

Interim Progress Report

for the:

Dom-Mar Recycling and Transfer Facility Public Participation Plan

May 2025

prepared for:

DOM KAM LLC
366 Highland Avenue Ext.
Middletown, New York 10940

prepared by:



ENGINEERING +
ENVIRONMENTAL

EnSol, Inc.
3000 Alt. Blvd.,
Grand Island, NY 14072
716.285.3920

ensolinc.com

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1. Introduction

A Public Participation Plan (PPP) dated March 2022 and last updated in September 2022, was prepared for the proposed Dom-Mar Recycling and Transfer Facility in accordance with CP-29 and the Tips for Preparing a Public Participation Plan Pursuant to the New York State Department of Environmental Conservation Commissioner Policy-29, Environmental Justice and Permitting Issued December 4, 2003, and Revised February 1, 2006. Implementation of the PPP originally began in October 2022, the public comment period for the PPP ended on November 18, 2022. After the close of the comment period, an Interim Progress Report, including a Summary of Comments was drafted and submitted to the NYSDEC and Secondary Stakeholders, including the Lead Agency (Town of Wawayanda). A Final Progress Report was prepared and submitted in December 2022.

The NYSDEC issued a Notice of Complete Application (NOCA) on September 30, 2024. In response to NOCA public comments the primary and secondary stakeholder list was expanded and two additional Public Information meetings were conducted on April 30, 2025, the public comment period ended on May 14, 2025. The following Interim Progress Report presents the status of the PPP implementation since December 2022, and includes documentation of the following items for the additional Public Information Meetings:

- Public Information Meeting Notification.
- Public Information Meetings.
- Summary of Comments:
 - A list of all substantive concerns/issues raised to date.
 - All resolved and outstanding issues.
 - A determination as to whether the volume of comments warrants either additional posting of information or an additional public information meeting.
 - A detailed description of how the issues will be addressed within the Application Documents.
- Components of the PPP yet to be implemented.
- Expected timeline for completion of the PPP.

2. Status of PPP Implementation

2.1 Meeting Notification

The primary and secondary stakeholder list was expanded based on the NYSDEC Request for Additional Information Letter (RFAI) dated March 21, 2025. The additional stakeholders consisted of additional community groups, local leaders, and the NOCA public commenters. A Meeting Notification and a Project Fact Sheet were mailed to each Stakeholder identified in the PPP. A copy of the Meeting Notification and Project Fact Sheet is included in Attachment 1. The Stakeholder mailing and email list is included in Attachment 2. The community was notified through a public notice posted in printed and digital versions of The Times Herald-Record. The Meeting Notification and Project Fact Sheet was also posted on public bulletin and message boards identified in the PPP. An email address and mail address for Stakeholders to directly submit comments or questions was included on the Meeting Notification and Project Fact Sheet. Notification was given at least three weeks before the first scheduled meeting date. A mailing and email affidavit are included in Attachment 3. The Times Herald-Record public notification and select photos of public bulletin and message board postings are included in Attachment 4.

2.2 Public Repository

A public repository containing physical copies of the proposed Facility Application Documents was set up at the Middletown Thrall Library at 11-19 Depot Street, Middletown, NY. A dedicated website containing electronic copies of the proposed Facility Application Documents was also set up. The website URL and the Library address were included on the Meeting Notification and Project Fact Sheet. An index of the items included in the Public Repository is included in Attachment 5.

2.3 Public Information Meetings

Two additional public information meetings were held, Meeting #1 occurred on April 30, 2025, at 11:00 AM, and Meeting #2 occurred on April 30, 2025, at 6:00 PM. The meetings were held virtually through access live and managed by Broadnet, LLC of Littleton, Colorado. The Meeting Notifications included a URL and a call-in number available to participate via phone. The meetings included an introduction describing the instructions for commenting, a presentation discussing the permit process, the status of the applications, a description of the Facility and its operations, and the environmental evaluations completed, and a public comment period. The meeting presentation slides are included in Attachment 6. A list of the attendees and statistics for each meeting is included in Attachment 7. A transcript for each meeting is included in Attachment 8.

2.4 Components yet to be implemented

This Interim Progress Report shall first be submitted to the NYSDEC for review. Following approval from the NYSDEC, the Interim Progress Report including the Summary of Comments shall be submitted directly to the secondary Stakeholders including the Town of Wawayanda. All of the PPP documents will become part of the Application and will be made available to the public at the Project Document Repository.

Upon completion of the PPP, a Final Progress Report with written certification that the applicant has complied with the PPP shall be submitted to the NYSDEC. As part of the certification, the Progress Report shall be updated to detail any activity which occurred subsequent to the Interim Progress Report. The certification shall be signed by the Project Applicant/Sponser and submitted to NYSDEC prior to a final decision on the Application. The certification will become part of the Application and will be made available to the public at the Project Repository.

3. Summary of Comments

3.1 Substantive Comments Received to Date

The questions and comments received for the additional information meetings include the following types:

- Request in-person public information meetings and expanded meeting notification.
- Request for additional site soil and water testing.
- Traffic impacts.
- Proximity to Monhagen Brook, and the Heritage Trail.
- Noise and odor impacts.
- Facility monitoring requirements.
- Question need for Facility.
- Status of developers agreement.
- Support for the project based on limited capacity at the local waste transfer facilities which are congested, the additional capacity of the proposed Facility will ease wait and travel times.

Responses to questions and comments were provided when possible during each meeting during the comment period following the presentation. A transcript for each meeting is included in Attachment 8. Comments were also received via email after the meetings and are included in Attachment 9. A summary of the commenters and their comments/questions, and responses is included in Attachment 10.

To date a total of four public information meetings have been held for the Project in addition to multiple public hearings held by the Town of Wawayanda for the Dolstontown Corridor GEIS. The meetings have been conducted in accordance with the approved Public Participation Plan and in coordination with the NYSDEC. Based on the comments received and responses provided, it is not believed necessary to conduct additional meetings.

3.2 Resolved and Outstanding issues

There are no resolved or outstanding issues.

3.3 Additional Posting of Information

No additional posting of information, or public meetings are anticipated at this time except for the Interim Progress Report, and Final Progress Report as discussed in Section 2.4.

3.4 Application Document Changes

No application document changes are proposed based on the PPP comments received.

