53	57	58	5
Note:					
¹ Background sound levels from monitored locations near receptor (R1 & P-2, R2 & P-3, R3 & P-3, R-4 & P-4)					

The predicted increase in the sound level at all receptor locations is between zero (0) to five (5) dBA. The NYSDEC program policy states that receptor sound level increases of up to 6 dBA “may have potential for adverse noise impact only in cases where the most sensitive of receptors are present.” Further, sound level increases of under 5 dB result in a human reaction of unnoticed to tolerable. Predicted sound levels at all off-site receptors are less than 65 dBA, which is described by NYSDEC as a maximum threshold for increases of the ambient noise level. It should further be noted that these sound level increases will be experienced during the operating scenario included in this analysis, which consists of the landfill operating closest to the offsite receptor, with the loudest side of landfill operations directed towards the receptor, and during the loudest hour of daily activity, which represents a conservative estimate of sound levels at the receptor. In addition, the potential increase in ambient sound level is less than ten (10) dBA, so the Proposed Landfill Expansion does not require further consideration of avoidance or mitigation measures per NYSDEC guidelines. For these reasons, the Proposed Landfill Expansion will not be the cause of a significant increase in noise levels or be an impact in and adjacent to the Proposed Site.

It is important to note these increases are considered maximum predicted increases caused by the Proposed Landfill Expansion. Most often, operations will occur further from residential neighbors, and operational sound levels are typically expected to be less than the conservative peak estimates discussed herein. Also, operations will typically be conducted in areas where physical barriers (soil berms, soil stock piles, or waste lifts) will be present between the operations and the adjacent properties, providing additional sound attenuation of operation sources.

8.0 Pre-Waste Placement Analysis

Waste placement activities at the working face do not commence until 7:00 a.m. The predominant source of noise at the Permitted Site prior to 7:00 a.m. is generated by the removal of daily cover from the previous day's operation in order to accommodate waste placement, as well as the LFGTE Facility. Activities at the working face are often shielded from direct line of site to offsite receptors by waste berms, soil stockpiles, and surrounding topography, all of which reduce offsite noise impacts. As noted in Section 5.0, the LFGTE Facility noise was determined to be existing and does not require further evaluation under pre-waste placement operating conditions.

8.1 Pre-Waste Placement Working Face Operations

Acoustical measurements were made at one (1) location on the existing active working face of the Mill Seat Landfill prior to 7 a.m. The measurement location was selected to provide a safe vantage point and clear view of the equipment removing the daily cover from the previous day operations. The measurements were collected on-site on May 18, 2015, for the extent that operations occurred prior to 7:00 a.m., from 6:46 to 6:59 a.m. The locations where the measurements were taken are shown on the Figure 1 aerial photograph.

Sound level measurements were obtained utilizing a Quest SoundPro DL Type 1 Sound Level Meter with appropriate windscreen that was used to measure and record sound levels at 250 feet from the working face. Prior to initiating sound level measurements, field measurements of temperature, humidity and wind speed were observed to verify that weather conditions were within the operating parameters recommended by the manufacturer of the noise meter. The conditions were generally clear with no precipitation, and low winds (approximately 3 mph) with temperatures in the mid 60s degrees Fahrenheit. The meter was calibrated before and after the sound monitoring event with a Quest QC-10 Calibrator. Following calibration, the meter was set up on a tripod at a height of approximately five (5) feet above the ground and set to record using A-weighting.

During typical daily cover removal, two (2) bulldozers operate at the working face. The landfill working face equipment in operation during the measurement period included the following:

- One (1) Caterpillar D8T Bulldozer
- One (1) Caterpillar D6R Bulldozer

The noise meter was placed 250 feet from the approximate centroid of the working face where daily cover was being removed. Only one (1) bulldozer was removing daily cover in this area while the second operated further away from the meter and out of the line of sight of the meter due to a stockpile of alternative daily cover. The previous day's cover consisted primarily of autofluff, an alternative daily cover accepted at the Mill Seat Landfill as a BUD material. Removal of the material took approximately 12 minutes with one piece of equipment. There was some audible noise from birds on the landfill and near the sound level meter. The results of the sound level readings are summarized in Table 9, below, and included in Appendix A.

Table 9					
Measured Nighttime Working Face Sound Levels					
Landfill Working Face Measurement Location	Distance to Working Face Operations ¹ (Feet)	Monitoring Period	Sound Level Range (dBA)	Peak Hourly Equivalent Sound Level (dBA)	Primary Source(s) of Noise
WF-4	250	06:46 – 06:59	48 - 71	60	Bulldozer
<u>Note:</u>					
¹ Distance to center of working face operations					

8.2 Initial Assessment

For the initial assessment, noise was projected to the Proposed Site property lines and nearby receptor locations using the inverse square law (distance doubling) calculation, as under daytime operating conditions.

The noise level obtained from the monitoring location at the working face was analyzed to determine the Leq (12 min.) measured during the monitoring event. As a worst case scenario, the operations were assumed to last the entire hour prior to 7:00 a.m., rather than just the 12 minutes that measurements were taken, resulting in an Leq (1 hour) of 60 dBA at 250-feet. The source sound level and corresponding reference distance were analyzed utilizing the distance attenuation equation to determine the "buffer distance" required to attenuate noise levels to less than 47 dBA (the 6 NYCRR Part 360 compliance limit). Table 10 below summarizes the results of this analysis:

Table 10 Initial Assessment – 6 NYCRR Part 360 Compliance				
Landfill Working Face Measurement Location	Distance to Working Face Operations (Feet)	Peak Hourly Equivalent Sound Level (dBA)	Part 360 Compliance Limit at Receptor Distance (dBA)	“Buffer Distance” for Initial Compliance Assessment (Feet)
WF-4	250	60	47	1,117

Based on this initial assessment, data obtained from measurement location results in a “buffer distance” of 1,117 feet to attenuate working face noise levels to less than the 6 NYCRR Part 360 compliance level of 47 dBA. This data was therefore used as the source noise level for working face operations for the offsite projections in order to predict a noise level based on this measurement data.

8.3 Refined Assessment

The analysis was refined for all property lines and receptor locations identified in the daytime analysis as requiring refined assessment. Additional attenuation factors were reviewed as part of the refined assessment including attenuation that is provided by the atmosphere (A_{atm}), vegetation (A_{veg}), and ground effects (A_{gr}) as described in Section 6.2.

The refined assessment calculations are provided in Appendix C. Upon review, it was determined that although there were locations from the Stage 2 and 3 analysis where the attenuation due to ground effects was slightly less than Stage 1, the locations at Stage 2 and 3 were further away than the Stage 1 analysis, which resulted in greater distance attenuation and a lower sound level at the receptors. As such, Stage 1 analysis was utilized to estimate worst case offsite impacts. For cross sectional profiles that showed topographic barriers breaking the line of sight between the sound source and the offsite receptor location, the conservative barrier line of sight attenuation of five (5) dBA was used as the ground effects attenuation factor.

8.4 6 NYCRR Part 360 Compliance

The refined noise assessment calculations to determine 6 NYCRR Part 360 compliance at the Proposed Site property lines is presented in Appendix C. Based on the refined assessment calculations, all locations were projected to be in compliance with the 6 NYCRR Part 360-1.14(p) regulatory limit of 47 dBA.

The locations of the off-site noise easement properties are identified on Figure 2 and copies of the noise easements are provided in Appendix D. The 6 NYCRR Part 360 compliance results are summarized in Table 11.

Table 11 Refined Assessment – 6 NYCRR Part 360 Pre-Waste Placement Compliance Results				
Property Line ID	Location Description	Leq at Property Line (dBA)	Part 360 Compliance Limit (dBA)	Comments
PL1	Eastern Landfill property line	39	47	In compliance with the 6 NYCRR Part 360 regulatory limit of 47 dBA
PL2	Northwest Corner of Parcel 183.01-1-19	44		
PL3	Southeast Corner of Parcel 182.02-1-1.1	37		
PL4	Northeast Corner of Parcel 182.02-1-1.1	44		
R1	Residential receptor along Obrien Road	31		
R2	Residential receptor along Bovee Road	39		
R3	Residential receptor along Edgewood Lane	35		
R4	Residential receptor along Bovee Road	42		

9.0 Flare Analysis

Devices installed to manage LFG are not subject to the requirements for a 6 NYCRR Part 360 “landfill” or “facility”. These features were previously specifically referenced in 6 NYCRR 360-2.21, which was repealed in 2002. As the requirement to subject energy plants or flares to 6 NYCRR Part 360 requirements, including noise, was removed from the regulations, it is not required that these components be assessed for compliance with 6 NYCRR Part 360.

In order to assess the cumulative effects of noise from the Mill Seat Landfill and noise from the flares for evaluation under SEQR, sound level monitoring was conducted at the Mill Seat Landfill on May 18, 2015 to measure sound levels from the operating flare. In order to monitor sound levels expected to be generated by flares, sound level readings were conducted at one (1) of the two (2) flares currently permitted at the Mill Seat Landfill which include a 3,500 cfm enclosed flare and a portable 3,000 cfm open flare used for emergency back-up purposes. The second flare was not operational at the time the measurements were taken. The flare measurement location is shown on Figure 1.

Sound level measurements for the flare were made on the morning of May 18, 2015, between 7:14 a.m. and 7:29 a.m. During the measurements, the 3,500 cfm enclosed flare operated at maximum capacity in order to measure worst case sound levels resulting from the operation of the flare. During the testing at the enclosed flare, trucks (both waste and a water truck) were observed along the nearby access road which adds to the conservatism of the sound measurements for this flare. A water truck was also observed being filled on the opposite side of the blower skid from the meter; however, it was not in the direct line of sight due to vegetation. The emergency back-up flare was not measured, as the LFGTE Facility was also in operation at the time and no additional combustion capacity was necessary. The LFGTE Facility was not audible from the location the measurements were taken.

Sound level measurements were obtained utilizing a Quest SoundPro DL Type 1 Sound Level Meter with appropriate windscreen that was used to measure and record sound levels at 50 feet from the operating flare location. Prior to initiating sound level measurements, field measurements of temperature, humidity and wind speed were observed to verify that weather conditions were within the operating parameters recommended by the manufacturer of the noise meter. The conditions were generally clear with no precipitation, and calm with temperatures in the high 60s degrees Fahrenheit. The meter was calibrated before and after the sound monitoring event with a Quest QC-10 Calibrator. Following calibration, the meter was set up on a tripod at a height of approximately five (5) feet above the ground and set to record using A-weighting.

The equivalent steady state sound levels (Leq) were recorded by the meter to obtain operational sound levels. As the sound from the flare is relatively constant, several minutes of data was adequate to establish a representative one (1) hour Leq for the flare as allowed by 6 NYCRR Part 360.1-14(p). To determine the length of the sampling period, measurement personnel observed the sound level meter display throughout the measurement period and concluded the sampling period once the Leq was no longer displaying significant variability. Throughout the sampling period, observations regarding specific sources of sound that contributed to overall measured sound levels were recorded. The primary source of sound from the flare was the blower assembly on the flare skid.

At a reference distance of 50 feet, the 3,500 scfm enclosed flare had a measured sound level of approximately 63 dBA, Leq. See Appendix A for the sound measurement results.

9.1 Flares at Proposed Site Following Proposed Landfill Expansion

As part of the recently submitted Title V Air Facility Permit Renewal and Modification, the emergency backup open flare currently permitted at the Mill Seat Landfill is set to be replaced with an enclosed flare of approximately 2,710 scfm. As the primary source of sound observed at the flare station was the blower skid, and the enclosure of the combustion zone reduces flame sounds levels, the measured source sound from the 3,500 scfm enclosed flare will be used to conservatively project the future noise from the 2,710 scfm enclosed flare. The new flare and blower skid will be located adjacent to the existing flare.

A summary of the flares to be located at the Proposed Site following the Proposed Landfill Expansion and the predicted source sound levels from each based on the measured reference sound levels are provided in Table 12, below.

Table 12 - Summary of Future Flare Predicted Source Sound Levels

Description	Predicted Source Equivalent Sound Level, Leq (dBA)	Distance from Flare (ft)
3,500 scfm Enclosed Flare (Existing)	63	50
2,710 scfm Enclosed Flare (Proposed, source sound modeled from existing flare)	63	50

9.2 SEQR Compliance for Combined Landfill and Flare Noise

Based on the predicted source sound levels shown in Table 12, above, projections were made for worst-case Leq sound levels that the flares may cause at neighboring receptors. The computations used a worst-case assumption of 6 dBA per distance doubling due to geometric divergence, and no other attenuation due to ground effects, shielding, atmospheric absorption, weather conditions, or any other factors. The analysis also used a combined source sound level of 66 dBA, as if both flares were operating simultaneously at the same location. Therefore, the projected noise calculations are conservative and the actual noise levels are expected to be lower than those included in this analysis given additional possible attenuation factors that may apply, but have not been utilized in this sound evaluation.

Table 13, below, provides the results of the future projected noise computations from each flare location to the nearest receptors discussed in earlier Sections of this report outside of the Proposed Site, including property subject to noise easements (regulatory property line limit from 6 NYCRR Part 360-1.14(p)). The values also include the projected operational landfill noise at these locations. Therefore, this assessment is further conservative as the combined estimated noise values may be lower than those described below.

Table 13 Flare Sound Levels Projected in Community Locations						
Recept or Locati on ID	Location Description	Background Sound Level (dBA)¹	Predicted Landfill Noise at Receptor (dBA)	Predicted Flare Noise at Receptor (dBA)	Predicted Total Noise Level at Receptor (dBA)	Predicted Change in Noise Level at Receptor
R1	Residential receptor along Obrien Road	43	46	28	48	5
R2	Residential receptor along Bovee Road	50	54	25	55	5
R3	Residential receptor along Edgewood Lane	50	50	25	53	3
R4	Residential receptor along Bovee Road	53	57	26	58	5
Note: ¹ Background sound levels from monitored locations near receptor (R1 & P-2, R2 & P-3, R3 & P-3, R-4 & P-4)						

This monitoring and assessment of flare sound levels for the Proposed Landfill Expansion indicates that the predicted flare operation noise levels do not contribute to an increase in sound level greater than 5 dBA at any sensitive receptors and will therefore not have significant adverse impacts.

10.0 Construction Noise

SEQRA analysis requires consideration of impacts generated by construction activities related to a project. Noise generated from construction activities for the Proposed Landfill Expansion will be unavoidable, but limited in duration. Noise sources associated with construction will primarily consist of heavy construction equipment and vehicles, and associated noise during the construction of landfill Stages and the operation of leachate collection and storage infrastructure. In addition, there will be unavoidable noise associated with the construction of wetland mitigation areas located to the south of Bovee Road. Construction activities to be performed as part of the Proposed Landfill Expansion will be very similar in nature to those activities that are currently being performed at the Mill Seat Landfill, and are expected to use similar types of equipment as are currently used. During landfill construction, equipment and operations are often times shielded by berms and existing landfill topography which reduces off-site noise propagation. During construction activities, care will be taken to limit construction noise to daytime hours. Noise levels will be further reduced by preventing any unnecessary operation of equipment near landfill property lines. To mitigate any resulting noise impact from construction activities, various measures, such as requiring adequate mufflers for heavy equipment as a condition of any construction contracts, will also be used.

11.0 Additional Noise Abatement and Mitigation Measures

In an effort to reduce noise generation and propagation, the Proposed Landfill Expansion will also be designed and operated to minimize potential noise impacts to offsite receptors. Potential mitigation measures that may be utilized include, but are not limited to, the following:

- Effective exhaust mufflers in proper working condition will be maintained on engine-powered equipment, as required by 6 NYCRR Part 360. Mufflers will be examined during routine maintenance inspections and will promptly be replaced when found to be defective.
- Vehicles will drive within site speed limits when entering the Proposed Site, on the Proposed Site, and when leaving the Proposed Site.
- Reviewing sound level limits in the bidding and purchase documents for new mobile equipment, when needed for landfill operations and construction.
- Physical noise barriers such as soil berms may be employed to provide shielding of landfill operating equipment noise to limit offsite noise propagation.
- Landfill operations and waste placement may be staged such that waste lifts provide additional shielding of the landfill working face equipment noise to limit offsite noise propagation.
- Continuation of quarterly noise monitoring to assist in the control of operations to limit noise levels from operations.
- Implementation of alternative “white noise” backup alarms to reduce noise.

Although the previous noise assessments have determined that other WMNY properties, such as 771 Bovee Road and 515 Bovee Road, do not require noise easements, noise easements have been executed between the County and WMNY, and are included in Appendix D.

12.0 Conclusions




Based on the results of this assessment, the Proposed Landfill Expansion is not expected to generate noise levels that would be considered a potential significant adverse environmental impact when compared to the threshold limits contained within the 6 NYCRR Part 360 for solid waste management facilities and the impact levels provided by the NYSDEC noise guidance document. With the incorporation of the noise easements for the properties identified in this report, this assessment shows that the Proposed Landfill Expansion will be able to be operated to fully comply with the noise regulations. The results of this assessment also conclude that the Proposed Landfill Expansion operation will not cause a significant increase in noise levels at offsite sensitive receptor locations adjacent to the Proposed Site. The study assessed component sound levels from the various noise sources generated by the Proposed Landfill Expansion individually and in combination with monitored offsite background sound levels.

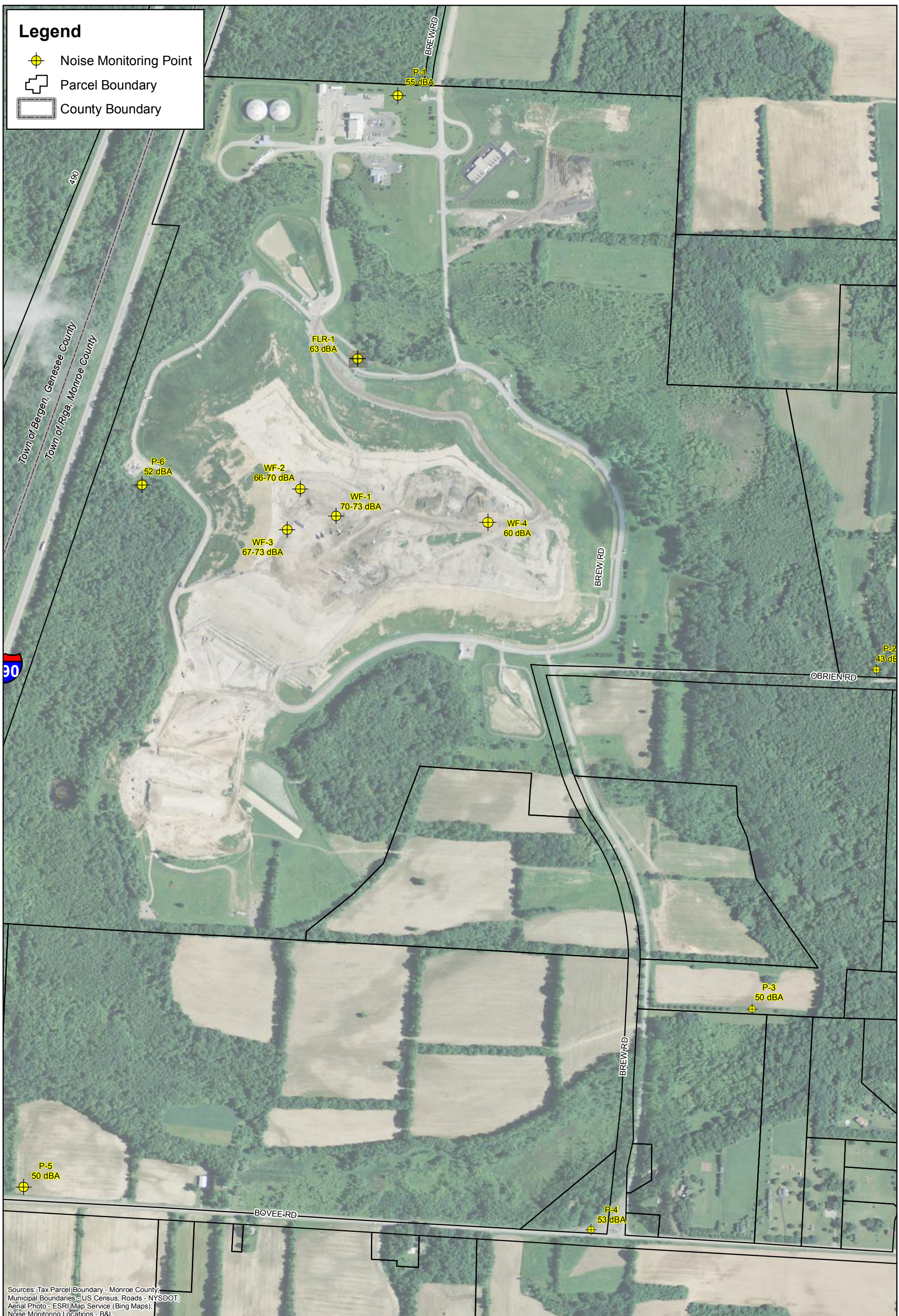
Based on the results of this *Operating Noise Impact Assessment*, the Proposed Landfill Expansion will be capable of operating in compliance with the 6 NYCRR Part 360 noise limits at all required locations and accordingly no significant adverse environmental impact will result.

Figure 1

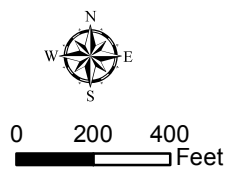
Noise Monitoring Locations

Legend

-  Noise Monitoring Point
-  Parcel Boundary
-  County Boundary



Sources: Tax Parcel Boundary - Monroe County;
 Municipal Boundaries - US Census; Roads - NYSDOT;
 Aerial Photo - ESRI/Map Service (Bing Maps);
 Noise Monitoring Locations - B&L



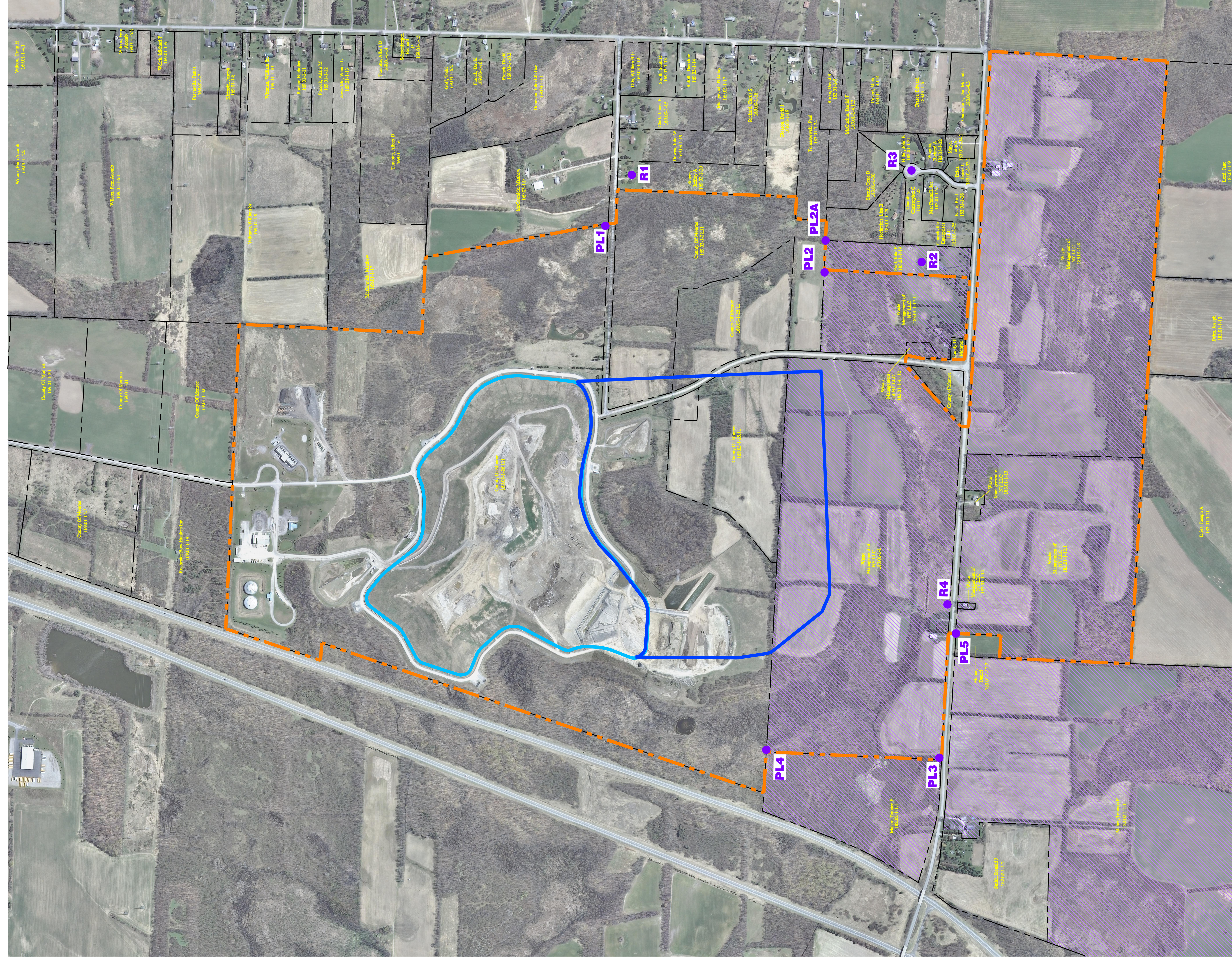
Mill Seat Landfill
Noise Monitoring Locations
 Monroe County New York
 June, 2015

Figure
 1
 Project
 No.
 1242.022

Path: K:\Projects\120112\1242\1242\Noise_Monitoring_FIG 1 - B&L.mxd

Figure 2

Noise Assessment



NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 7209 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction Changes Are Shown

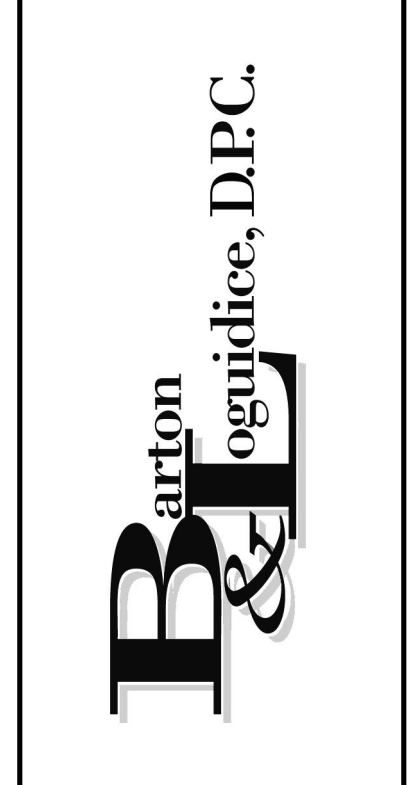
By _____ Date _____
 Ck'd _____ Date _____

REVISIONS

NO.	DATE	DESCRIPTION

WASTE MANAGEMENT OF NEW ENGLAND, LLC
 MILL SEAT LANDFILL
NOISE ASSESSMENT
 MONROE COUNTY, NEW YORK

TOWN OF RIGA



Date
 JUNE, 2015

Scale
 1" = 400'

Sheet Number
 2

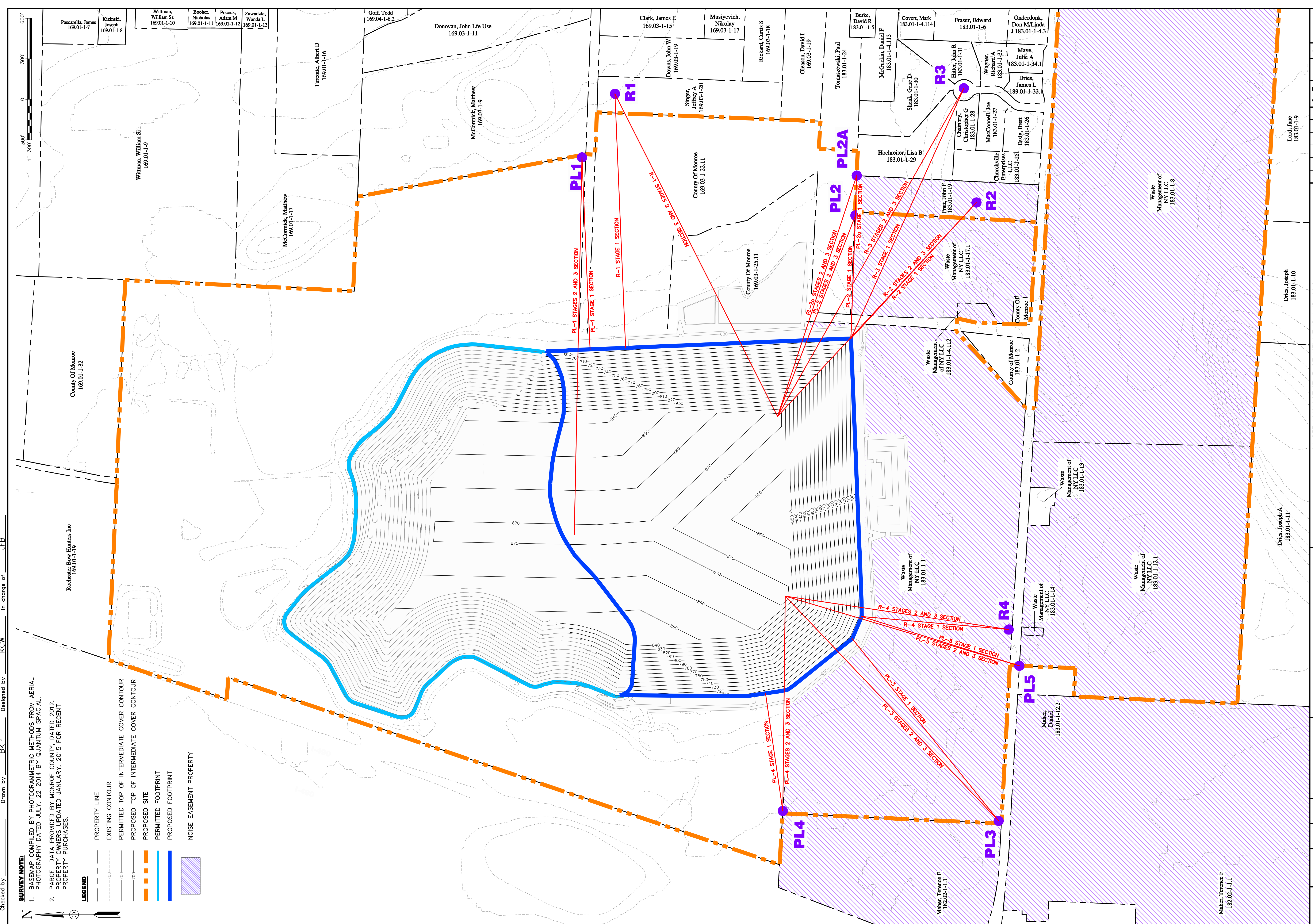
File Number
 1242.022

Figure 3

Noise Section Locations

SURVEY NOTE:
 1. BASEMAP COMPILED BY PHOTOGRAMMETRIC METHODS FROM AERIAL PHOTOGRAPHY DATED JULY, 22 2014 BY QUANTUM SPACIAL.
 2. PARCEL DATA PROVIDED BY MONROE COUNTY, DATED 2012. PROPERTY OWNERS UPDATED JANUARY, 2015 FOR RECENT PROPERTY PURCHASES.

- LEGEND**
- PROPERTY LINE
 - EXISTING CONTOUR
 - PERMITTED TOP OF INTERMEDIATE COVER CONTOUR
 - PROPOSED TOP OF INTERMEDIATE COVER CONTOUR
 - PROPOSED SITE
 - PERMITTED FOOTPRINT
 - PROPOSED FOOTPRINT
 - NOISE EASEMENT PROPERTY



NO ALTERATION PERMITTED HEREON EXCEPT AS PROVIDED UNDER SECTION 729 SUBDIVISION 2 OF THE NEW YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction Changes Are Shown

By _____ Date _____
 Ck'd _____ Date _____

REVISIONS

No.	Description

WASTE MANAGEMENT OF NEW ENGLAND, LLC
 MILL SEAT LANDFILL

NOISE SECTION LOCATIONS

TOWN OF RIGA
 MONROE COUNTY, NEW YORK

Barton & Roguice, D.P.C.

Date
 JUNE, 2015

Scale
 1" = 300'

Sheet Number
3

File Number
 1242.022

Figure 4

Noise Sections (1 of 4)

NO ALTERATION PERMITTED
HEREON EXCEPT AS PROVIDED
UNDER SECTION 7209
SUBDIVISION 2 OF THE NEW
YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction
Changes Are Shown

By _____ Date _____
Ck'd _____ Date _____

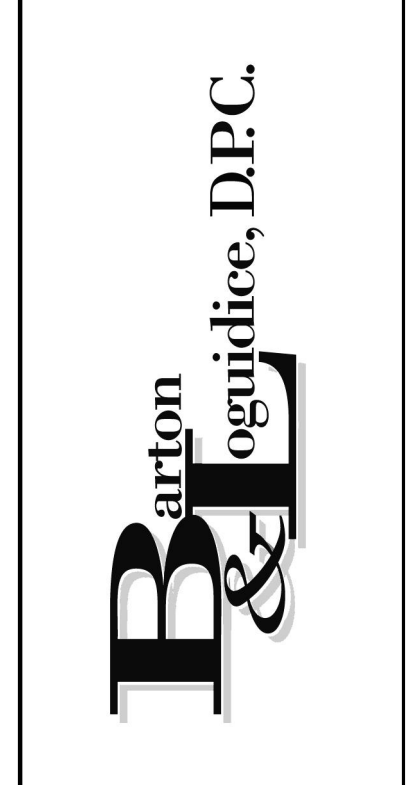
REVISIONS

WASTE MANAGEMENT OF NEW ENGLAND, LLC
MILL SEAT LANDFILL

NOISE SECTIONS
(1 OF 4)