4. Timeline of Completion

The following timeline of completion for the Dom-Mar Recycling and Transfer Facility PPP is anticipated:

- Submittal of Interim Progress Report – May 2025
- NYSDEC acceptance of the Interim Progress Report – June 2025
- Submittal of the Interim Progress Report to the Secondary Stakeholders and addition to the Public Repository – June 2025
- Submittal of Final Progress Report with written certification and addition to the Public Repository – June 2025

Attachment 1

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Meeting Notification and Fact Sheet

FACT SHEET

DOM-MAR RECYCLING AND TRANSFER FACILITY DOLSONTOWN ROAD, WAWAYANDA, NY

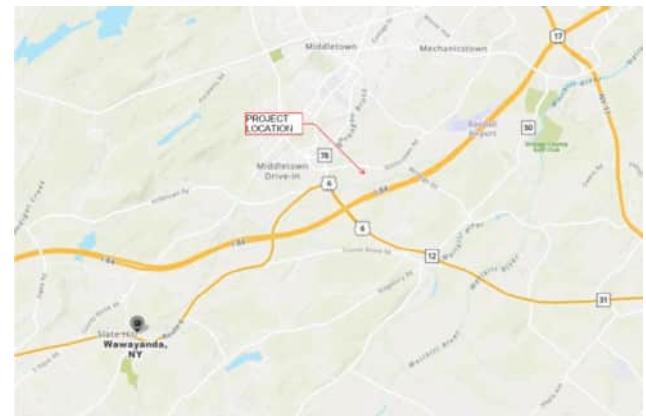
OVERVIEW

The Applicant, DOM KAM, LLC, is seeking to construct and operate the Dom-Mar Recycling and Transfer Facility on Dolsontown Road, in the Town of Wawayanda, NY. A permit is required from the New York State Department of Environmental Conservation (NYSDEC). The NYSDEC is currently reviewing the permit application.

FACILITY OVERVIEW AND OPERATIONS

The proposed Facility consists of a Recycling and Transfer building, with an associated administrative office building, inbound and outbound truck scales, residential drop-off area, parking for employees and trailers, wastewater collection and pre-treatment, and a stormwater management system. A future second phase of development may include a maintenance building, fabrication shop, fueling station, roll-off container storage, and employee parking for the associated collection truck fleet.

Once operational, the facility will accept up to 950 tons per day (tpd) of material comprising household, commercial and institutional waste and recyclable materials generated in and around the area. The facility will not accept hazardous materials of any kind. All transfer, sorting, and recycling activities shall take place within an enclosed building, mitigating noise and odor effects. Operation of the Facility will include implementing best management practices for dust, sediment, and erosion control, daily tipping floor cleaning, and daily inspections to detect any litter, dust, odor, or vectors.



Recycling Operations

The Facility shall include recycling activities to help meet current local and State recycling objectives, with the flexibility to support future recycling initiatives. The Facility recycling activities shall include:

- Recovery of:
 - Cardboard,
 - Concrete,
 - Asphalt,
 - Rock,
 - Brick,
 - Soil,
 - Brush,
 - Unadulterated wood,
 - Incidental tires, and
 - Metals.
- Baling and transfer of cardboard.
- Palletizing, wrapping, and transfer of product stewardship/electronic products.
- Shredding and transfer of unadulterated wood for further processing.
- Transfer of source separated recyclables and organics.

Trucks and Traffic

Recyclable and waste materials will be delivered to the facility in approximately 80 trucks each day. Outbound material will be shipped in transfer trailers; approximately 44 each day. The facility will contribute an average of 12 trucks per hour to existing traffic on Dolsontown Road. The Facility proposes to operate during the expanded hours of 4:00 am to 7:00 pm to distribute traffic flow as evenly as possible and avoid peak traffic times.

Wastewater Collection and Treatment

Wastewater generated at the Facility will be primarily derived from precipitation gathered on trailers, incidental liquid contained within materials received, and floor wash water. Pollutants of concern include total suspended solids, biochemical oxygen demand, oil, and grease. Wastewater within the Transfer and Recycling building shall drain to floor drains connected to double contained drainpipes which will convey the wastewater to a gravity oil-water separator for pre-treatment. The gravity oil-water separator shall separate oil and grease and allow solids to settle from the wastewater.

The floor drains within the Transfer and Recycling Building shall also trap solids by setting the drainpipe inverts one foot above the base of the floor drain. The pre-treated wastewater shall then be discharged to a grinder pump and pumped via a force main to the existing sewer line along Dolsontown Road.

Stormwater

Runoff from the site shall be collected by swales and catch basins and conveyed to treatment features including a Bioretention basin and two Wet Ponds designed in accordance with the New York State Stormwater Management Design Manual. The stormwater collection system shall be monitored in accordance with the NYSDEC Multi-Sector General Permit for stormwater discharges from industrial facilities.

Litter

All loaded trucks and containers will be covered to prevent litter. The facility grounds will be inspected for litter at the end of each day. Any litter that is found will be collected and disposed.

Odors and Dust

Material handling will take place inside the building, reducing the potential for dusty conditions at the Site. Odors and dust shall be controlled by cleaning indoor material handling areas on a daily basis. Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems. Facility doors shall be kept closed except when vehicles are entering or exiting buildings. If odor issues continue to persist an air purification system shall be installed.

Dusty conditions in traffic areas are not anticipated due to limited onsite travel and low speeds. Exhaust odors from heavy equipment and trucks will be minimized by limiting idling engines in accordance with current regulatory idling restrictions. Burning of materials is not permitted at the Facility. Mechanical street sweeping equipment or misting equipment shall be used as a contingency if dusty conditions persist.

Noise

Noise levels at the Facility will conform to the NYSDEC Part 360 requirements and the Town of Wawayanda Code as detailed in the Engineering Report. Most of the site equipment will be operated within the building. Internal combustion engine equipment used at the Facility will be equipped with mufflers.

FACILITY OVERSIGHT

- The Facility shall be required to adhere to the conditions of its Solid Waste Facility permit. The NYSDEC will conduct regular inspections of the facility.

FACILITY BENEFITS

- Reduces the amount of materials disposed in local landfills.
- Increases the amount of local waste materials that are recycled.
- Approximately 30 employees will be needed to staff the Facility.
- Reduces area traffic and exhaust emissions by consolidating waste into larger trucks, thereby reducing the number of smaller vehicles traveling directly to landfills.

PROJECT DOCUMENT REPOSITORIES

Members of the public are encouraged to review all facility design and NYSDEC application materials to gain a better understanding of the proposed facility. These materials will be made available for review at the following locations:

Middletown Thrall Library, 11-19 Depot Street, Middletown NY, (845) 341-5454

The documents will be available until four months after the NYSDEC's final permit decision date.