MONROE COUNTY, NEW YORK

TOWN OF RIGA

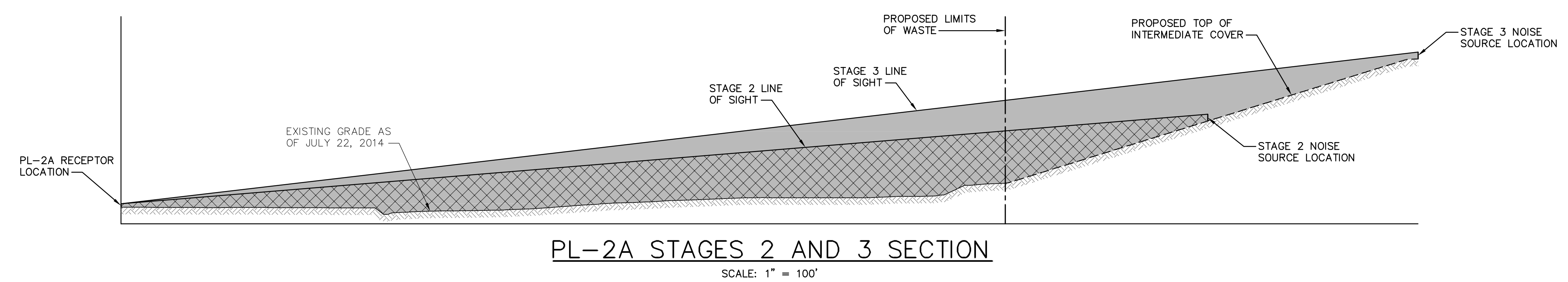
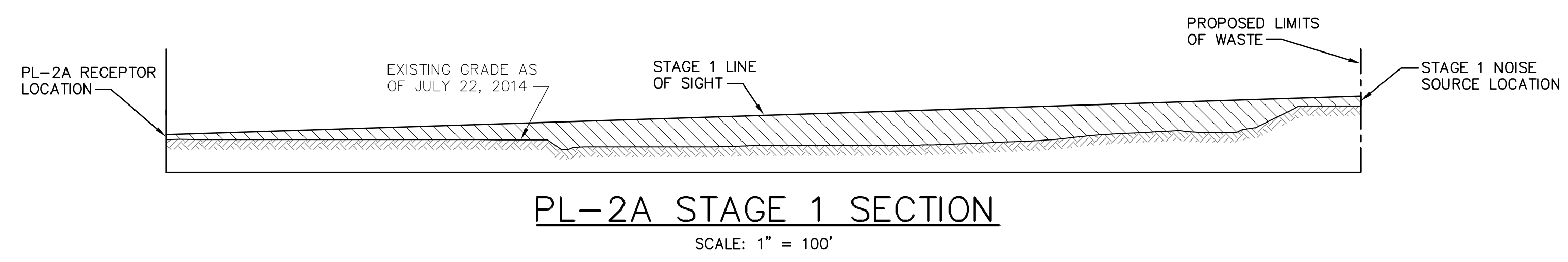
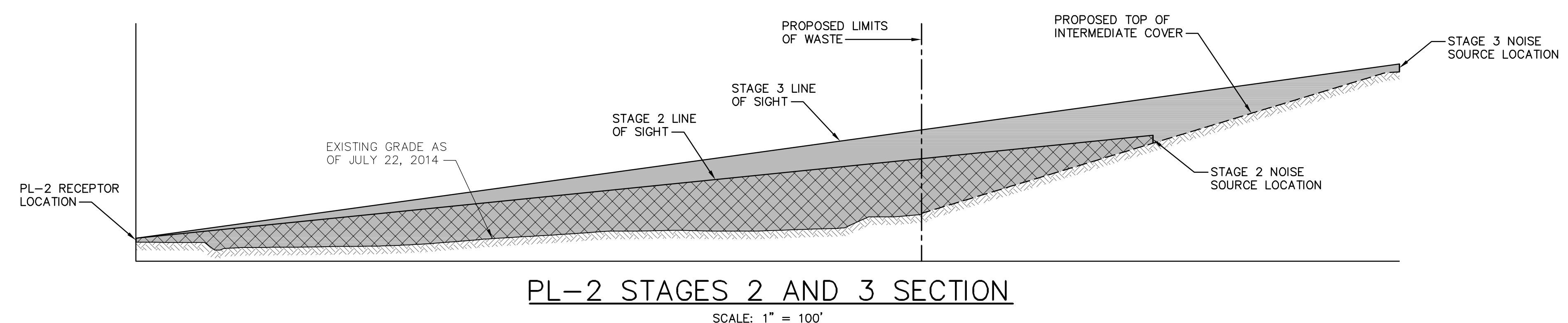
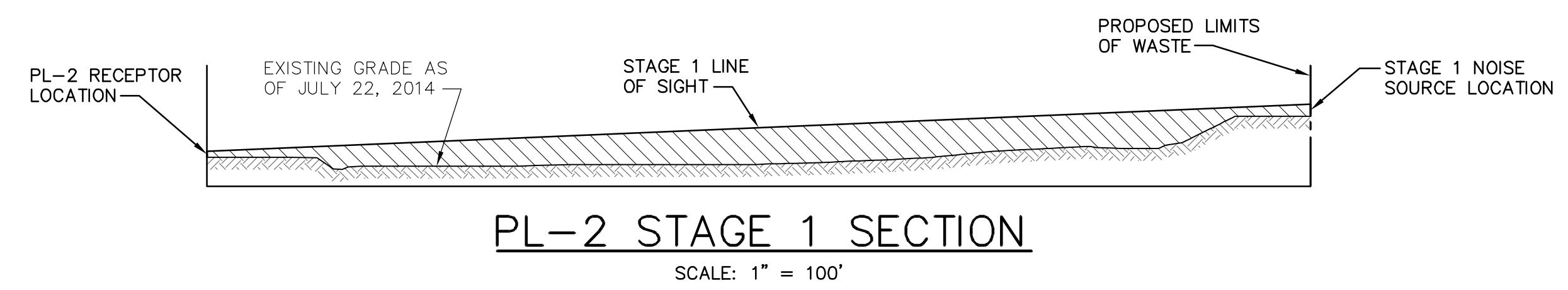
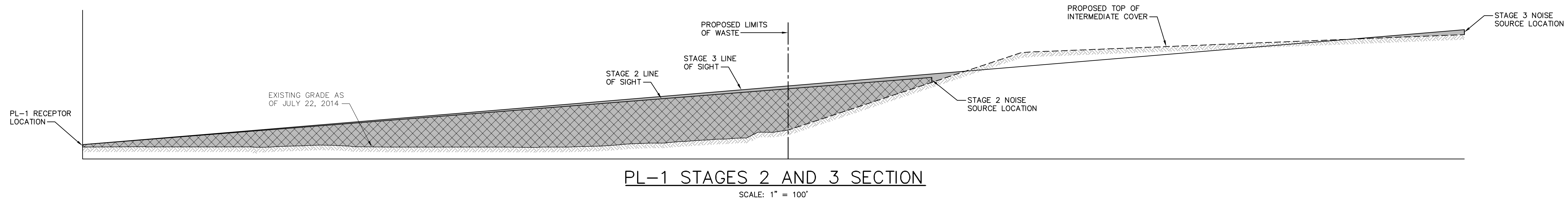
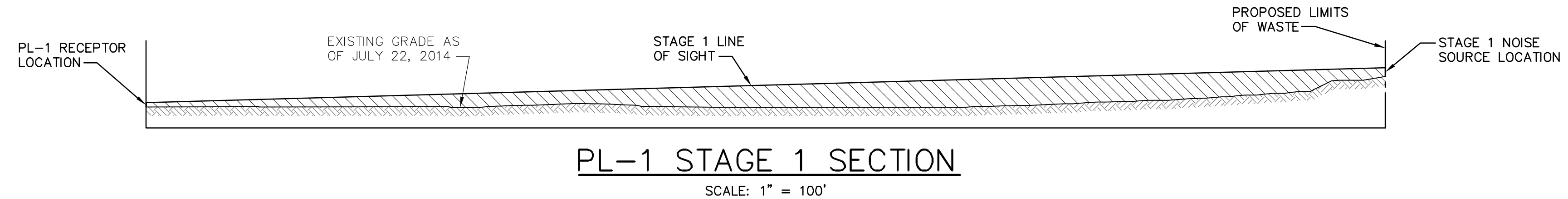


Date
JUNE, 2015

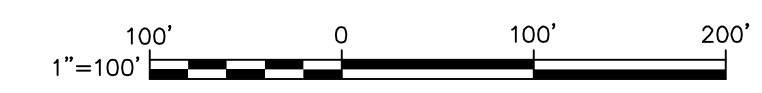
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Sheet Number
4

File Number
1242.022



- LEGEND**
- EXISTING GRADE
 - PROPOSED TOP OF INTERMEDIATE COVER
 - STAGE 1 LINE OF SIGHT AREA
 - STAGE 2 LINE OF SIGHT AREA
 - STAGE 3 LINE OF SIGHT AREA
 - PROPOSED LIMITS OF WASTE



Plotted: Jun 12, 2015 - 1:03PM SVR By: jgs
 i:\Shared\1200\1242022\NOISE 2015\1242022_NOISE SECTIONS.dwg
 Checked by: JGS Drawn by: JGS
 Designed by: BKP In charge of: JFB

Figure 5

Noise Sections (2 of 4)

NO ALTERATION PERMITTED
HEREON EXCEPT AS PROVIDED
UNDER SECTION 2209
SUBDIVISION 2 OF THE NEW
YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction
Changes Are Shown

By _____ Date _____
Ck'd _____ Date _____

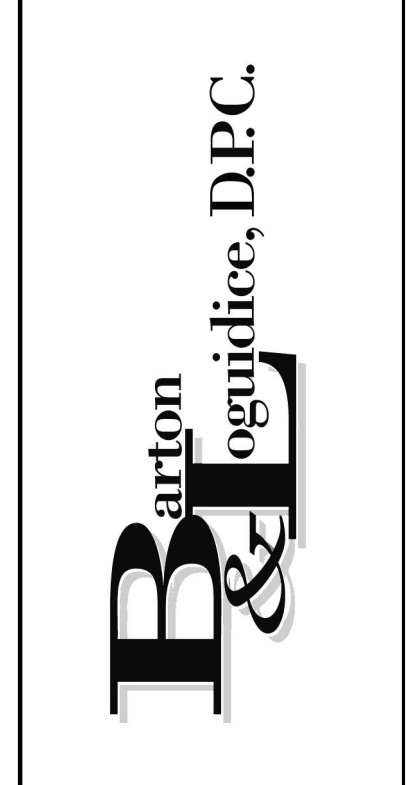
REVISIONS

No.	Description

WASTE MANAGEMENT OF NEW ENGLAND, LLC
MILL SEAT LANDFILL

NOISE SECTIONS
(2 OF 4)

TOWN OF RIGA
MONROE COUNTY, NEW YORK

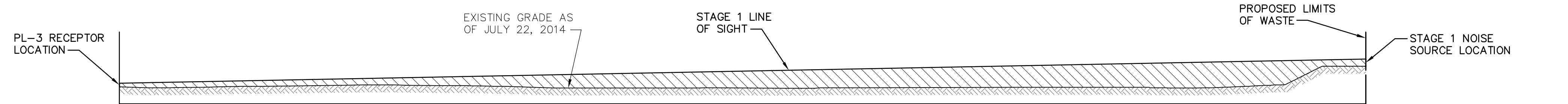


Date
JUNE, 2015

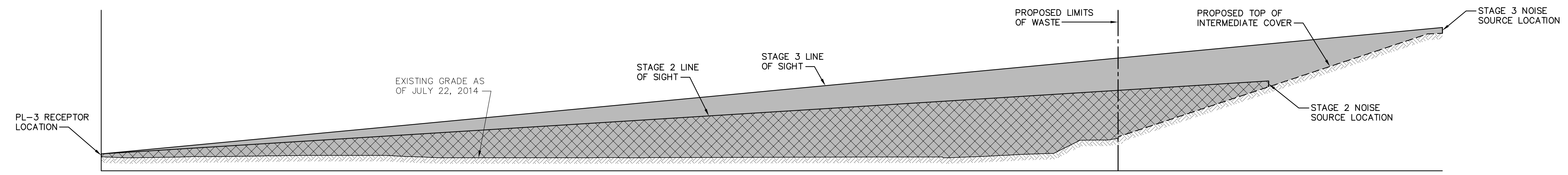
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Sheet Number
5

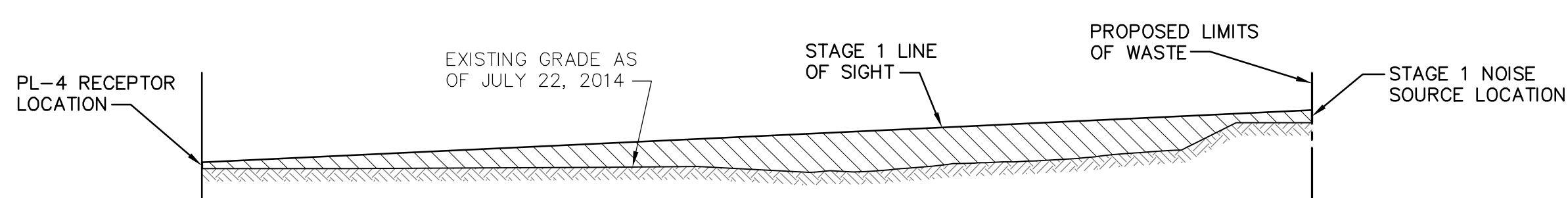
File Number
1242.022



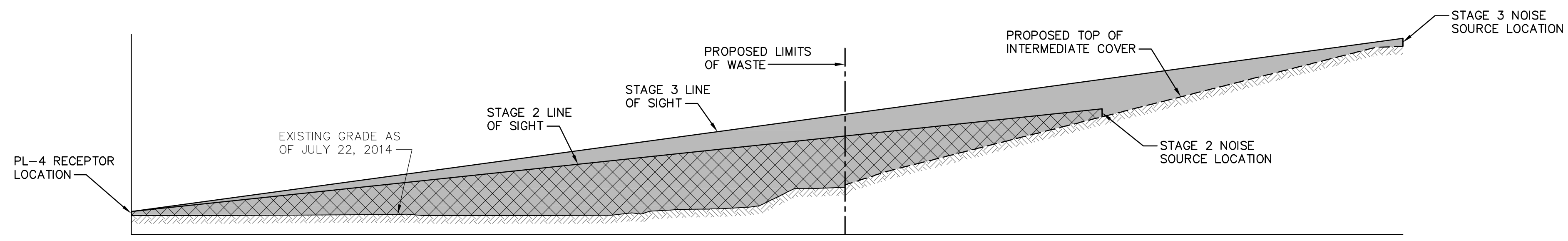
PL-3 STAGE 1 SECTION
SCALE: 1" = 100'



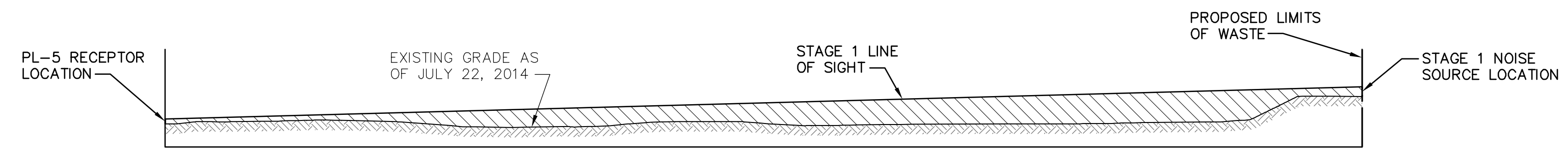
PL-3 STAGES 2 AND 3 SECTION
SCALE: 1" = 100'



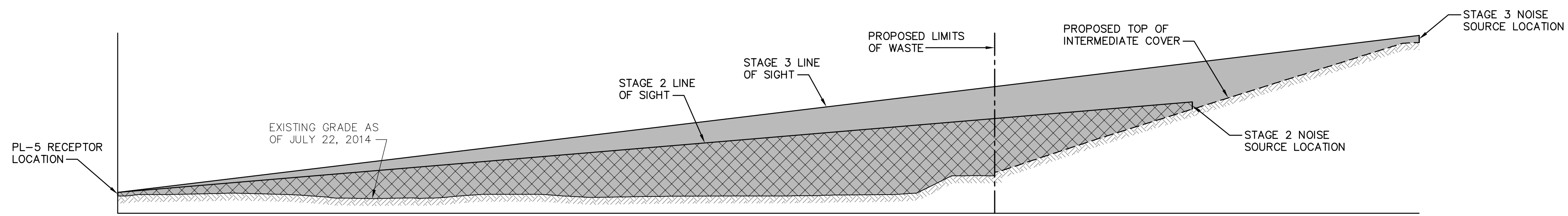
PL-4 STAGE 1 SECTION
SCALE: 1" = 100'



PL-4 STAGES 2 AND 3 SECTION
SCALE: 1" = 100'

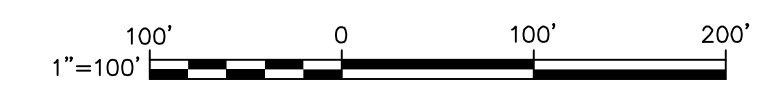


PL-5 STAGE 1 SECTION
SCALE: 1" = 100'



PL-5 STAGES 2 AND 3 SECTION
SCALE: 1" = 100'

- LEGEND**
- EXISTING GRADE
 - PROPOSED TOP OF INTERMEDIATE COVER
 - STAGE 1 LINE OF SIGHT AREA
 - STAGE 2 LINE OF SIGHT AREA
 - STAGE 3 LINE OF SIGHT AREA
 - PROPOSED LIMITS OF WASTE



Plotted: Jun 12, 2015 - 1:04PM
 i:\Shared\1200\1242022\NOISE 2015\1242022_NOISE SECTIONS.dwg
 Checked by: JGS
 Drawn by: SVR
 Designed by: BKP
 In charge of: JFB

Figure 6

Noise Sections (3 of 4)

NO ALTERATION PERMITTED
HEREON EXCEPT AS PROVIDED
UNDER SECTION 2209
SUBDIVISION 2 OF THE NEW
YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction
Changes Are Shown

By _____ Date _____
Ck'd _____ Date _____

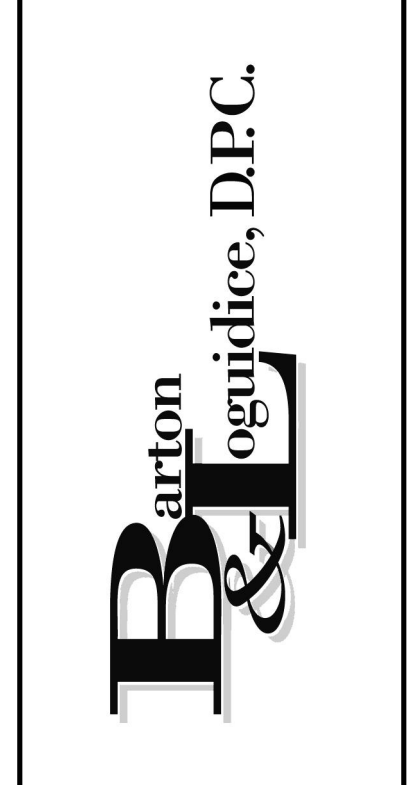
REVISIONS

WASTE MANAGEMENT OF NEW ENGLAND, LLC
MILL SEAT LANDFILL

NOISE SECTIONS
(3 OF 4)

MONROE COUNTY, NEW YORK

TOWN OF RIGA

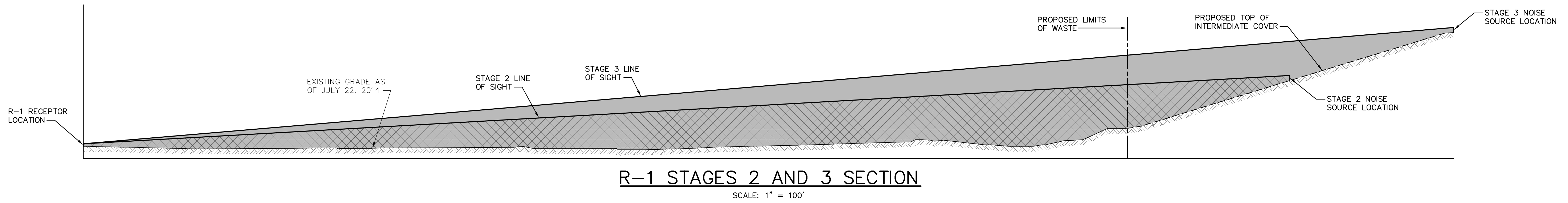
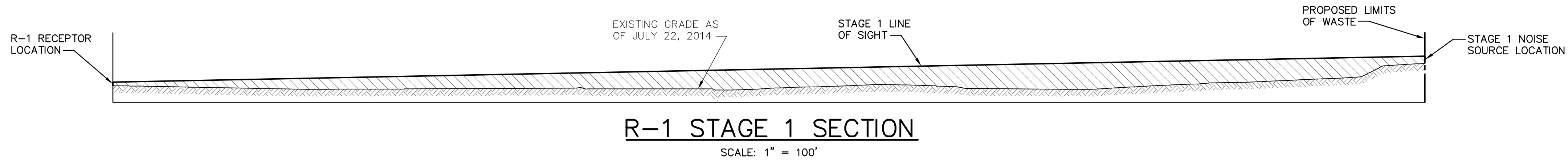