A dedicated website, containing electronic copies of the same information, will also be set up at:

<https://dommartransferstation.ensolinc.com/>

PUBLIC INFORMATION MEETINGS

DOM KAM, LLC, of Middletown, NY is hosting public information meetings to solicit comments and feedback from the community for the proposed Dom-Mar Transfer and Recycling Facility on Dolsontown Road, in the Town of Wawayanda, NY. The proposed Facility consists of a Transfer and Recycling building, with an associated administrative office building, inbound and outbound truck scales, residential drop-off area, parking for employees and trailers, wastewater collection and treatment system, and a stormwater management system. The proposed operations will require a solid waste permit (also known as “Part 360” permit) from the New York State Department of Environmental Conservation (NYSDEC). The meetings are required by the NYSDEC for compliance with Commissioner’s Policy CP-29, Environmental Justice and Permitting.

The meetings will be held virtually, the meeting information is listed below:

Meeting Date and Times:

Wednesday, April 30, 2025 11:00 am and 6:00 pm

URL: <https://access.live/Dom-Mar-Recycling-and-TransferFacility>

Phone Dial in: 866-641-6804

The public is encouraged to attend either meeting to receive a briefing on the proposed project, to ask questions about the project and to provide comments. Your input will receive consideration in the permitting process and will influence, in a positive manner, how the project is implemented. Questions and comments can be provided in writing or in person at either public information meeting. If you cannot attend the meeting or would prefer to send your comments directly, you are encouraged to send written comments to:

Marangicomments@ensolinc.com

or

EnSol, Inc.

3000 Alt Blvd

Grand Island, NY 14072

Attention: Dom-Mar

Comments will be accepted until May 14, 2025.

Application Documents may be viewed at the Thrall Middletown Thrall Library at 11-19 Depot Street Middletown, NY 10940. Project information may also be viewed online at:

<https://dommartransferstation.ensolinc.com/>

Attachment 2

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Stakeholder Mailing and Email List

Dom-Mar Recycling and Transfer Facility Public Participation Plan Stakeholder Mailing List

Robert Taylor	1065 Dolsontown Road, Middletown, NY 10940
Christopher Bennett	1069 Dolsontown Road, Middletown, NY 10940
Wayne E. Weymer	1073 Dolsontown Road, Middletown, NY 10940
1081 Dolsontown Develop, LLC	1081 Dolsontown Road, Middletown, NY 10940
Pericles C. Gardianos	1133 Dolsontown Road, Middletown, NY 10940
Donna Destafeno	1187 Dolsontown Road, Middletown, NY 10940
Anita Geary	1197 Dolsontown Road, Middletown, NY 10940
Sal & Sherry Devito	24 Caskey Lane, Middletown, NY 10940
Jane Greitzer Deevy	27 Caskey Lane, Middletown, NY 10940
NAACP Newburgh Highland falls - Kyle Conway	P.O. Box 301, Newburgh, NY 12551
Leslie Hanes	20 Mt. Orange Road, Slate Hill NY 10973
Our Lady of Mount Carmel Catholic Church	90 Euclid Avenue, Middletown, NY 10940
Cornerstone Baptist Church	65 Schutt Road, Middletown, NY 10940
Middletown Islamic Center	169 Ryerson Road, New Hampton, NY 10958
Gurdwara Middletown Sikh Temple	84 Genung st. Middletown, NY 10940
Denton Presbyterian Church	22 County Route 56, New Hampton, NY 10958
Centro Cristiano Nueva Vida	193-195 Watkins Ave, Middletown, NY 10940
Assemblymember - Paula Kay	461 Broadway Monticello, NY 12701
Mayor of Middletown - Joseph M. DeStefano	16 James Street, Middletown NY 10940
Orange County Executive - Steven Neuhaus	255 Main Street, Goshen, NY 10924
Orange County Legislative Member District 21-James D. O'Donnell	255 Main Street, Goshen, NY 10924
New York State Assembly District 99 -Chris Eachus	34 Smith Clove Road, Central Valley, NY 10917
New York State Senator District 42 - James Skoufis	45 Quaker Ave, STE. 202, Cornwall NY 12518
Town of Wawayanda Supervisor-Denise Quinn	80 Ridgebury Hill Road, Slate Hill, NY 10973
Town of Wawayanda Planning Board - Secretary Stacey Daly-Wilkins	80 Ridgebury Hill Road, Slate Hill, NY 10973
Town of Wawayanda Planning Board Engineer -Patrick Hines	33 Airport Center Drive Suite 202, New Windsor, NY 12553
Brian Orzel, Project Manager, Civil Engineer	Jacob K. Javits Federal Building, 26 Federal Plaza, New York, New York 10278-0090

New York State Department of Environmental Conservation Region 3

Division of Environmental Permits

Tracy O'Malley

Division of Materials Management

David Pollock

Wesley Salis

New York State Office of Environmental Justice

Jordan Gouler

21 South Putt Corners Road, New Paltz, NY 12561-1696

21 South Putt Corners Road, New Paltz, NY 12561-1696

21 South Putt Corners Road, New Paltz, NY 12561-1696

625 Broadway, Albany, NY 12233

Dom Mar Recycling and Transfer Facility Public Participation Plan Stakeholder Email List

Save Wawayanda	savewawayanda@gmail.com
Riverkeeper	info@riverkeeper.org
Scenic Hudson	Info@scenichudson.org
Orange Environment, INC	orangeenvironment@gmail.com
The Preservation Collective, Inc	Info@thepreservationcollective.com
Hudson Valley Watershed Alliance	Emily@hudsonwatershed.org
Sustainable Hudson Valley	Info@sustainhv.org
Outdoor Promise	Info@outdoorpromise.org
Environmental Advocates NY	info@eany.org
Partners for Climate Action	Hello@climateactionhv.org">Hello@climateactionhv.org
Next Step Hudson Valley Coalition	standwithali@gmail.com
845 Unity	845unity@gmail.com
Protect Orange County	protectorangeco@gmail.com
NAACP Middletown Branch	naacpmiddletown@gmail.com

Attachment 3

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Mailing and Emailing Affidavits

**AFFIDAVIT OF MAILING OF NOTICE OF PUBLIC INFORMATION MEETING
AND FACT SHEET**

I, DAVID LENOX, affirm and state the following, under the penalties of perjury under the laws of the State of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law, that I am the Senior Engineer, and reside at EnSol Inc. at 3000 Alt Blvd. in the Town of Grand Island, NY; that on 9 day of April, 2025, at 3000 Alt Blvd., I mailed in a sealed envelope, postage prepaid, a copy of the attached Fact Sheet dated April 2025 and Notice of Public Information Meetings to be held on April 30, 2025, to each of the following named persons at their respective addresses below:

Roberta Taylor 1065 Dolsontown Road, Middletown, NY 10940	Christopher Bennett 1069 Dolsontown Road, Middletown, NY 10940	Wayne E. Weymer 1073 Dolsontown Road, Middletown, NY 10940
1081 Dolsontown Develop, LLC 1081 Dolsontown Road, Middletown, NY 10940	Pericles C. Gardianos 1133 Dolsontown Road, Middletown, NY 10940	Donna Destafeno 1187 Dolsontown Road, Middletown, NY 10940
Anita Geary 1197 Dolsontown Road, Middletown, NY 10940	Sal & Sherry Devito 24 Caskey Lane, Middletown, NY 10940	Jane Greitzer Deevy 27 Caskey Lane, Middletown, NY 10940
NAACP Newburgh Highland Falls Kyle Conway P.O. Box 301, Newburgh, NY 12551	Our Lady of Mount Carmel Catholic Church 90 Euclid Avenue, Middletown, NY 10940	Cornerstone Baptist Church 65 Schutt Road, Middletown, NY 10940
Middletown Islamic Center 169 Ryerson Road, New Hampton, NY 10958	Gurdwara Middletown Sikh Temple 84 Genung St, Middletown, NY 10940	Denton Presbyterian Church 22 County Route 56, New Hampton, NY 10958
Centro Cristiano Nueva Vida 193-195 Watkins Ave, Middletown, NY 10940	Orange County Legislative Member, District 21 James D. O'Donnell 255 Main Street, Goshen, NY 10924	New York State Assembly District 99 Chris Eachus 34 Smith Clove Road Central Valley, NY 10917
NYS Senator District 42 James Skoufis 45 Quaker Ave, STE. 202, Cornwall NY 12518	Town of Wawayanda Supervisor Denise Quinn 80 Ridgebury Hill Road, Slate Hill, NY 10973	New York State Office of Environmental Justice Jordan Goubler 625 Broadway, Albany, NY 12233

**AFFIRMATION OF ELECTRONIC MAILING OF
NOTICE OF PUBLIC INFORMATION MEETING AND FACT SHEET**

I, DAVID LENOX, affirm and state the following, under the penalties of perjury under the laws of the State of New York, which may include a fine or imprisonment, that the foregoing is true, and I understand that this document may be filed in an action or proceeding in a court of law, that I am the Senior Engineer, and reside at EnSol Inc. at 3000 Alt Blvd in the Town of Grand Island, NY; that on 9 day of April, 2025, I emailed a copy of the attached Fact Sheet dated April 2025 and Notice of Public Information Meetings to be held on April 30, 2025, to each of the following named persons at their respective email addresses below:

Sustainable Hudson Valley
Info@sustainhv.org

Outdoor Promise
Info@outdoorpromise.org

Scenic Hudson
Info@scenichudson.org

The Preservation Collective, Inc
Info@thepreservationcollective.com

Environmental Advocates NY
info@eany.org

Partners for Climate Action
[Hello@climateactionhv.org](mailto>Hello@climateactionhv.org)

Protect Orange County
protectorangeco@gmail.com

Save Wawayanda
savewawayanda@gmail.com

Riverkeeper
info@riverkeeper.org

Orange Environment, INC
orangeenvironment@gmail.com

Hudson Valley Watershed Alliance
Emily@hudsonwatershed.org

845 Unity
845unity@gmail.com

Next Step Hudson Valley Coalition
standwithali@gmail.com

NAACP Middletown Branch
naacpmiddletown@gmail.com



Name of Affiant
DAVID LENOX

Attachment 4

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Newspaper Notification and Public Posting Photos

LOCALiQ

Observer-Dispatch | Daily Messenger
Times Telegram | New Jersey Herald
Times Herald-Record

PO Box 631202 Cincinnati, OH 45263-1202

AFFIDAVIT OF PUBLICATION

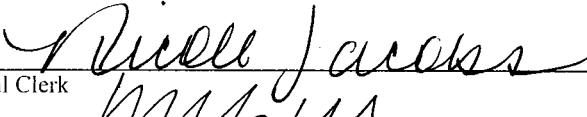
EnSol, Inc.
661 Main Street
Niagara Falls NY 14301

STATE OF NEW YORK, COUNTY OF ORANGE

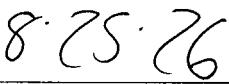
The Times Herald-Record, a daily newspaper distributed in the Orange, Ulster, Pike, PA and Sullivan Counties, published in the English language in the City of Middletown, County of Orange, State of New York printed and published and personal knowledge of the facts herein state and that the notice hereto annexed was Published in said newspapers in the issues dated on:

04/09/2025

and that the fees charged are legal.
Sworn to and subscribed before on 04/09/2025



Legal Clerk

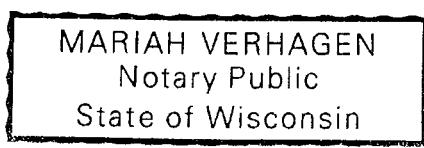

Notary, State of WI, County of Brown


My commission expires

Publication Cost: \$73.96
Tax Amount: \$0.00
Payment Cost: \$73.96
Order No: 11200086 # of Copies:
Customer No: 1488025 0
PO #: LNYS0270969

THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.


MARIAH VERHAGEN
Notary Public
State of Wisconsin

PUBLIC INFORMATION MEETINGS

DOM KAM, LLC, of Middletown, NY is hosting public information meetings to solicit comments and feedback from the community for the proposed Dom-Mar Transfer and Recycling Facility on Dolsontown Road, in the Town of Wawayanda, NY. The proposed Facility consists of a Transfer and Recycling building, with an associated administrative office building, inbound and outbound truck scales, residential drop-off area, parking for employees and trailers, wastewater collection and treatment system, and a stormwater management system. The proposed operations will require a solid waste permit (also known as "Part 360" permit) from the New York State Department of Environmental Conservation (NYSDEC). The meetings are required by the NYSDEC for compliance with Commissioner's Policy CP-29, Environmental Justice and Permitting. The meetings will be held virtually, the meeting information is listed below:

Meeting Date and Times: Wednesday, April 30, 2025 11:00 am and 6:00 pm

URL: <https://access.live/Dom-Mar-Recycling-and-TransferFacility>

Phone Dial in: 866-641-6804

The public is encouraged to attend either meeting to receive a briefing on the proposed project, to ask questions about the project and to provide comments. Your input will receive consideration in the permitting process and will influence, in a positive manner, how the project is implemented. Questions and comments can be provided in writing or in person at either public information meeting. If you cannot attend the meeting or would prefer to send your comments directly, you are encouraged to send written comments to: Marangicomments@ensolinc.com

or

EnSol, Inc.

3000 Alt Blvd

Grand Island, NY 14072

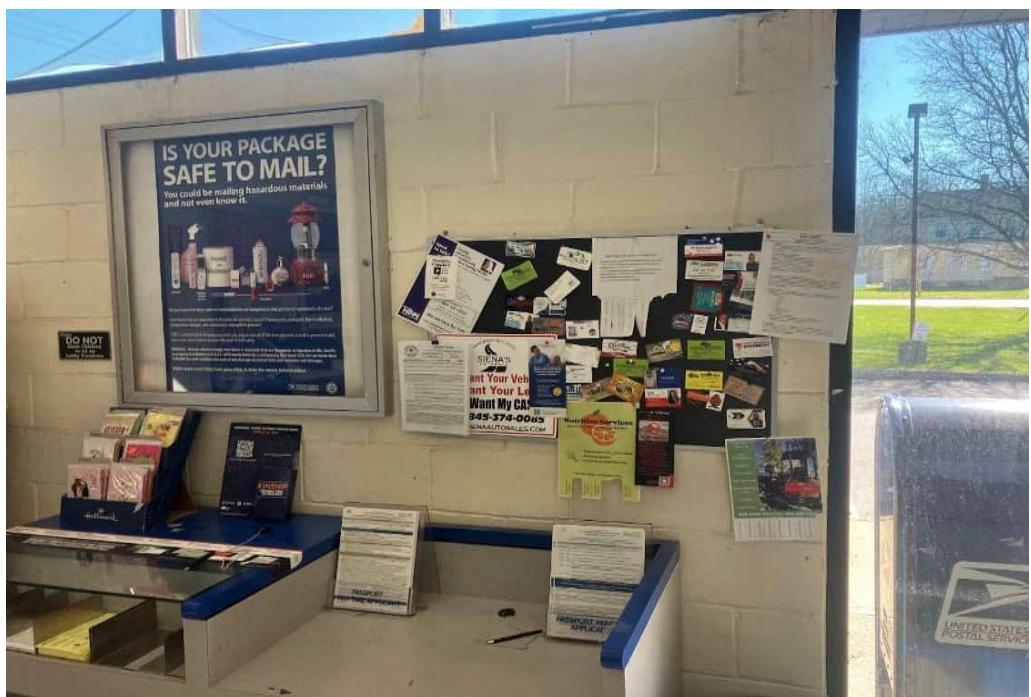
Attention: Dom-Mar

Comments will be accepted until May 14, 2025.

Application Documents may be viewed at the Thrall Middletown Thrall Library at 11-19 Depot Street Middletown, NY 10940. Project information may also be viewed online at: <https://dommartransferstation.ensolinc.com>

April 9 2025

LNYS0270969



Public Bulletin/Message Board Posting Photos

**DOM-MAR RECYCLING AND TRANSFER FACILITY
PUBLIC PARTICIPATION PLAN
INTERIM PROGRESS REPORT**

Photographs

1

Attachment 5

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Public Repository Index

Dom-Mar Recycling and Transfer Facility

New York State Department of Environmental Conservation (NYSDEC) Solid Waste Management Facility Permit Application

Index of Items

1. Application Narrative

2. Application Forms

- Application for a Solid Waste Management Facility Permit
- Applicant's Articles of Incorporation (Certificate Under Seal)
- Parcel Deeds and Landowner Consent
- Record of Compliance – Permit Application Supplement

3. Environmental Assessment Form and Attachments

- Environmental Assessment Form
- USACE Jurisdictional Determination Letter
- Traffic Mitigation Summary
- Principal or Primary Aquifer evaluation letter (Chazen, May 2021)
- Phase 1 Archaeological Investigation
- NYS SHPO Response Letter
- Noise Evaluation
- Aesthetic Resources Map

4. Engineering Report

5. Facility Manual

6. Construction Stormwater Pollution Prevention Plan (SWPPP)

7. Public Participation Plan (PPP)

8. PPP Interim Progress Report

9. PPP Final Progress Report

10. Town Board Hours of operation Waiver Request and Waiver

11. Disproportionate Burden Report

Attachment 6

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Public Meeting Presentation Slides

PUBLIC INFORMATION MEETING
for the
DOM-MAR RECYCLING AND TRANSFER FACILITY

April 30, 2025

1

Commenting Instructions

Participants using their phone can give verbal comments following the presentation. Please press star three "#3" on your Phone to verbally provide a comment. Commentors will be organized into a list and will be given a three-minute period to speak when called upon.

Mail comments to: Attention: Dom-Mar

EnSol, Inc.

3000 Alternate Boulevard

Grand Island, NY 14072

Email comments to: MarangiComments@ensolinc.com

2

Commenting Instructions

Comments and responses shall be summarized and included in the Online and Library Public Repository.

Project Application Documents can be viewed at:

Middletown Thrall Library
11-19 Depot Street
Middletown, New York.

Or Online at <https://dommartransferstation.ensolinc.com>

3

AGENDA

- Introduction
- Applications/Permits
- Project Status
- Project Description
- Operations
- Environmental Review
- Public Comment Period

4

INTRODUCTION

- DOM KAM, LLC (Marangi Waste Management) of Middletown, NY is proposing to construct and operate the Dom-Mar Recycling and Transfer Facility on Dolsontown Road, in the Town of Wawayanda, NY.
- Consists of a Recycling and Transfer building, with an associated administrative office building, inbound and outbound truck scales, residential drop-off area, parking for employees and trailers, wastewater collection and treatment system, and a stormwater management system.
- Project Engineer is EnSol, Inc.
- The applicant is based in Middletown, New York, the family members and employees have operated a well-maintained collection truck fleet which services Orange and Rockland Counties since 1955. The applicant strives to adapt and grow with the changes in the waste management field.

5

APPLICATIONS/PERMITS

- Town of Wawayanda Site Plan Approval and Special Use Permit.
- State Environmental Quality Review (SEQR).
- New York State Department of Environmental Conservation (NYSDEC) Solid Waste Management Facility Permit.
- State Pollution Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity.
- SPDES Multi-Sector General Permit for Stormwater Discharges Associated with Industrial Activity during operation of the Facility.

6

PROJECT STATUS

Town of Wawayanda Site Plan and Special Use Permit:

- Site Plan and Special Use Application submitted and is currently under review, including SEQR documents.
- Project was included in the Dolsontown Road General Environmental Impact Statement (GEIS) administered by the Town Planning Board. The GEIS evaluates the cumulative environmental impacts of the various proposed projects along Dolsontown Road including traffic, stormwater, water, sewer, cultural resources, wetlands, and threatened and endangered species.
- Notice of Approval and Findings Statement issued on April 26, 2023.