Date
JUNE, 2015

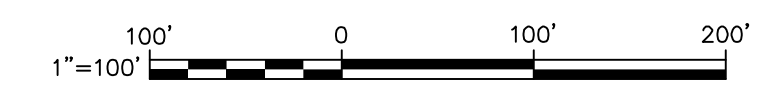
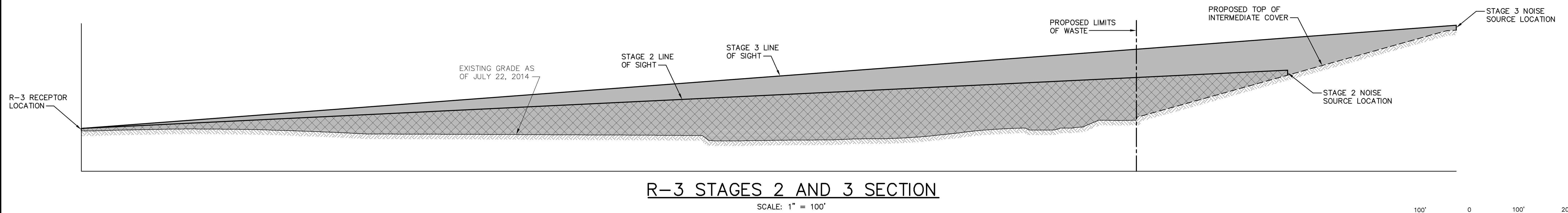
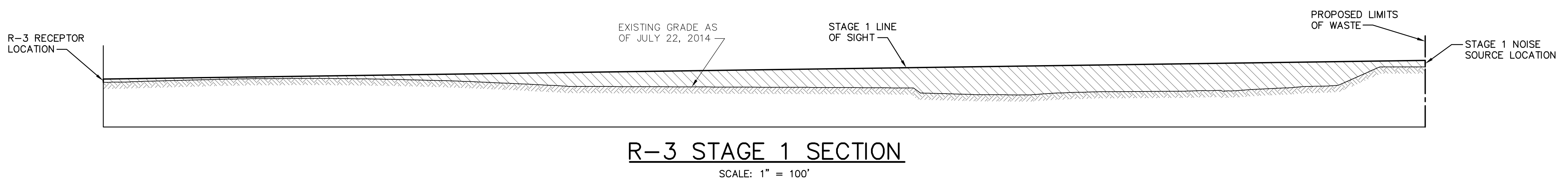
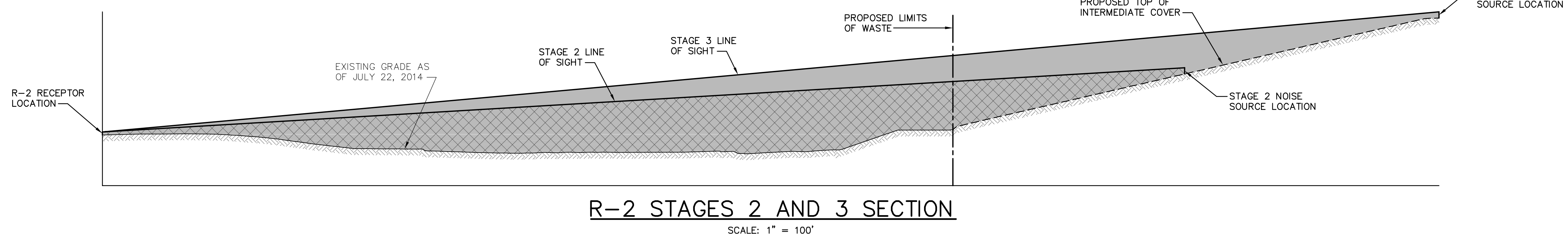
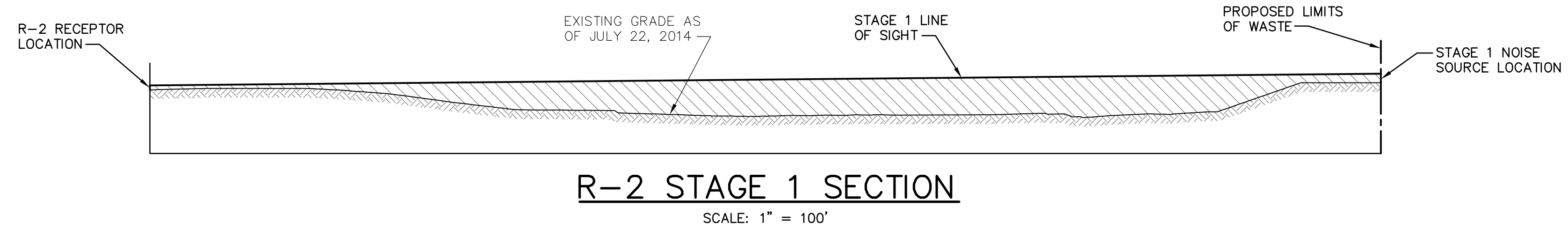
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Sheet Number
6

File Number
1242.022



- LEGEND**
- EXISTING GRADE
 - PROPOSED TOP OF INTERMEDIATE COVER
 - STAGE 1 LINE OF SIGHT AREA
 - STAGE 2 LINE OF SIGHT AREA
 - STAGE 3 LINE OF SIGHT AREA
 - PROPOSED LIMITS OF WASTE



Plotted: Jun 12, 2015 - 1:05PM
 i:\Shared\1200\1242022\NOISE 2015\1242022_NOISE SECTIONS.dwg
 Checked by: JGS
 Drawn by: SYR
 Designed by: BKP
 In charge of: JFB

Figure 7

Noise Sections (4 of 4)

NO ALTERATION PERMITTED
HEREON EXCEPT AS PROVIDED
UNDER SECTION 2209
SUBDIVISION 2 OF THE NEW
YORK STATE EDUCATION LAW.

COMPLETED CONSTRUCTION

Significant Construction
Changes Are Shown

By _____ Date _____

Ck'd _____ Date _____

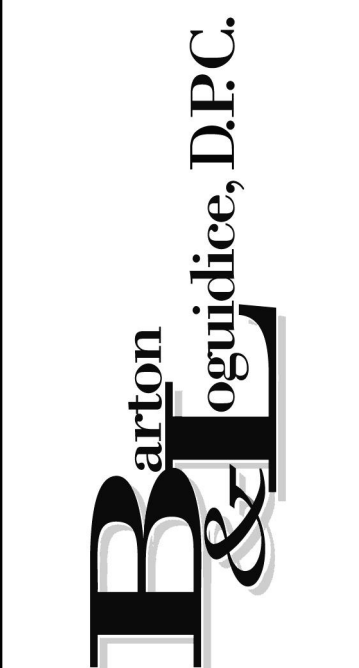
REVISIONS

NO.	DESCRIPTION

WASTE MANAGEMENT OF NEW ENGLAND, LLC
MILL SEAT LANDFILL
MONROE COUNTY, NEW YORK

NOISE SECTIONS
(4 OF 4)

TOWN OF RIGA

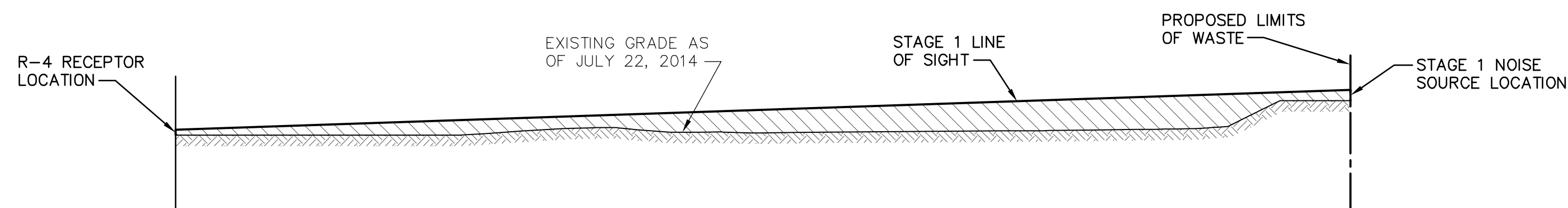


Date
JUNE, 2015

Scale
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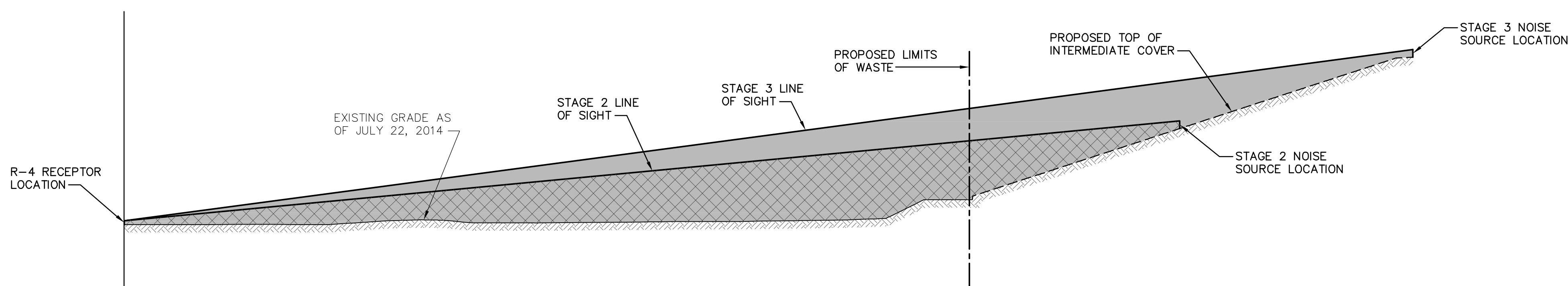
Sheet Number
7

File Number
1242.022



R-4 STAGE 1 SECTION

SCALE: 1" = 100'

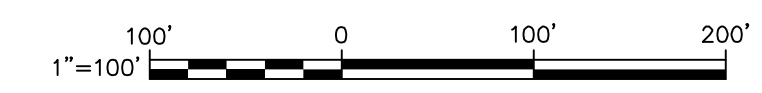


R-4 STAGES 2 AND 3 SECTION

SCALE: 1" = 100'

- LEGEND**
- EXISTING GRADE
 - PROPOSED TOP OF INTERMEDIATE COVER
 - STAGE 1 LINE OF SIGHT AREA
 - STAGE 2 LINE OF SIGHT AREA
 - STAGE 3 LINE OF SIGHT AREA
 - PROPOSED LIMITS OF WASTE

Plotted: Jun 12, 2015 - 1:04PM
 i:\Shared\1200\1242022\NOISE 2015\1242022_NOISE SECTIONS.dwg
 Checked by _____ Drawn by _____ JGS
 Designed by _____ BKP In charge of _____ JFB

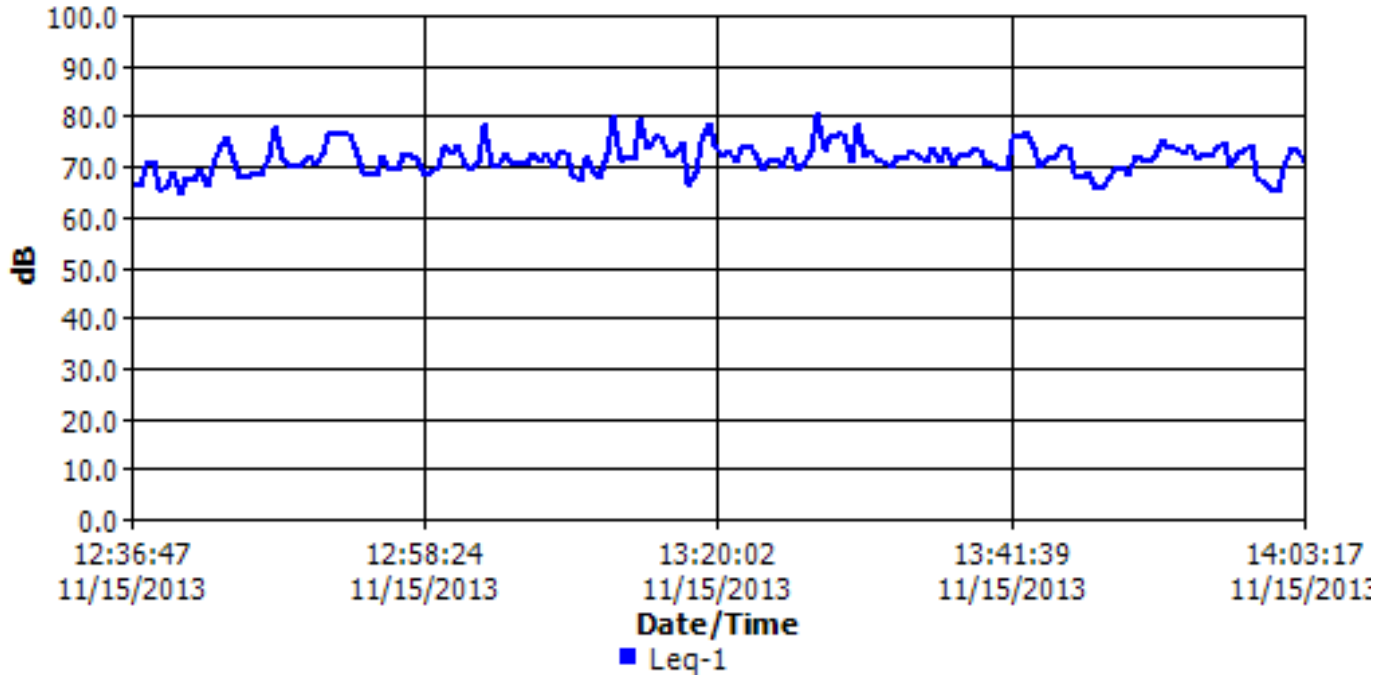


Appendix A

Sound Level Measurement Data and Calibration Logs

WF-1 (2)

Logged Data Chart



Calibration History

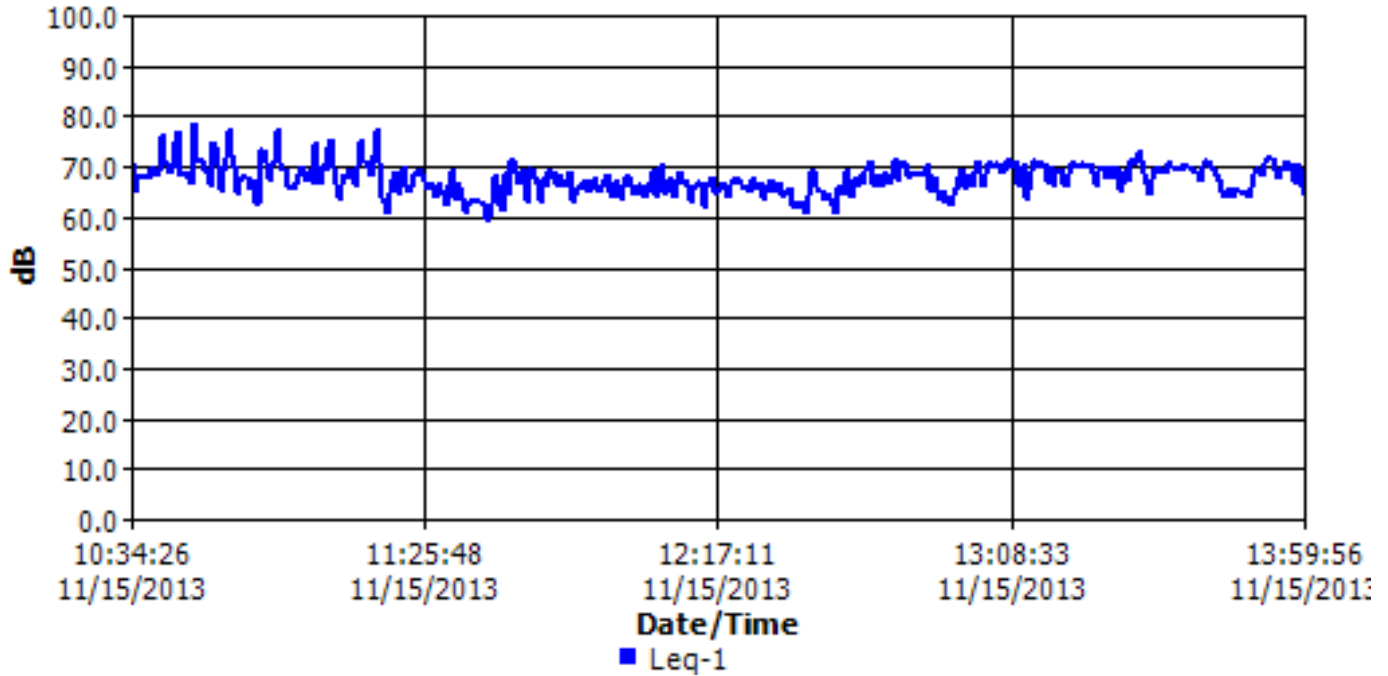
<u>Date</u>	<u>Action</u>	<u>Level</u>
11/15/2013 10:04:04 AM	Calibration	114.0
11/15/2013 2:05:50 PM	Verification	114.0

General Data Panel

<u>Description</u>	<u>Meter</u>	<u>Value</u>	<u>Description</u>	<u>Meter</u>	<u>Value</u>
Lmin	1	60.2 dB	Lmax	1	91.4 dB
Leq	1	72.6 dB			