7

PROJECT STATUS

NYSDEC Solid Waste Management Permit:

- Notice of Complete Application issued on September 30, 2024
- Site is located in a NYSDEC Potential Environmental Justice Area (PEJA).
- PEJAs include areas with minority or low-income communities that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations.
- The proposed Facility's Solid Waste Management Facility Permit application is subject to Commissioner Policy 29 (CP-29) which provides guidance for incorporating environmental justice concerns into the NYSDEC environmental permit review process and the application of the State Environmental Quality Review (SEQRA) Act.
- CP-29 requires applicants within a PEJA to actively seek public participation during the application review process through a Public Participation Plan.

8

PROJECT STATUS

NYSDEC Solid Waste Management Permit:

- Public Comments shall be documented, and substantive comments addressed in the Final Public Participation Plan.
- The Final Public Participation Plan shall include:
 - A list of all substantive concerns/issues raised to date.
 - All resolved and outstanding issues.
 - A determination as to whether the volume of comments warrants additional posting of information.
 - A detailed description of how the issues will be addressed within the Application Documents.

9

PROJECT LOCATION

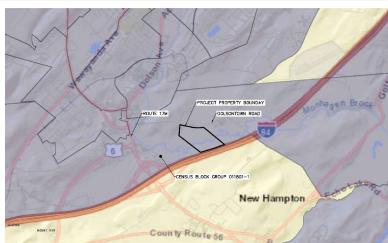
(1118 Dolsontown Road)



10

PROJECT LOCATION

(Potential Environmental Justice Areas)



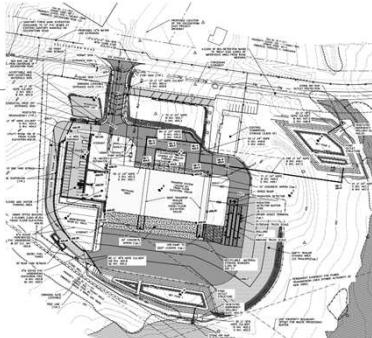
11

FACILITY DESCRIPTION

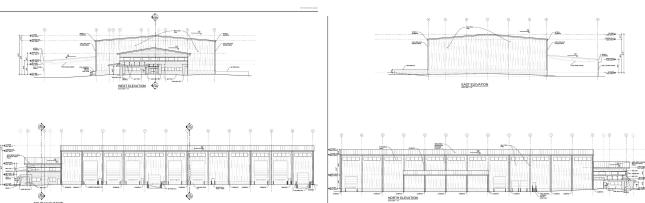
The proposed Facility consists of the following:

- A Recycling and Transfer building.
- Administrative office building.
- Inbound and outbound truck scales.
- Residential drop-off area.
- Parking for employees and trailers.
- Wastewater collection and pre-treatment.
- Stormwater management system.
- A future second phase of development may include a maintenance building, fabrication shop, fueling station, roll-off container storage, and employee parking for the associated collection truck fleet.

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SITE PLAN

13

BUILDING ELEVATIONS

14

FACILITY DESCRIPTION

- Recover and Process Recyclables and Transfer remaining material for Disposal
- Material Types: MSW, C&D, Industrial (No Hazardous, Radioactive, or Sludge per NYSDEC)
- Tonnage: 950 Tons Per Day
- Employees: Facility: 10, Corporate Office: 20
- Equipment: Loader, Trailers/Yard Horse, Excavators with Grapples, Truck Scales
- All Storage and Processing Operations Indoors (Non-contaminated concrete, asphalt, rock, brick, and soil can be stored outdoors).

RECYCLING

The Facility shall include recycling activities to help meet current local and State recycling objectives, with the flexibility to support future recycling initiatives. Recycling activities shall include:

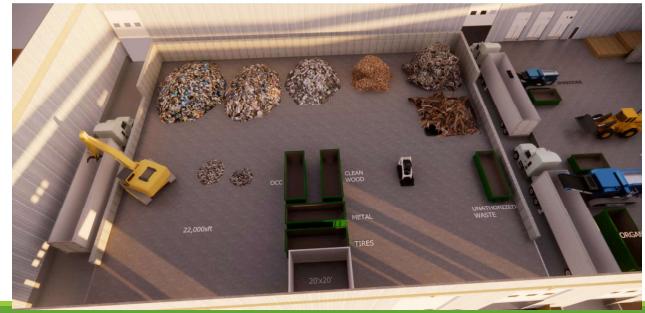
- Recovery of:
 - Cardboard
 - Concrete
 - Asphalt
 - Rock
 - Brick
 - Soil
 - Brush
 - Unadulterated Wood
 - Incidental Tires
 - Metals
- Baling and transfer of cardboard.
- Palletizing, wrapping, and transfer of product stewardship/electronic products.
- Shredding and transfer of unadulterated wood for further processing.
- Transfer of source separated recyclables and organics.

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RECYCLING FLOOR PLAN

17

RECOVERY AND TRANSFER FLOOR PLAN

18

OPERATIONS

Trucks/Traffic

- Materials will be delivered to the facility in approximately 80 trucks each day. Outbound material will be shipped in transfer trailers; approximately 44 each day.
- Traffic study considering current and future traffic on Dolsontown Road from various projects proposed is being finalized as part of the Dolsontown Road GEIS.
- Proposed Operating Hours – 4:00 AM to 7:00 PM Monday-Friday, 7:00 AM to 2:00 PM Sat to minimize traffic impacts and avoid peak traffic times.
- 35 Off Street Parking Spaces (Employee Driven)
- 6 Transfer Trailer parking spaces.

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OPERATIONS

Odor Control

- All material handling, processing, and storage will take place inside the enclosed building.
- Facility doors shall be kept closed except when vehicles are entering or exiting the building.
- Odors shall be controlled by cleaning indoor material handling areas daily.
- Burning of materials will not be permitted.
- Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems.
- If odor issues continue to persist an air purification system shall be installed as a contingency.

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OPERATIONS

Dust and Litter Control

- Dusty conditions in traffic areas are not anticipated due to limited onsite travel and low speeds.
- Exhaust odors from heavy equipment and trucks will be minimized by limiting idling engines in accordance with current regulatory idling restrictions.
- Mechanical street sweeping equipment or misting equipment shall be used as a contingency if dusty conditions persist.
- All loaded trucks and containers will be covered to prevent litter. The facility grounds will be inspected for litter at the end of each day. Any litter that is found will be collected and disposed.
- Litter fencing shall be placed downwind of the Facility to prevent fugitive litter.

21

OPERATIONS

Wastewater

- Wastewater shall primarily consist of precipitation gathered on trailers, incidental liquid contained within the materials received, and floor wash water. Pollutants of concern include:
 - Total Suspended Solids
 - Biochemical Oxygen Demand
 - Oil
 - Grease
- Wastewater within the Recycling and Transfer building shall drain to floor drains connected to double contained drainpipes.

22

OPERATIONS

Wastewater Treatment

- Wastewater shall drain to a gravity oil-water separator for pre-treatment, including the transfer trailer parking area.
- The gravity oil-water separator shall:
 - Separate oil and grease
 - Allow solids to settle from the wastewater.
- The floor drains within the Recycling and Transfer Building shall also trap solids by setting the drainpipe inverts one foot above the base of the floor drain.
- The pre-treated wastewater shall then be discharged to a grinder pump and pumped via a force main to the existing sewer line along Dolsontown Road.

23

OPERATIONS

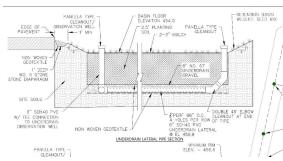
Stormwater Management

- Runoff from the site shall be collected by swales and catch basins.
- Trailer Parking Area separated from Stormwater System and covered with a canopy.
- Treatment and control features include:
 - Bio-Retention Basin
 - Two Wet Ponds –East and West
- Designed in accordance with the New York State Stormwater Management Design Manual.
- The stormwater collection system shall be monitored in accordance with the NYSDEC Multi-Sector General Permit for stormwater discharges from industrial facilities.

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OPERATIONS

Bio-Retention Basin



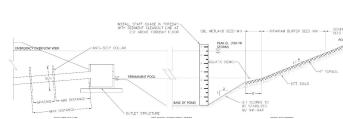
- Bio-retention Basin is a green infrastructure technique.
- Provides run-off reduction through filtering stormwater through planting soil in a shallow depression.
- Mulched and planted with native vegetation to provide habitat.
- Treats runoff from the administration building and the employee parking lot.

25

OPERATIONS

Wet Ponds

- Designed to reduce post-development discharge rate to less than the pre-development discharge rate.
- Provides storage through a permanent pool and detention.
- Provides treatment through sedimentation and includes a forebay for pre-treatment.
- Seeded with native wetland vegetation to provide habitat.



26

OPERATIONS

- Noise Study confirmed noise levels will meet NYSDEC day and night values of 62 and 52 dB(A) at receptor Locations.
- Facility noise modeled from truck traffic, and processing equipment.
- Building is orientated away from Dolsontown Road to minimize impacts.



27

ENVIRONMENTAL REVIEW

Environmental Studies conducted in support of SEQR

- Wetland Delineation: The Facility will not impact State and Federal regulated wetlands.
- Endangered and Threatened Species (NY Natural Heritage Program): Indiana Bat and Northern Long Eared Bat.

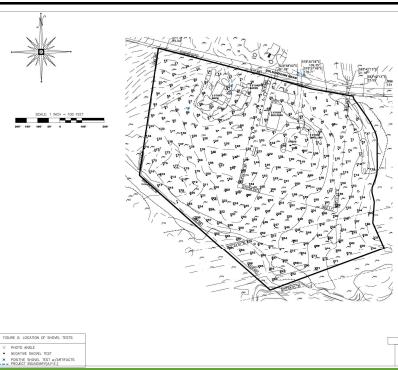
To avoid adverse impacts the Facility will undertake the following mitigation measures:

- All tree clearing at the site will occur between October 1 and March 31.
- Use approved light fixtures on site with tops that direct light downward to minimize light pollution and decrease interference with potential bat foraging activities.
- Implement soil conservation and dust control best management practices, such as watering dry disturbed soil areas to reduce dust, preventing erosion and sedimentation in surface waters on the site during construction.
- Refrain from maintaining stormwater ponds with chemicals that might adversely affect bats or the insect populations on which they feed.

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ENVIRONMENTAL REVIEW

- Located in Archeologically Sensitive Area - Phase 1 Archeological Survey conducted.
- Investigation found no evidence of archaeological sites within the project's Area of Potential Effects
- New York State Historic Preservation Office (SHPO) recommended that the project will not adversely affect historic or archaeological properties listed or eligible for listing on the National Register of Historic Places.
- Human Remains Discovery Protocol shall be implemented should any evidence of human remains or possible burial goods be encountered during construction.



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Environmental Review

- Project is located in a Disadvantaged Community (DAC).
- Climate Leadership and Community Protection Act (CLCPA) requires the NYSDEC permitting decisions do not disproportionately burden Disadvantaged Communities and prioritize the reduction of GHG and co-pollutant emissions.
- Disproportionate Burden Report provides the information and evaluations necessary to address the CLCPA requirements.
- An Existing Burden within the DAC is the Potential Pollution from Diesel Trucks.
 - The primary source of GHG emissions from the proposed Facility is from inbound and outbound diesel trucks.
- Traffic mitigation items to be completed by the project Applicant per the Dolsontown Corridor GEIS shall provide emission mitigation.

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PUBLIC COMMENTING

Please press “*3” on your Phone to verbally provide a comment.

Can mail comments to: Attention: Dom-Mar

EnSol, Inc.

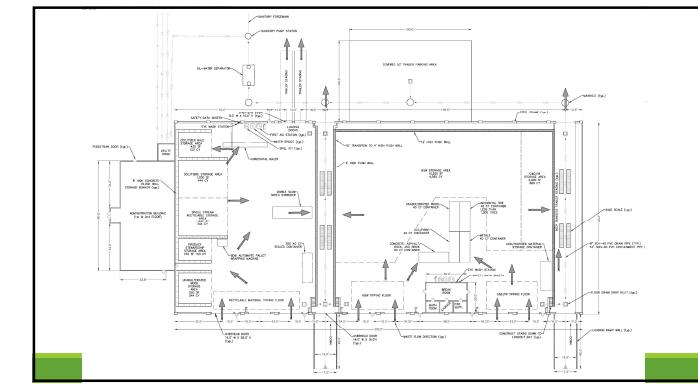
3000 Alternate Boulevard

Grand Island, NY 14072

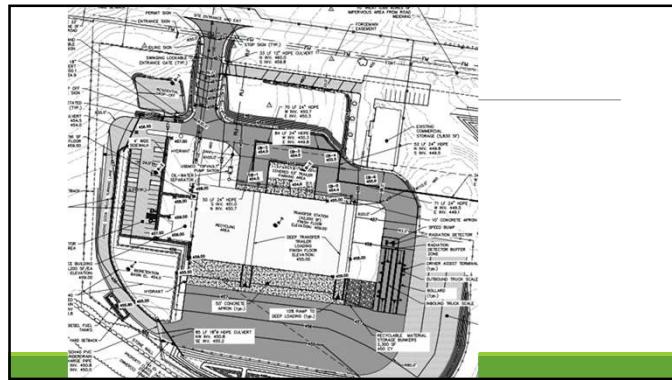
Email comments to: MarangiComments@ensolinc.com

Comment period closes on May 14, 2025.