WF-2

Logged Data Chart



Calibration History

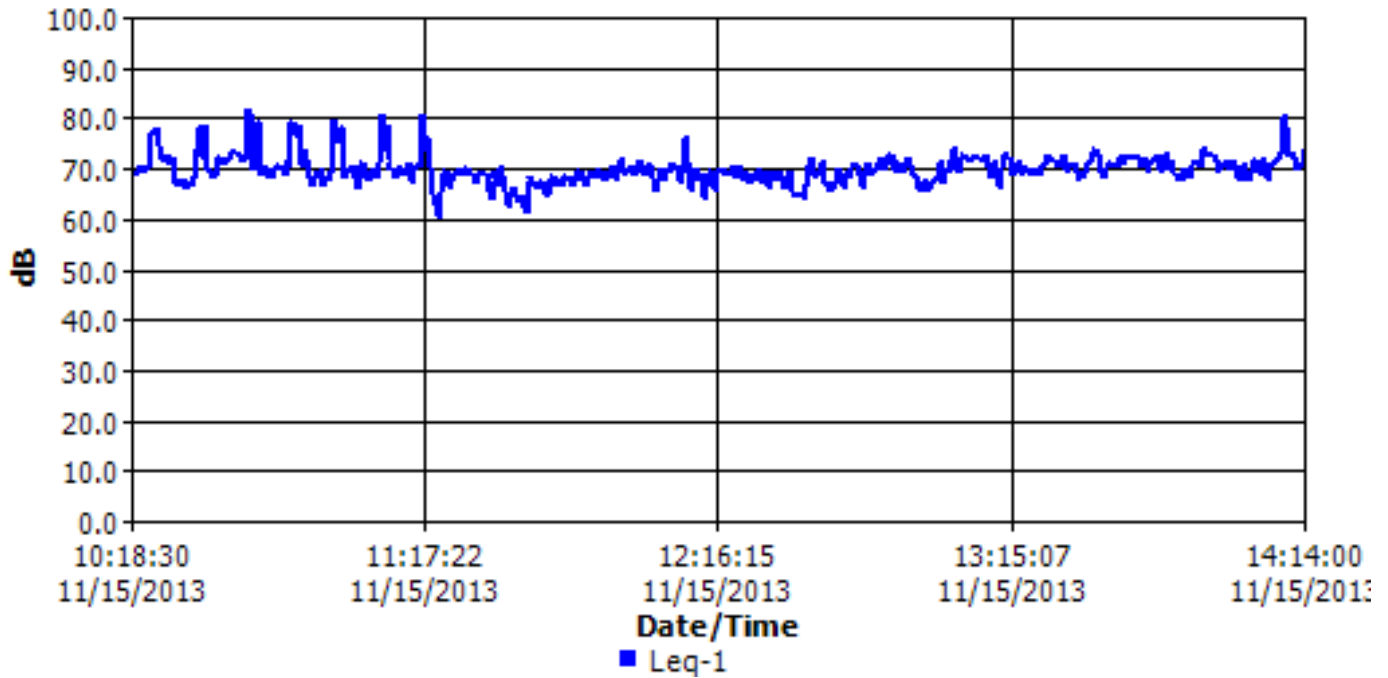
Date	Action	Level
11/15/2013 10:32:58 AM	Calibration	114.0
11/15/2013 2:00:32 PM	Verification	114.0

General Data Panel

Description	Meter	Value	Description	Meter	Value
Lmin	1	55.8 dB	Lmax	1	83.6 dB
Leq	1	68.6 dB			

WF-3

Logged Data Chart



Calibration History

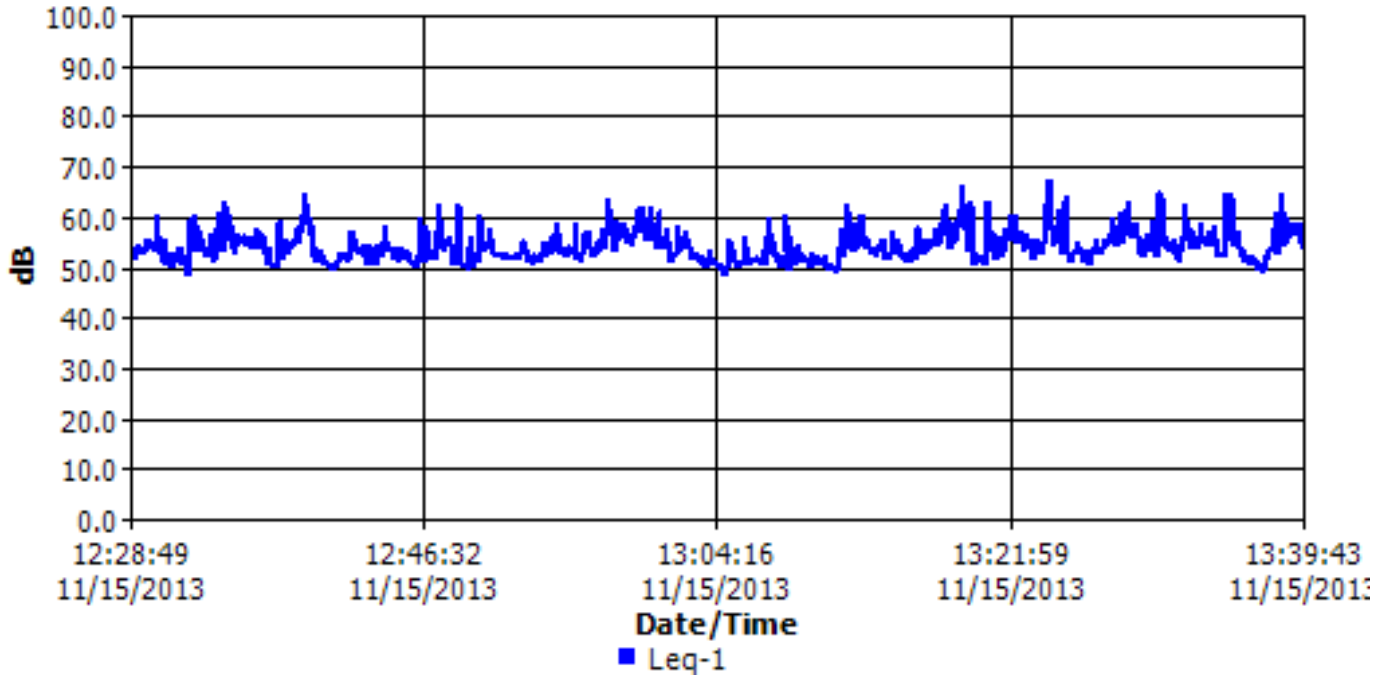
<u>Date</u>	<u>Action</u>	<u>Level</u>
11/15/2013 10:17:10 AM	Calibration	114.0
11/15/2013 2:15:27 PM	Verification	114.0

General Data Panel

<u>Description</u>	<u>Meter</u>	<u>Value</u>	<u>Description</u>	<u>Meter</u>	<u>Value</u>
Lmin	1	51.8 dB	Lmax	1	87.2 dB
Leq	1	71 dB			

P-1

Logged Data Chart



Calibration History

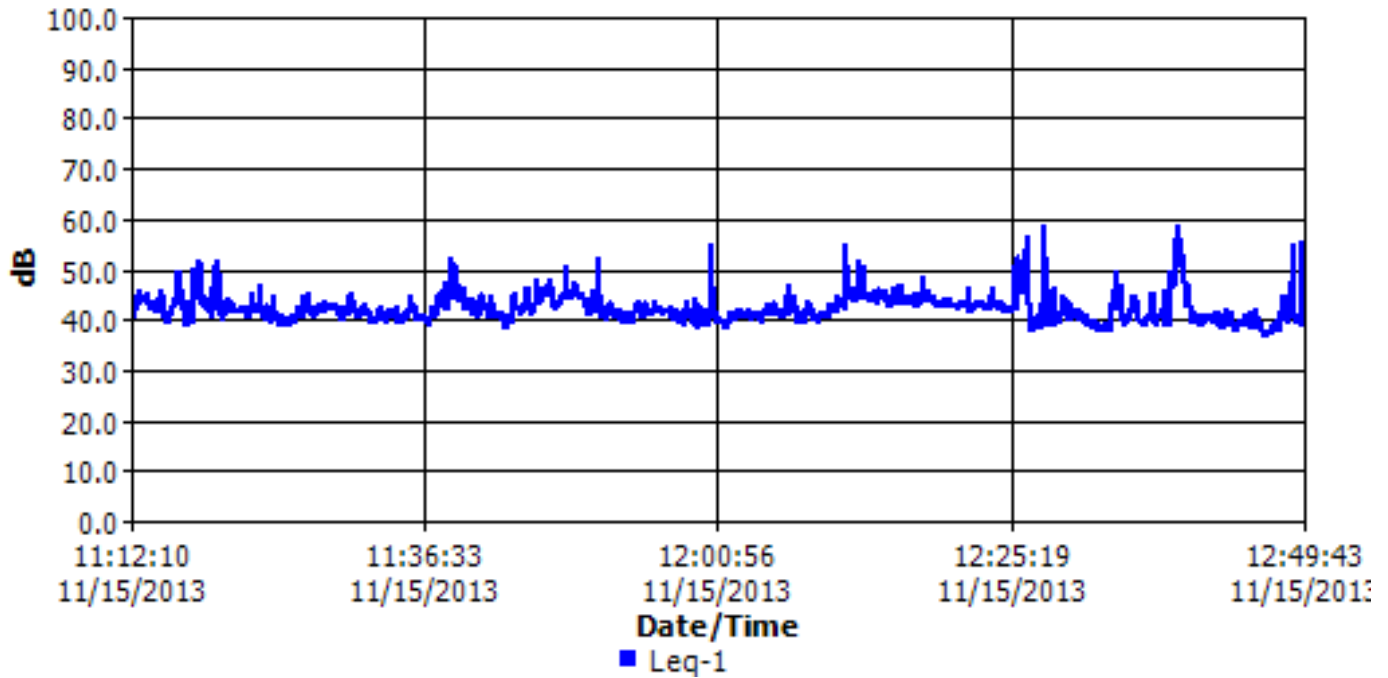
<u>Date</u>	<u>Action</u>	<u>Level</u>
11/15/2013 12:23:11 PM	Calibration	114.0
11/15/2013 1:44:33 PM	Verification	114.0

General Data Panel

<u>Description</u>	<u>Meter</u>	<u>Value</u>	<u>Description</u>	<u>Meter</u>	<u>Value</u>
Lmin	1	47.8 dB	Lmax	1	67.9 dB
Leq	1	55 dB			

P-2

Logged Data Chart



Calibration History

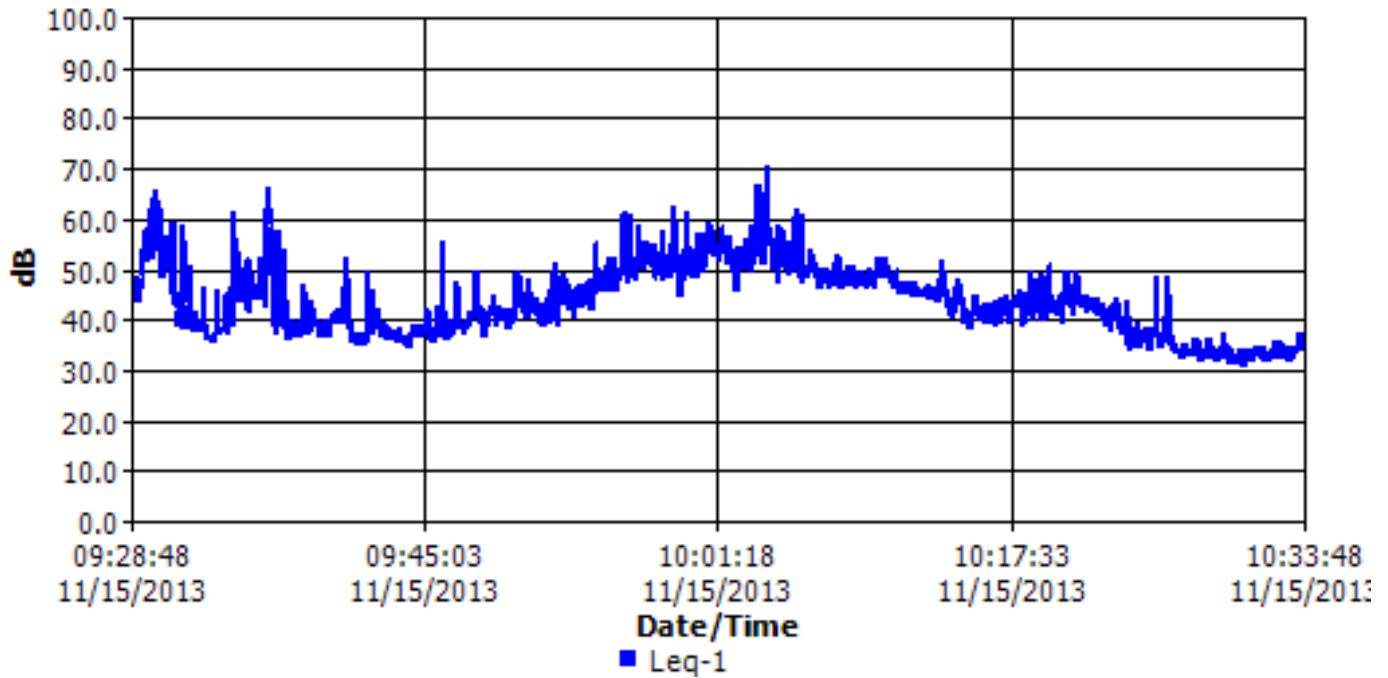
Date	Action	Level
11/15/2013 11:08:17 AM	Calibration	114.0
11/15/2013 12:51:56 PM	Verification	114.0

General Data Panel

Description	Meter	Value	Description	Meter	Value
Lmin	1	36.1 dB	Lmax	1	59.2 dB
Leq	1	43.2 dB			

P-3

Logged Data Chart



Calibration History

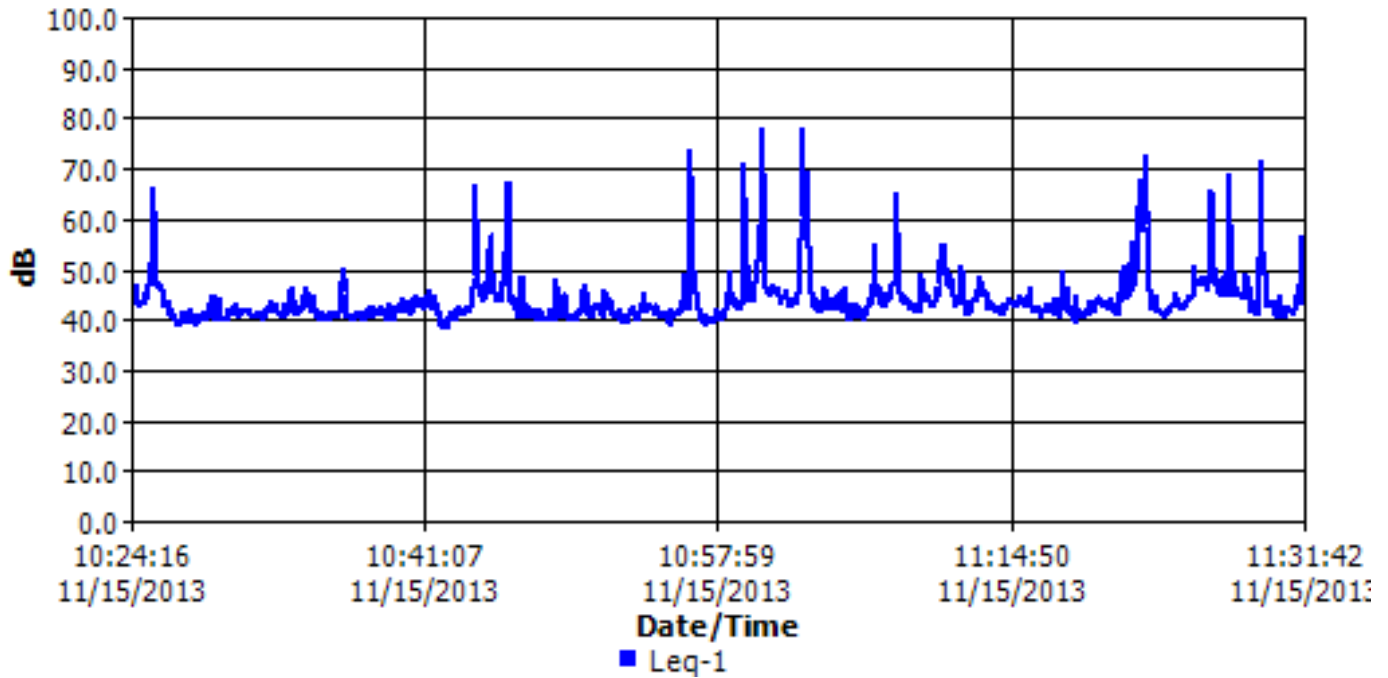
Date	Action	Level
11/15/2013 9:20:54 AM	Calibration	114.0
11/15/2013 10:39:57 AM	Verification	114.0

General Data Panel

Description	Meter	Value	Description	Meter	Value
Lmin	1	30.4 dB	Lmax	1	71.8 dB
Leq	1	49.6 dB			

P-4

Logged Data Chart



Calibration History

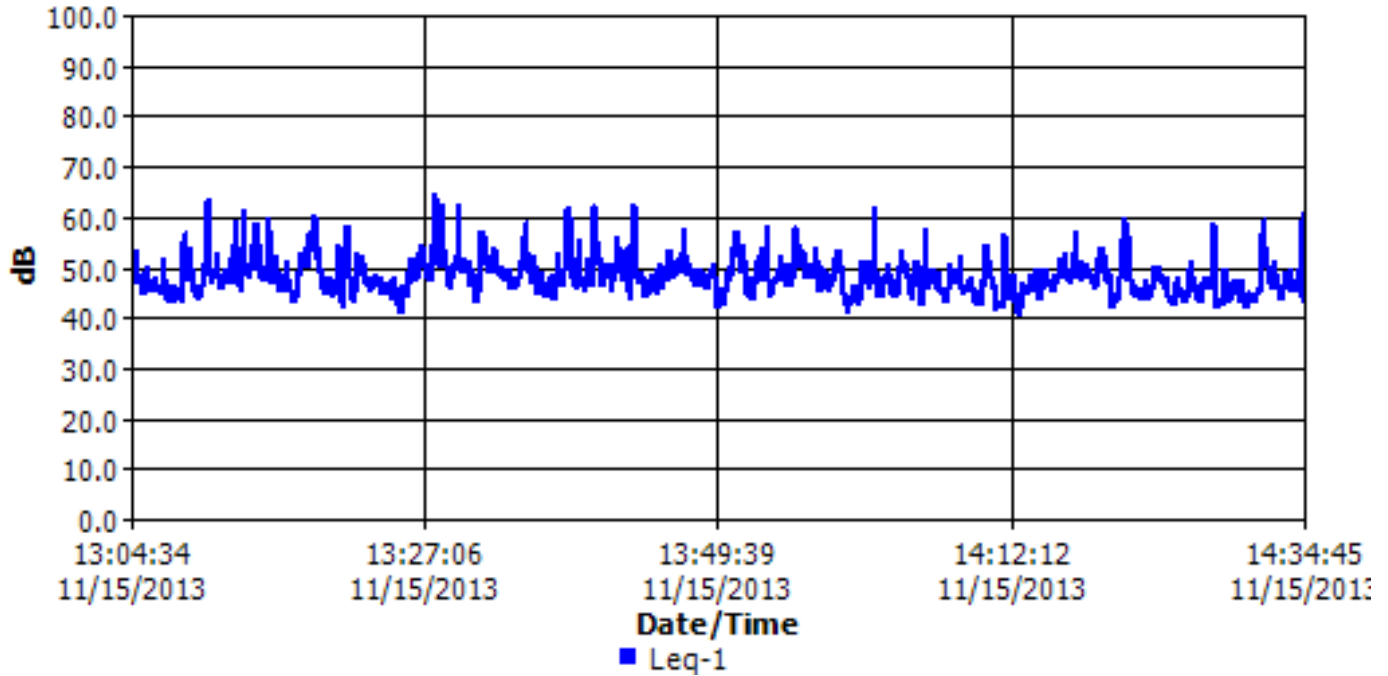
Date	Action	Level
11/15/2013 10:22:41 AM	Calibration	114.0
11/15/2013 11:35:16 AM	Verification	114.0

General Data Panel

Description	Meter	Value	Description	Meter	Value
Lmin	1	38.1 dB	Lmax	1	78.4 dB
Leq	1	53.4 dB			

P-5

Logged Data Chart



Calibration History

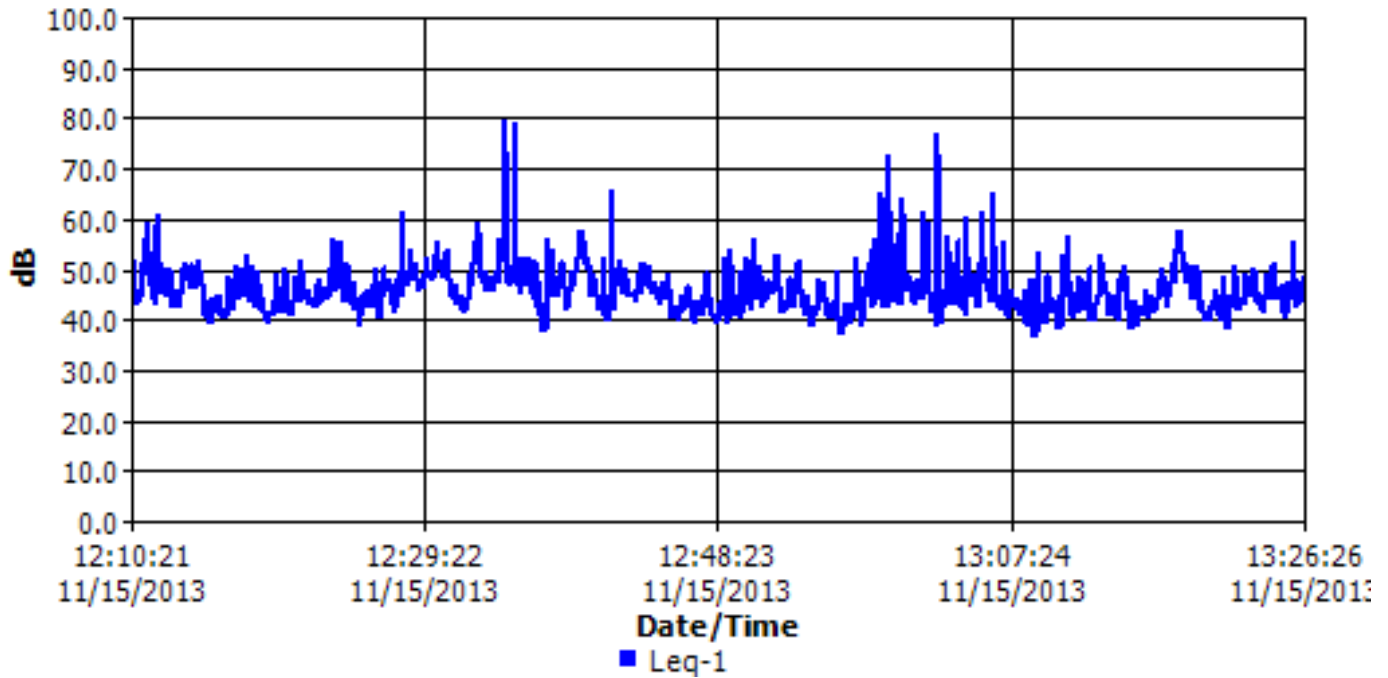
<u>Date</u>	<u>Action</u>	<u>Level</u>
11/15/2013 1:02:37 PM	Calibration	114.0
11/15/2013 2:37:24 PM	Verification	114.0

General Data Panel

<u>Description</u>	<u>Meter</u>	<u>Value</u>	<u>Description</u>	<u>Meter</u>	<u>Value</u>
Lmin	1	40.3 dB	Lmax	1	64.4 dB
Leq	1	49.7 dB			

P-6

Logged Data Chart



Calibration History

Date	Action	Level
11/15/2013 12:07:05 PM	Calibration	114.0
11/15/2013 1:34:20 PM	Verification	114.0

General Data Panel

Description	Meter	Value	Description	Meter	Value
Lmin	1	36.3 dB	Lmax	1	81.9 dB
Leq	1	51.9 dB			

WF-4 05182015 06:46-06:59

5/18/2015

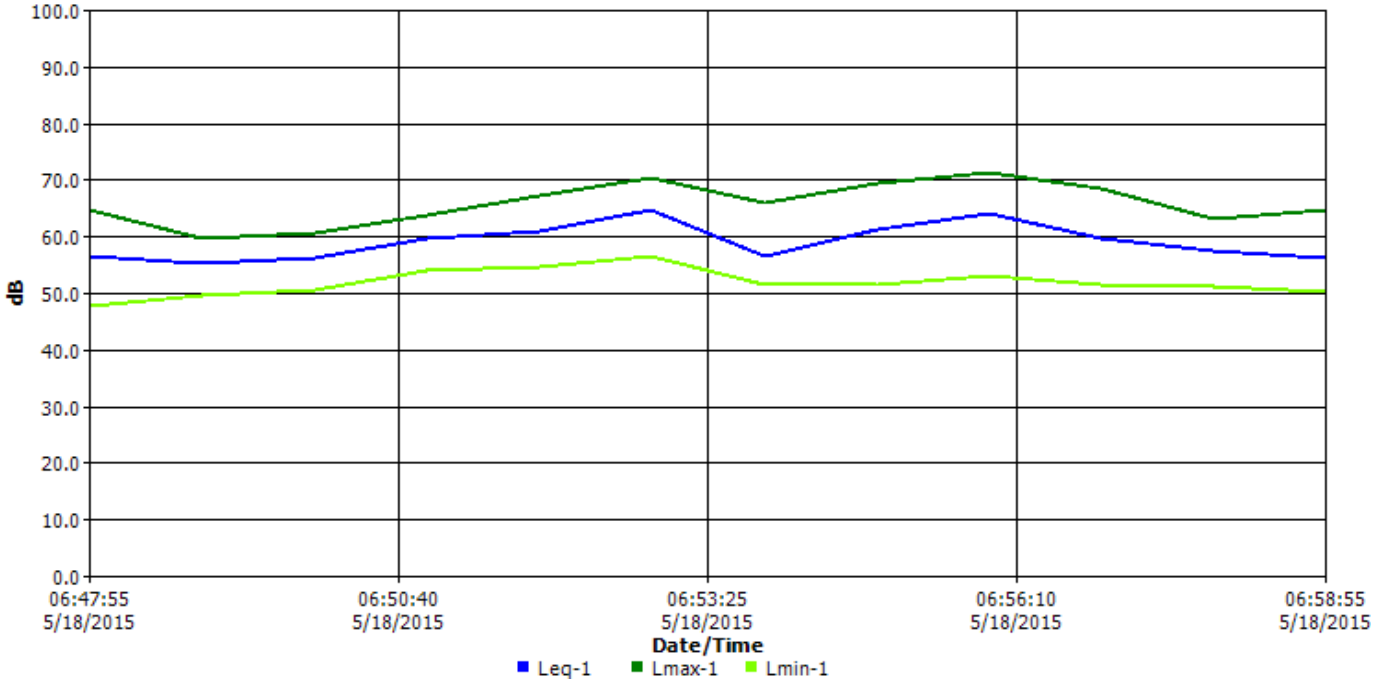
General Data Panel

Description	Meter	Value	Description	Meter	Value
Leq	1	59.9 dB	Lmin	1	47.6 dB
Lmax	1	71.2 dB	Weighting	1	A
Response	1	FAST	Log Rate	1	60 s

Information Panel

Start Time Monday, May 18, 2015 06:46:55
 Stop Time Monday, May 18, 2015 06:59:34

Logged Data Chart



Logged Data Table

Timestamp	Lmin-1	Lmax-1	Leq-1
5/18/2015 6:47:55 AM	47.6	64.5	56.5
5/18/2015 6:48:55 AM	49.6	59.6	55.2
5/18/2015 6:49:55 AM	50.6	60.5	56.2
5/18/2015 6:50:55 AM	54.0	63.8	59.7
5/18/2015 6:51:55 AM	54.7	67.1	60.9
5/18/2015 6:52:55 AM	56.4	70.2	64.6
5/18/2015 6:53:55 AM	51.5	65.9	56.4
5/18/2015 6:54:55 AM	51.3	69.2	61.1
5/18/2015 6:55:55 AM	52.9	71.2	64.1
5/18/2015 6:56:55 AM	51.4	68.4	59.6
5/18/2015 6:57:55 AM	51.0	62.9	57.4
5/18/2015 6:58:55 AM	50.2	64.5	56.2

Calibration History

Date	Action	Level	Serial Number	Certification Date
5/18/2015 6:24:14 AM	Calibration	114.0		
5/18/2015 7:01:33 AM	Verification	114.0		

FLR-1_05182015 07:14-07:29

5/18/2015

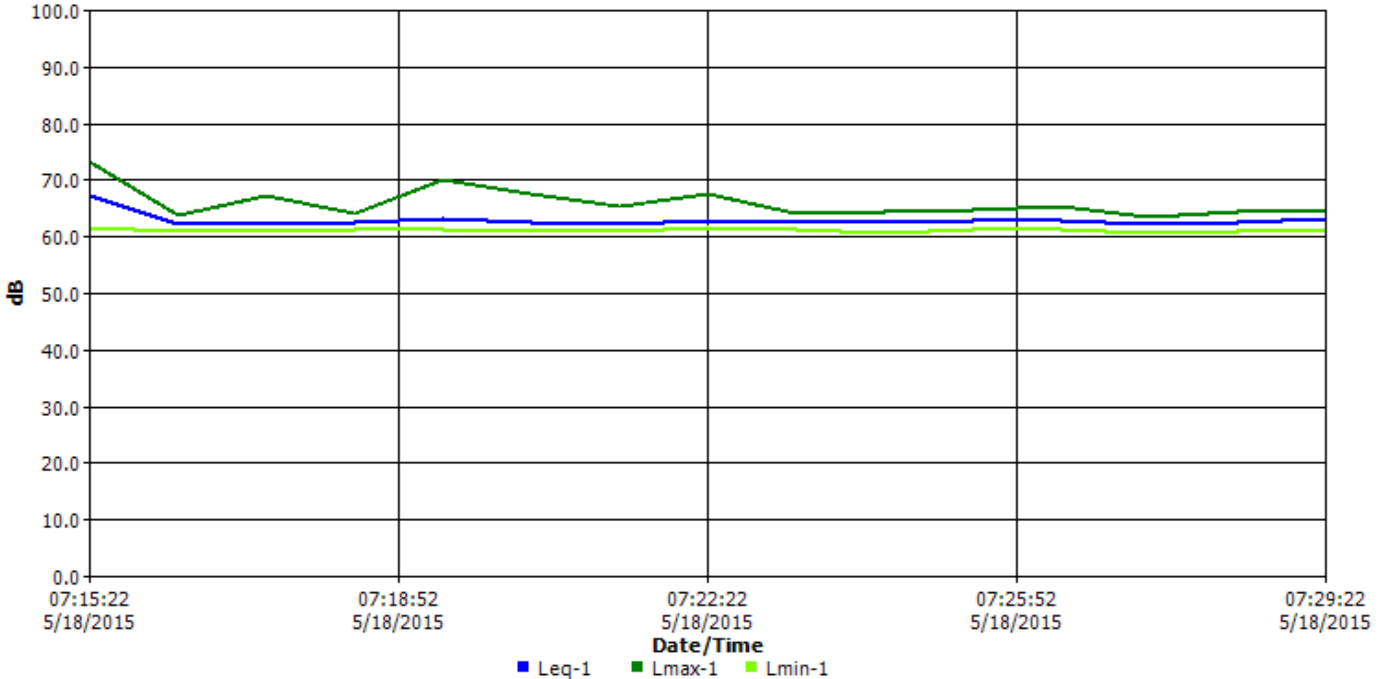
General Data Panel

Description	Meter	Value	Description	Meter	Value
Leq	1	62.9 dB	Lmin	1	60.6 dB
Lmax	1	73.2 dB	Weighting	1	A
Response	1	FAST	Log Rate	1	60 s

Information Panel

Start Time Monday, May 18, 2015 07:14:22
 Stop Time Monday, May 18, 2015 07:29:29

Logged Data Chart



Logged Data Table

Timestamp	Lmin-1	Lmax-1	Leq-1
5/18/2015 7:15:22 AM	61.5	73.2	67.0
5/18/2015 7:16:22 AM	60.9	63.6	62.1
5/18/2015 7:17:22 AM	60.9	67.0	62.2
5/18/2015 7:18:22 AM	61.1	64.0	62.4
5/18/2015 7:19:22 AM	61.3	70.1	63.0
5/18/2015 7:20:22 AM	60.9	67.6	62.5
5/18/2015 7:21:22 AM	60.8	65.4	62.1
5/18/2015 7:22:22 AM	61.4	67.5	62.6
5/18/2015 7:23:22 AM	61.1	64.0	62.5
5/18/2015 7:24:22 AM	60.6	64.2	62.3
5/18/2015 7:25:22 AM	61.2	64.6	62.6
5/18/2015 7:26:22 AM	61.1	65.4	62.8
5/18/2015 7:27:22 AM	60.6	63.4	62.1
5/18/2015 7:28:22 AM	61.0	64.3	62.3
5/18/2015 7:29:22 AM	61.3	64.4	62.9

Calibration History

Date	Action	Level	Serial Number	Certification Date
5/18/2015 7:13:40 AM	Calibration	114.0		
5/18/2015 7:30:31 AM	Verification	114.0		

Appendix B

Variance Application from 6 NYCRR Part 360-1.14(p)

APPLICATION FOR VARIANCE FROM 6 NYCRR 360

SEE APPLICATION INSTRUCTIONS ON REVERSE SIDE

PROJECT NO.	DATE RECEIVED
DEPARTMENT ACTION <input type="checkbox"/> Approved <input type="checkbox"/> Disapproved	DATE

1. OWNER'S NAME Monroe County	2. ADDRESS (Street, City, State, Zip Code) 39 West Main Street, Suite 110, Rochester, NY 14614	3. Telephone No. (585) 753-7600
4. OPERATOR'S NAME Waste Management of New York, LLC	5. ADDRESS (Street, City, State, Zip Code) 303 Brew Road, Bergen, New York 14416	6. Telephone No. (585) 494-3000
7. ENGINEER'S NAME Barton & Loguidice, D.P.C.	8. ADDRESS (Street, City, State, Zip Code) 290 Elwood Davis Road, Box 3107, Syracuse, New York 13220	9. Telephone No. (315) 457-5200

10. PROJECT/FACILITY NAME
Mill Seat Landfill

11. PROJECT STATUS <input checked="" type="checkbox"/> Public <input type="checkbox"/> Private <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing	12. COUNTY IN WHICH FACILITY IS LOCATED Monroe	13. ENVIRONMENTAL CONSERVATION REGION Region 8
--	---	---

14. DESCRIBE SPECIFIC LOCATION OF FACILITY
The site is located at 303 Brew Road in the Town of Riga, New York.

15. TYPE OF PROJECT FACILITIES: Composting Transfer Shredding Baling Sanitary Landfill Incineration Pyrolysis
 Resource Recovery-Energy Resource Recovery-Materials Other

16. BRIEFLY DESCRIBE THE PROJECT INCLUDING THE BASIC PROCESS AND MAJOR COMPONENTS
Monroe County is submitting a 6 NYCRR Part 360 permit application for the Mill Seat Landfill Expansion. The Proposed Landfill Expansion encompasses approximately 118.3 acres of additional lined area, 39.2 acres of overlay onto the Permitted Footprint, modifications to the site's leachate conveyance system and expansion of the site's LFG collection system.

17. SPECIFIC PROVISION OF 6 NYCRR 360 FROM WHICH A VARIANCE IS REQUESTED: Section 360-1.14 | Paragraph (p)(4) | Variance Request No. Four

18. BRIEFLY DESCRIBE PROPOSED VARIANCE
The proposed variance is for the elimination of the 80 dBA threshold at 50 feet from operating equipment at the Proposed Site. The Proposed Site currently maintains compliance of the the one (1)-hour Leq at the property line and is calculated to continue compliance under proposed conditions as well.

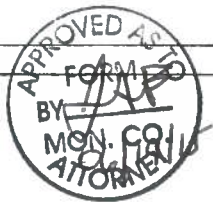
19. IMPACTS OF VARIANCE APPROVAL OR DISAPPROVAL:

a. Environmental Impact:
(SEE ATTACHMENT)

b. Economic Impact:
(SEE ATTACHMENT)

20. CERTIFICATION:
I hereby affirm under penalty of perjury that information provided on this form and attached statements and exhibits is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law.

6/19/15 Date Maggie Brooks Signature and Title
Maggie Brooks, County Executive



**MILL SEAT LANDFILL
APPLICATION FOR VARIANCE FROM
6 NYCRR PART 360-1.14(p)(4)**

1. BRIEFLY DESCRIBE THE PROPOSED VARIANCE:

6 NYCRR Part 360-1.14(p)(4) states “Mufflers are required on all internal combustion-powered equipment used at the facility. Sound levels for such equipment must not exceed 80 decibels (A) at a distance of 50 feet from the operating equipment.” As required by the regulation, mufflers are currently utilized on all internal combustion-powered equipment used at the Permitted Site. This proposed variance seeks only elimination of the 80 dBA threshold at 50 feet from each piece of operating equipment and does not request relief from compliance with applicable noise standards at the landfill property line or property line for which a noise easement has been obtained.

Noise studies conducted on landfill equipment including compactors, bulldozers and excavators indicate that there is a potential for sound levels to exceed 80 dBA at 50 feet during normal equipment operation. This is also reflected in the NYSDEC Noise Program Policy document, Assessing and Mitigating Noise Impacts. In addition, manufacturer guarantees that equipment sound levels are less than 80 dBA at 50 feet are difficult if not impossible to obtain, even for new equipment. This is especially true for popular landfill compactor manufacturers such as Al-Jon and Caterpillar, two (2) brands of compactors which are utilized at many active landfill sites across New York State that are subject to 6 NYCRR Part 360.

Assuming a one (1)-hour Leq limit for operating equipment as set forth in 6 NYCRR 360-1.14(p), the varying operation of working face equipment will have an impact on the one (1)-hour Leq for the equipment. For example, during actual working conditions, working face equipment seldom, if ever, operate continuously at maximum engine speed for an entire hour. Therefore, the equipment non-operating time (a.k.a. downtime) would be included in the equivalent sound level value, resulting in a one (1)-hour Leq sound level that would be somewhat less than the operational maximum sound level at any given time. However, in the unlikely event that the equipment is operating at maximum engine speed for an entire hour (as a worst case operating scenario) it is possible that the Leq could exceed 80 dBA. This is also true if there were different interpretations of the regulation limit and the way it is measured.

Importantly, 6 NYCRR Part 360-1.14(p) also states a facility sound level limit (one (1)-hour Leq) at the property line must not be exceeded during operations. Maintaining compliance with this property line limit provides protection of the environment and surrounding public, making the operational equipment 50 foot

sound level limit an unnecessary regulatory burden providing no additional benefits for residential properties near landfills.

2. IMPACTS OF VARIANCE APPROVAL OR DISAPPROVAL:

2.a Environmental Impact:

Approval of a variance from Part 360-1.14(p)(4) would not result in significant adverse impacts on the environment since the Mill Seat Landfill and Proposed Landfill Expansion would still maintain compliance with the one (1)-hour Leq sound level limit at the Proposed Site property lines or easement property lines at locations zoned or otherwise authorized for residential purposes as stated in 6 NYCRR Part 360-1.14(p). Compliance with these limits has been established for the Mill Seat Landfill. As such, the Mill Seat Landfill complies with the regulatory intent to protect the surrounding residential community by limiting the sound levels beyond the solid waste facility at nearby residential properties. Limiting the sound level at 50 feet from operating equipment does not provide any additional environmental protection.

Further, if larger equipment is replaced with multiple pieces of smaller equipment, increased quantities of fuel will be combusted to complete the similar amount of work. This will result in an increase in equipment related combustion emissions from the Proposed Site. Smaller equipment would also have to operate longer and at maximum sound level for a greater period of time in an attempt to offset the loss of compaction, which may result in an even higher overall one (1)-hour Leq.

2.b Economic Impact

Conformance to the 80 dBA limit, dependent upon the method of measurement, measurement duration, and actual operating conditions of the working face equipment used to determine compliance, would likely result in the replacement of existing compactors with new smaller compactors with lower noise levels, provided a model compliant with the regulations could be identified. This could also cause the replacement of other existing equipment with smaller equipment. Because the smaller equipment has a smaller capacity, it is likely that more pieces of equipment will be required to replace the existing larger equipment and complete the same work for normal operation of the Mill Seat Landfill and Proposed Landfill Expansion.

Reducing the size of the compactors may reduce the individual equipment sound levels at the working face; however, it will also reduce the operating efficiency at the working face and potentially reduce compaction of placed solid waste and site life of the landfill. A reduction in compaction will ultimately increase the amount of airspace consumed and would accelerate the liner construction schedule ultimately dedicating larger areas to landfill development sooner. In

addition to the reduction in compaction, operating costs will increase due to the fueling and operation of smaller compactors since they will have to work harder to maximize efficiency.

As described above, the equipment replacement cost of meeting the 80 dBA limit and lost Disposal Capacity revenue would potentially impose a significant and unreasonable economic burden through higher tipping fees on the residents and businesses that use the Mill Seat Landfill and Proposed Landfill Expansion; especially when considering that limiting the individual sound levels of the working face equipment would not provide any significant benefits to the environment and surrounding properties as the Permitted Footprint and the Proposed Footprint would continue to operate in compliance with the 6 NYCRR Part 360 facility one (1) hour Leq limit at surrounding residential property lines as the Permitted Footprint does today.

Appendix C

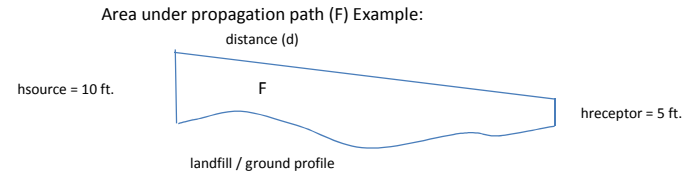
Refined Assessment – Noise Propagation Calculations

**MILL SEAT LANDFILL EXPANSION
GROUND EFFECT ATTENUATION (Agr) CALCULATIONS**

Distance and areas obtained from AutoCAD cross sections from source location to specified receptor

Standards:

- Source height - 10 feet above landfill elev.
- Receptor height - 5 feet above ground elev.
- Stage 1 - landfill limits of waste
- Stage 2 - Mid point of landfill
- Stage 3 - High point of landfill
- Source/Receptor Points - shortest straight-line distance



ISO 9613-2 Acoustics - Attenuation of sound during propagation outdoors - Part 2: General method of calculation

Eq 10: $Agr = 4.8 - (2hm/d) * (17 + (300/d))$

where:

$hm = F/d$

Agr = Attenuation due to ground effects

Adiv = Attenuation due to geometric divergence ("distance doubling")

PROPERTY LINE LOCATIONS PL1 - PL4

PL1

Landfill Stage	Line of Site Break	Distance (d)	Distance (d)	Area under propagation path (F)	Area under propagation path (F)	hm	Agr	Adiv	Agr + Adiv	Leq
		ft.	meters	sq. ft.	sq. meter	meters	dB	dB	dB	dB
Stage 1		1,423	431	29,440	2,703	6.3	4.3	29.1	33.4	54.6
Stage 2		1,716	520	94,971	8,721	16.8	3.7	30.7	34.4	53.6
Stage 3	YES	2,792	846	102,709	-	-	5.0	34.9	39.9	48.1

PL2

Landfill Stage	Line of Site Break	Distance (d)	Distance (d)	Area under propagation path (F)	Area under propagation path (F)	hm	Agr	Adiv	Agr + Adiv	Leq
		ft.	meters	sq. ft.	sq. meter	meters	dB	dB	dB	dB
Stage 1		912	277	20,861	1,916	6.9	3.9	25.2	29.1	58.9
Stage 2		1,284	389	59,091	5,426	13.9	3.5	28.2	31.7	56.3
Stage 3		1,596	484	99,186	9,108	18.8	3.4	30.1	33.5	54.5

PL3

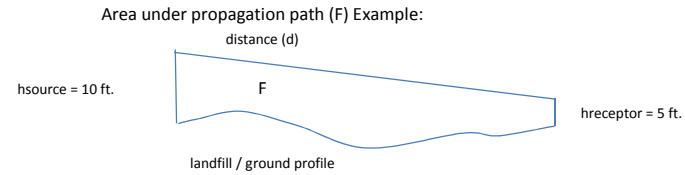
Landfill Stage	Line of Site Break	Distance (d)	Distance (d)	Area under propagation path (F)	Area under propagation path (F)	hm	Agr	Adiv	Agr + Adiv	Leq
		ft.	meters	sq. ft.	sq. meter	meters	dB	dB	dB	dB
Stage 1		1,731	525	35,969	3,303	6.3	4.4	30.8	35.2	52.8
Stage 2		1,997	605	112,450	10,326	17.1	3.8	32.0	35.8	52.2
Stage 3		2,294	695	187,197	17,190	24.7	3.6	33.2	36.8	51.2

**MILL SEAT LANDFILL EXPANSION
GROUND EFFECT ATTENUATION (Agr) CALCULATIONS**

Distance and areas obtained from AutoCAD cross sections from source location to specified receptor

Standards:

- Source height - 10 feet above landfill elev.
- Receptor height - 5 feet above ground elev.
- Stage 1 - landfill limits of waste
- Stage 2 - Mid point of landfill
- Stage 3 - High point of landfill
- Source/Receptor Points - shortest straight-line distance



ISO 9613-2 Acoustics - Attenuation of sound during propagation outdoors - Part 2: General method of calculation

Eq 10: $Agr = 4.8 - (2hm/d) * (17 + (300/d))$

where:

$hm = F/d$

Agr = Attenuation due to ground effects

Adiv = Attenuation due to geometric divergence ("distance doubling")

PL4

Landfill Stage	Line of Site Break	Distance (d)	Distance (d)	Area under propagation path (F)	Area under propagation path (F)	hm	Agr	Adiv	Agr + Adiv	Leq
			meters	sq. ft.	sq. meter	meters	dB	dB	dB	dB
Stage 1		879.61	267	17,637	1,620	6.1	4.0	24.9	28.9	59.1
Stage 2		1,215	368	52,941	4,861	13.2	3.5	27.7	31.2	56.8
Stage 3		1,591	482	84,728	7,780	16.1	3.6	30.1	33.7	54.3

RECEPTOR LOCATIONS R1 - R4

R1

Landfill Stage	Line of Site Break	Distance (d)	Distance (d)	Area under propagation path (F)	Area under propagation path (F)	hm	Agr	Adiv	Agr + Adiv	Leq
			meters	sq. ft.	sq. meter	meters	dB	dB	dB	dB
Stage 1		1,883	570	45,518	4,180	7.3	4.3	31.5	35.9	52.1
Stage 2		2,355	714	142,091	13,048	18.3	3.9	33.5	37.4	50.6
Stage 3		2,674	810	233,404	21,433	26.5	3.7	34.6	38.2	49.8

R2

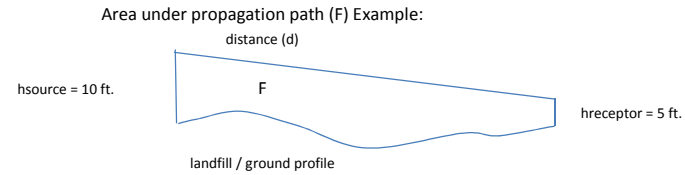
Landfill Stage	Line of Site Break	Distance (d)	Distance (d)	Area under propagation path (F)	Area under propagation path (F)	hm	Agr	Adiv	Agr + Adiv	Leq
			meters	sq. ft.	sq. meter	meters	dB	dB	dB	dB
Stage 1		1,371	415	38,533	3,538	8.5	4.1	28.8	32.8	55.2
Stage 2		1,751	531	101,472	9,318	17.6	3.6	30.9	34.5	53.5
Stage 3		2,163	655		0	0.0	4.8	32.7	37.5	50.5

**MILL SEAT LANDFILL EXPANSION
GROUND EFFECT ATTENUATION (Agr) CALCULATIONS**

Distance and areas obtained from AutoCAD cross sections from source location to specified receptor

Standards:

- Source height - 10 feet above landfill elev.
- Receptor height - 5 feet above ground elev.
- Stage 1 - landfill limits of waste
- Stage 2 - Mid point of landfill
- Stage 3 - High point of landfill
- Source/Receptor Points - shortest straight-line distance



ISO 9613-2 Acoustics - Attenuation of sound during propagation outdoors - Part 2: General method of calculation

Eq 10: $Agr = 4.8 - (2hm/d) * (17 + (300/d))$

where:

$hm = F/d$

Agr = Attenuation due to ground effects

Adiv = Attenuation due to geometric divergence ("distance doubling")

R3

Landfill Stage	Distance (d) ft.	Distance (d) meters	Area under propagation path (F) sq. ft.	Area under propagation path (F) sq. meter	hm meters	Agr dB	Adiv dB	Agr + Adiv dB	Leq dB
Stage 1	2,033	616	48,223	4,428	7.2	4.4	32.2	36.6	51.4
Stage 2	2,451	743	145,660	13,376	18.0	4.0	33.8	37.8	50.2
Stage 3	2,794	847	240,243	22,061	26.1	3.7	34.9	38.7	49.3

R4

Landfill Stage	Line of Site Break	Distance (d) ft.	Distance (d) meters	Area under propagation path (F) sq. ft.	Area under propagation path (F) sq. meter	hm meters	Agr dB	Adiv dB	Agr + Adiv dB	Leq dB
Stage 1		1,093	331	19,719	1,811	5.5	4.2	26.8	31.0	57.0
Stage 2		1,370	415	68,051	6,249	15.1	3.5	28.8	32.3	55.7
Stage 3		1,673	507	113,973	10,466	20.6	3.4	30.5	33.9	54.1

Notes:

1. Although Agr at some receptors is less at Stages 2 and 3 than Stage 1, overall attenuation is more at Stages 2 and 3 due to the increased distance attenuation factor. Therefore, the closes location analysis (from Stage 1) still represents a "worst case" operating scenario for determining potential offsite noise impacts.
2. The Agr at those locations with a Line of Site Break (denoted in that column as "YES") have a minimum attenuation rate of 5 dBA.
3. AutoCAD sections generated from landfill fill progression and onsite/offsite topos. Tree/vegetative effects were not included in Agr
4. See Figure 2 for locations (PL# = property line locations; R# = receptor locations)

MILL SEAT LANDFILL EXPANSION
REFINED ASSESSMENT - 6 NYCRR PART 360 COMPLIANCE AND NEAREST RECEPTOR SOUND LEVEL CALCULATIONS

Location ID	Location Description	MSW Landfill Expansion						
		Leq = 70 dBA @ 345 feet						
		Distance to Receptor (feet)	Adiv (dBA)	Agr - adjusted (dBA)	Aatm (dBA)	Aveg (dBA)	Total Attenuation (dBA)	Leq at Receptor (dBA)
PL1	Eastern property line	1,423	12.3	3.2	0.8	0.0	16.3	54
PL2	Southeastern property line	912	8.4	2.4	0.4	0.0	11.3	59
PL3	Southern property line	1,731	14.0	3.5	1.0	0.0	18.5	52
PL4	Southwestern property line	880	8.1	2.4	0.4	0.0	10.9	59
R1	Residential receptor along Obrien Road	1,883	14.7	3.6	1.1	5.0	24.4	46
R2	Residential receptor along Bovee Road	1,371	12.0	3.0	0.7	0.0	15.8	54
R3	Residential receptors along Edgewood Lane	2,033	15.4	3.6	1.2	0.0	20.2	50
R4	Residential receptor along Bovee Road	1,093	10.0	2.9	0.5	0.0	13.4	57

Notes:

1. Receptor locations shown on Figure 2. Distance to receptor is the closest distance from expansion landfill operations ("Stage 1") to that receptor for "worst case" projection
2. Adiv = geometric divergence (distance) attenuation from MSW landfill operations to receptor location
3. Agr - adjusted = ground effects attenuation adjusted for working face noise level at measured distance from the center of operations.
4. Aatm = atmospheric attenuation at 0.0007 dBA/ft. per ISO 9613-2, Section 7.2 (midband frequency of 500 hz and 15 deg C, 50% RH)
5. Aveg = attenuation associated with dense vegetation that is at least 100' in depth that can reduce sound levels by 3 to 7 dBA.
6. Total Attenuation = Adiv + Agr-adjusted + Aatm + Aveg
7. Leq at receptor = Working Face reference noise level - Total Attenuation

MILL SEAT LANDFILL EXPANSION
REFINED ASSESSMENT - 6 NYCRR PART 360 NIGHTTIME COMPLIANCE AND NEAREST RECEPTOR SOUND LEVEL CALCULATIONS

Location ID	Location Description	MSW Landfill Expansion						
		Leq = 60 dBA @ 210 feet						
		Distance to Receptor (feet)	Adiv (dBA)	Agr - adjusted (dBA)	Aatm (dBA)	Aveg (dBA)	Total Attenuation (dBA)	Leq at Receptor (dBA)
PL1	Eastern property line	1,423	16.6	3.7	1.0	0.0	21.2	39
PL2	Southeastern property line	912	12.8	3.0	0.6	0.0	16.4	44
PL3	Southern property line	1,731	18.3	3.8	1.2	0.0	23.3	37
PL4	Southwestern property line	880	12.4	3.0	0.6	0.0	16.0	44
R1	Residential receptor along Obrien Road	1,883	19.1	3.9	1.3	5.0	29.2	31
R2	Residential receptor along Bovee Road	1,371	16.3	3.4	0.9	0.0	20.7	39
R3	Residential receptors along Edgewood Lane	2,033	19.7	3.9	1.4	0.0	25.0	35
R4	Residential receptor along Bovee Road	1,093	14.3	3.4	0.7	0.0	18.5	42

Notes:

1. Receptor locations shown on Figure 2. Distance to receptor is the closest distance from expansion landfill operations ("Stage 1") to that receptor for "worst case" projection
2. Adiv = geometric divergence (distance) attenuation from MSW landfill operations to receptor location
3. Agr - adjusted = ground effects attenuation adjusted for working face noise level at measured distance from the center of operations.
4. Aatm = atmospheric attenuation at 0.0007 dBA/ft. per ISO 9613-2, Section 7.2 (midband frequency of 500 hz and 15 deg C, 50% RH)
5. Aveg = attenuation associated with dense vegetation that is at least 100' in depth that can reduce sound levels by 3 to 7 dBA.
6. Total Attenuation = Adiv + Agr-adjusted + Aatm + Aveg
7. Leq at receptor = Working Face reference noise level - Total Attenuation

Appendix D

Noise Easements

BOX 79 1/2

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12^m day of February, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 650 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-1-17.1 as shown on the tax map of the County of Monroe, Town of Riga, being 24.28 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

2015 FEB 13 AM 10:00
MONROE COUNTY CLERK

FILED

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

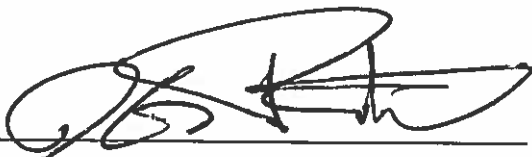
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

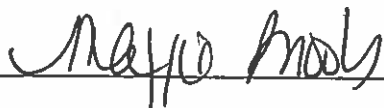
*** SIGNATURES APPEAR ON THE FOLLOWING PAGE ***

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

WASTE MANAGEMENT OF NEW YORK,
L.L.C

By: 
Name: JEFFREY RICHARDSON
Title: Senior District Manager


COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Richardson, personally known to me or proved to me on the basis of satisfactory evidence, to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Signature of Notary and Stamp

Mary R. Maloney 4812000
Notary Public State of NY
QUALIFIED IN WAYNE COUNTY
MY COMMISSION EXPIRES
OCTOBER 31st 2018

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 15th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Swaks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.



Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 2018

BOX 79 1/2

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12th day of February, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 515 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-1-12.1 as shown on the tax map of the County of Monroe, Town of Riga, being 66.402 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

RECORDED
FEB 12 2015
MONROE COUNTY CLERK

FILED

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

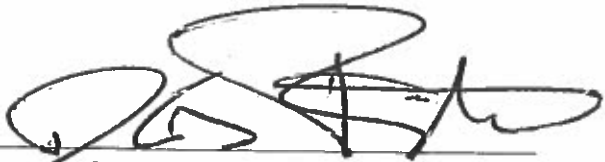
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

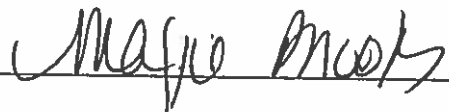
*** SIGNATURES APPEAR ON THE FOLLOWING PAGE ***

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

**WASTE MANAGEMENT OF NEW YORK,
L.L.C**

By: 
Name: Jeffrey Richardson
Title: Senior District Manager

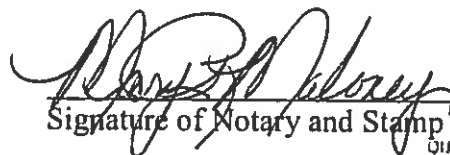
COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



STATE OF NEW YORK:
COUNTY OF MONROE:

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Richardson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Signature of Notary and Stamp
Mary R. Maloney 4812000
Notary Public State of NY
QUALIFIED IN WAYNE COUNTY
MY COMMISSION EXPIRES
OCTOBER 31st 20 18

STATE OF NEW YORK:
COUNTY OF MONROE:

On this 5th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Banks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.



Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 20 18

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12th day of February, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 515 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-1-8 as shown on the tax map of the County of Monroe, Town of Riga, being 144.56 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

2015 FEB 13 4:15:00
MONROE COUNTY

FILED

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

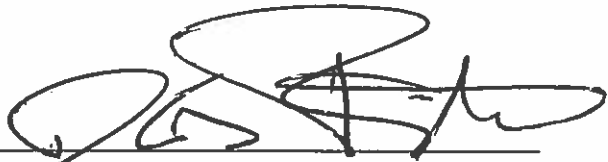
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

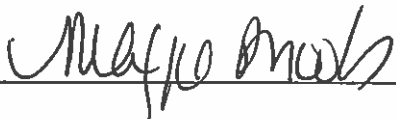
* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

WASTE MANAGEMENT OF NEW YORK,
L.L.C

By: 
Name: Jeffrey Richardson
Title: Senior District Manager

COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Richardson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Mary A. Maloney
Signature of Notary and Stamp

Mary A. Maloney 4812000
Notary Public State of NY
QUALIFIED IN WAYNE COUNTY
MY COMMISSION EXPIRES
OCTOBER 31st 2018

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 12th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Sparks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.

Mary Beth Musto
Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 20 18

BOX 79 1/2

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12th day of February, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 850 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183-01-1-1 as shown on the tax map of the County of Monroe, Town of Riga, being 133.60 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

FILED
FEB 13 AM 10:40
COUNTY

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

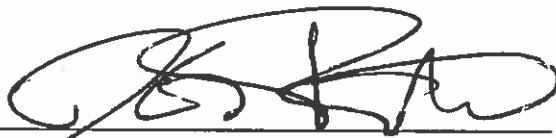
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

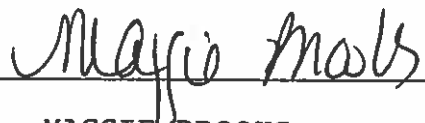
* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *

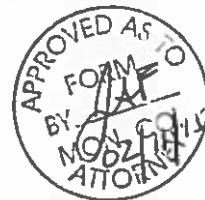
IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

WASTE MANAGEMENT OF NEW YORK,
L.L.C

By: 
Name: Jeffrey Richardson
Title: Senior District Manager

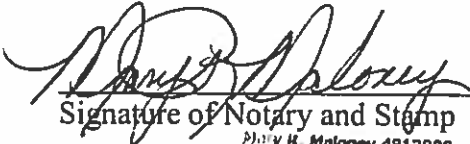
COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Dickerson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Signature of Notary and Stamp
Mary H. Maloney 4812000
Notary Public State of NY
QUALIFIED IN WAYNE COUNTY
MY COMMISSION EXPIRES
OCTOBER 31st 2018

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 15th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Books, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.


Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 2018

BOX 79 1/2

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12th day of FEBRUARY, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 771 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-01-013 as shown on the tax map of the County of Monroe, Town of Riga, being approximately 1.214 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.
2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.
3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

RECEIVED
FEB 13 AM 10:58
MONROE COUNTY CLERK

RECEIVED

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

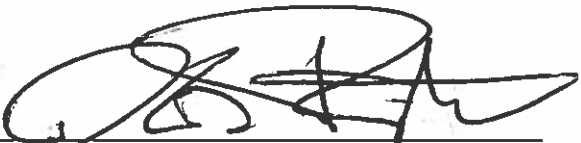
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

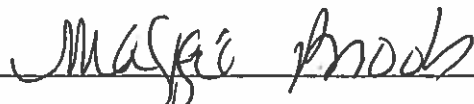
* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

WASTE MANAGEMENT OF NEW YORK,
L.L.C

By: 
Name: Jeffrey Richardson
Title: Senior District Manager

COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Richardson personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.

Mary R. Maloney
Signature of Notary and Stamp
Mary R. Maloney #812000
Notary Public State of NY
QUALIFIED IN WAYNE COUNTY
MY COMMISSION EXPIRES
OCTOBER 31st 20 18

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 12th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Margie Brooks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.

Mary Beth Musto
Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 20 18

BOX 79 1/2

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12th day of February, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 845 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-01-014 as shown on the tax map of the County of Monroe, Town of Riga, being approximately .186 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

2015 FEB 13 AM 10:00
MONROE COUNTY

FILED

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

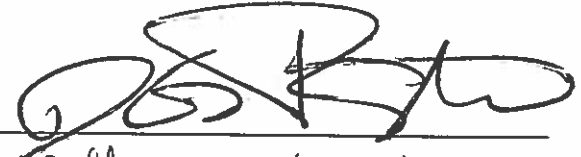
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.


* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

WASTE MANAGEMENT OF NEW YORK,
L.L.C

By: 
Name: Jeffrey Richardson
Title: Senior District Manager

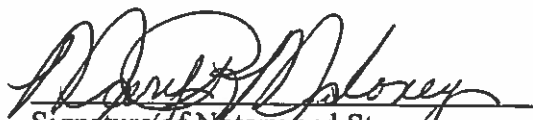
COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Richardson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Signature of Notary and Stamp
Notary Public State of NY
QUALIFIED IN WAYNE COUNTY
MY COMMISSION EXPIRES
OCTOBER 31st 2018

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 12th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Margie Brooks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.


Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 2018

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 5th day of January, 2015 (the "Effective Date"), by and between TERENCE F. MAHER and SUSAN L. MAHER, with an address of 993 Bovee Road, Town of Riga, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 993 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 182.02-1-1.1 as shown on the tax map of the County of Monroe, Town of Riga, being 183.86 acres, more or less (the "Landowner Property");

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property");

WHEREAS, the Landfill is subject to a lease with Waste Management of New York, LLC ("WM") whereby WM operates the Landfill;

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

MONROE COUNTY CLERK
2015 FEB 13 AM 10:00

FILED

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

***** SIGNATURES APPEAR ON THE FOLLOWING PAGE *****

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

Terence F. Maher
Terence F. Maher

Susan L. Maher
Susan L. Maher

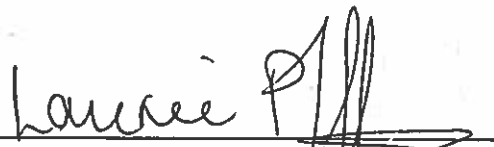
COUNTY OF MONROE



By: Maggie Brooks
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE

STATE OF NEW YORK:
COUNTY OF MONROE: Genesee

On this 5th day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Terence Maher, a(n) person, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.

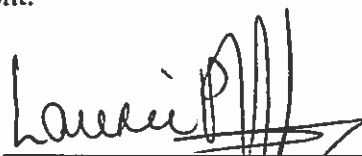


Signature of Notary and Stamp

LAURIE PFAFF -
Notary Public, State of New York
Registration No. 01PF4901290
Qualified in Genesee County
Commission Expires July 20, 2017

STATE OF NEW YORK:
COUNTY OF MONROE: Genesee

On this 5th day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Susan Maher, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.



Signature of Notary and Stamp

LAURIE PFAFF
Notary Public, State of New York
Registration No. 01PF4901290
Qualified in Genesee County
Commission Expires July 20, 2017

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 13th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Books, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.

Mary Beth Musto
Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 20 18

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 12th day of FEBRUARY, 2015 (the "Effective Date"), by and between WASTE MANAGEMENT OF NEW YORK, L.L.C., with an address of 303 Brew Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 834 Brew Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-1-4.112 as shown on the tax map of the County of Monroe, Town of Riga, being 1.178 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of One Dollar (\$1.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.

2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.

3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

FILED
2015 FEB 13 AM 10:00
CLERK OF COUNTY OF MONROE

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

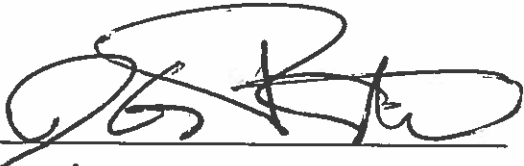
9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.


* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

WASTE MANAGEMENT OF NEW YORK,
L.L.C

By: 
Name: Jeffrey Richardson
Title: Senior District Manager


COUNTY OF MONROE

By: 
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE



**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 19 day of January, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Jeffrey Richardson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.


Signature of Notary and Stamp

Monroe 4812000
Notary Public State of NY
RESIDED IN WAYNE COUNTY
COMMISSION EXPIRES
SEPTEMBER 31ST 2015

**STATE OF NEW YORK:
COUNTY OF MONROE:**

On this 12th day of February, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Brooks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.


Signature of Notary and Stamp

Mary Beth Misto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 2018

ENVIRONMENTAL EASEMENT

THIS ENVIRONMENTAL EASEMENT, made this 30th day of December, 2014 (the "Effective Date"), by and among JOHN F. PRATT and DEBRA A. PRATT, husband and wife, with an address of 620 Bovee Road, New York 14416 ("Landowner"), and THE COUNTY OF MONROE, a New York municipal corporation, with offices at 39 West Main Street, Rochester, NY 14614 ("County") (Landowner and the County each a "Party", and together the "Parties").

WHEREAS, Landowner is the owner of certain real property located at 620 Bovee Road, Riga, New York 14416 in the Town of Riga, Monroe County, State of New York, being tax parcel no. 183.01-1-19 as shown on the tax map of the County of Monroe, Town of Riga, being 8.708 acres, more or less (the "Landowner Property"); and

WHEREAS, County is the owner of a solid waste disposal facility, located in the Town of Riga, Monroe County, State of New York (the "Landfill"), consisting of (1) all that property being used in connection with the Landfill, located in the Town of Riga near or adjacent to the Landowner Property; and (2) any property hereafter acquired by the County or the parties' successors or assigns, to be used in connection with the construction, operation and management of solid waste management and related facilities (the "Landfill Property"); and

WHEREAS, County desires to acquire easement rights relative to noise from the Landfill Property, on and over the Landowner Property, in connection with the construction, operation and management of a solid waste management and related facilities on the Landfill Property; and

WHEREAS, the parties to this Environmental Easement Agreement intend that the easement, rights and privileges granted by this instrument shall be interpreted as granting County the right to treat the Landowner Property as Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) only, and for no other purpose.

NOW THEREFORE, in consideration of the mutual covenants and conditions contained herein, the parties agree as follows:

1. In consideration of Three Thousand Dollars (\$3,000.00), the sufficiency of which is hereby acknowledged, Landowner hereby grants to the County an easement providing the County the right to treat the Landowner Property as part of the Landfill Property for the purpose of compliance with the noise standard set forth in 6 NYCRR § 360-1.14(p) and for no other purpose, as further described herein (the "Environmental Easement"), which easement shall be recorded.
2. The Environmental Easement granted in this instrument is appurtenant to the Landfill Property.
3. Landowner covenants with the County that Landowner is the lawful owner of the Landowner Property and that Landowner has good and lawful right to convey the Environmental Easement.

2013 FEB 13 AM 10:00
MONROE COUNTY CLERK

FILED

4. The Environmental Easement granted in this instrument is the right of the County to create noise on the Landfill Property and to impact the Landowner Property with that noise provided that the noise level at the property line between the Landfill Property and the Landowner Property shall not exceed a noise level equivalent to equipment operating at the property line with mufflers such that sound levels from such equipment do not exceed 80 decibels (A-weighted) at a distance of fifty (50) feet from the operating equipment.

5. For the purpose of the Environmental Easement granted herein, the Landfill Property shall include the property now owned by the County, together with any property, property rights or property interests hereinafter acquired by the County that abuts the Landowner Property.

6. The Environmental Easement is together with reasonable rights of access to and over the Landowner Property in furtherance of the purposes of the Environmental Easement granted herein.

7. The Environmental Easement granted herein shall commence on the Effective Date and shall continue as long as the solid waste management facility on the Landfill Property is operated through and including closure, subject to the terms and conditions stated herein.

8. In the event that the County shall cease operations through and including closure, on the Landfill Property then this Environmental Easement shall be terminated upon fifteen (15) days written notice to Landowner. In such an event, the Environmental Easement and the license shall expire immediately, and within thirty (30) days thereafter the parties shall file all necessary documents to terminate this easement of record.

9. All notices required by this Environmental Easement Agreement shall be effective upon mailing and shall be made by Certified Mail, Return Receipt Requested or overnight mail or courier, to the parties at the address stated above.

10. The Environmental Easement shall be binding upon Landowner and the County, and inure to the benefit of successors and assigns of the County and the Landowner, and the Environmental Easement shall run with the land.

* * * SIGNATURES APPEAR ON THE FOLLOWING PAGE * * *

IN WITNESS WHEREOF, the parties hereto have caused this Environmental Easement to be executed as of the date first written above.

John F. Pratt 12-30-14
John F. Pratt

Debra A. Pratt 12-30-14
Debra A. Pratt

COUNTY OF MONROE

By: Maggie Brooks
Name: MAGGIE BROOKS
Title: COUNTY EXECUTIVE

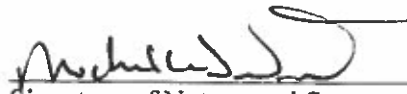


STATE OF NEW YORK:
COUNTY OF MONROE:

On this 50th day of December, 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN F. PRATT and DEBRA A. PRATT personally known to me or proved to me on the basis of satisfactory evidence to be the individual (s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual (s), or the person upon behalf of which the individual(s) acted, executed the instrument.

MICHELLE F. WRIGHT
Notary Public, State of New York
No. 01WR5041504
Qualified in Wayne County
Commission Expires April 3,

2/15/16


Signature of Notary and Stamp

STATE OF NEW YORK:
COUNTY OF MONROE:

On this 12th day of February, ²⁰¹⁵ 2014, before me, the undersigned, a Notary Public in and for said State, personally appeared Maggie Besaks, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that she executed the same in her capacity and that by her signature on the instrument, , the individual, or the person upon behalf of which the individual acted, executed the instrument.


Signature of Notary and Stamp

Mary Beth Musto
Notary Public State of New York
Monroe County
Commission Expires Sept. 25, 20 18

Doc#: 201502130107 Pgs: 5
Type: EASEMENT WITHOUT A TPS584
Book: 11501 Pages: 66-70
Name: WASTE MANAGEMENT OF NEW YORK LLC
Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130108 Pgs: 6
Type: EASEMENT WITHOUT A TPS584
Book: 11501 Pages: 71-76
Name: MAHER TERENCE F
Name: MAHER SUSAN L
Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130109 Pgs: 5
Type: EASEMENT WITHOUT A TPS584
Book: 11501 Pages: 77-81
Name: WASTE MANAGEMENT OF NEW YORK LLC
Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130110 Pgs: 5
Ref2: TT0000009920
Type: EASEMENT AGREEMENT
Book: 11501 Pages: 82-86
Name: PRATT JOHN F
Name: PRATT DEBRA A
Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE TRANSFER TAX \$	0.00
STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00
COUNTY FEE TP584 \$	0.00

Total	\$	0.00
Balance	\$	0.00

Total Documents: 9
Total Fees: 38

Client Name MONROE COUNTY OF
Feb 13 2015 10:09:05 AM

Cashier: JoanM

Receipt# 1197673

CHERYL DINOLFO
COUNTY CLERK
OFFICE OF THE COUNTY CLERK
39 WEST MAIN STREET
ROCHESTER, NY
14614

Doc#: 201502130102 Pgs: 5
Type: EASEMENT WITHOUT A TPS584
Book: 11501 Pages: 41-45
Name: WASTE MANAGEMENT OF NEW YORK LLC
Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130103 Pgs: 5
Type: EASEMENT WITHOUT A TPS584
Book: 11501 Pages: 46-50
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Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130104 Pgs: 5
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Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130105 Pgs: 5
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Book: 11501 Pages: 56-60
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Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00

Doc#: 201502130106 Pgs: 5
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Name: MONROE COUNTY OF
Time: 10:01:31 AM

STATE FEE CULTURAL EDUCAS	0.00
STATE FEE RECORDS MANAGE\$	0.00
COUNTY FEE RECORDING \$	0.00
COUNTY FEE NUMBER PAGES \$	0.00