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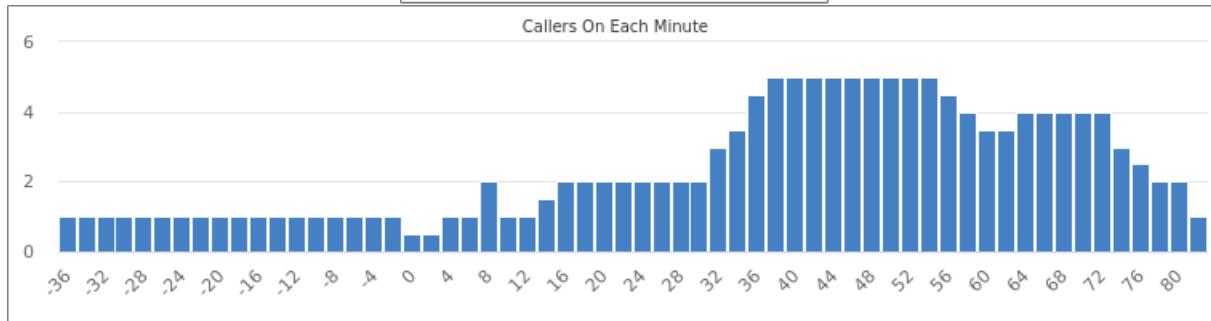
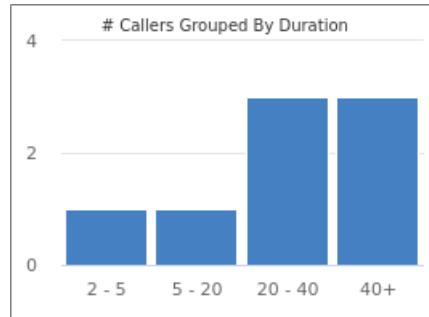
Attachment 7

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

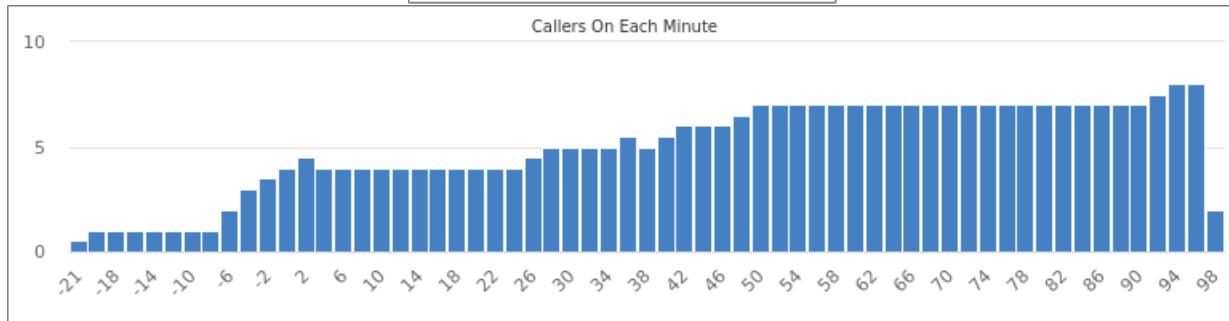
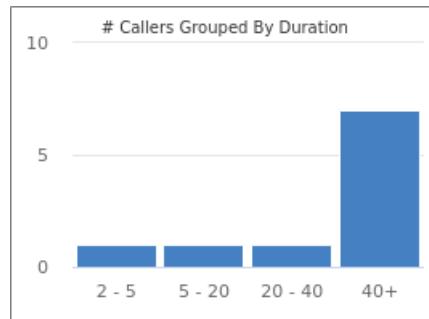
Meeting Attendee List and Statistics

13 Attendees								
Attendees	Peak Attendees	Entered Queue	Screened	Contributed	Went Live	Voicemails		
9 (Inbound) 3 Hosts 1 Screener	9	5	4	3	5	0		
Minutes and Totals								
Access Live Length		Total Minutes			Avg Minutes			
83 minutes		740 (740 Inbound)			38			
Streaming Audio Minutes and Totals								
Total Streaming Audio Users	Total Streaming Audio Minutes		Avg Minutes	Total Streaming Audio Questions				
25	748		29.92	8				



Name	Phone	Question	Notes	Joined	Duration (minutes)	Enter Q&A	Went Live	Type
Training Line	7204123490			17:30	129			Host
Training Line	7206726029			17:30	129			Host
Robyn - moderator	9788660694			17:30	129			Host
John Battaglia	7165701295			17:30	129			Host
Dave	7167755847			17:31	128			Host
Megan with Support	7204708423			17:31	128			Host
Viktor with Support	3036206591			17:37	122			Screeener
Megan with Support	7208625346	Quality Check		17:38	26	17:40	17:45	Participant (Dial-in)
Jacob Zoghlil - Rochester	5854150121			17:53	106	18:27	18:29	Participant (Dial-in)
Inbound Caller Poughkeepsie NY	8452426241			17:55	104			Participant (Dial-in)
James A Rollins Sr. - Middletown NY	8458253417			17:58	101	18:27	18:32	Participant (Dial-in)
Inbound Caller Middletown NY	8453413339			17:59	1			Participant (Dial-in)
Inbound Caller Tracey O Malley	8455144340			18:01	98			Participant (Dial-in)
Inbound Caller Julie Patterson	5084515808			18:26	73			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:31	1			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:32	1			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:33	1			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:35	1			Participant (Dial-in)
Inbound Caller Wireless Caller	9145222396			18:36	2			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:36	1			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:37	1			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:38	1			Participant (Dial-in)
Inbound Caller Middletown NY	8459789140			18:38	1			Participant (Dial-in)
Pramilla Malick - Minisink	8459789140			18:40	59	18:40	18:43	Participant (Dial-in)
Inbound Caller Debra Lopez	2014468422			18:48	51			Participant (Dial-in)
Name	Phone	Question	Notes	Joined	Duration (minutes)	Enter Q&A	Went Live	Type
Leslie Hanes Slate Hill NY	9179684643			19:32	7	19:33	19:35	Participant (Dial-in)
Total Attendees: 26				Total Duration:		1,530		

26 Attendees								
Attendees	Peak Attendees	Entered Queue	Screened	Contributed	Went Live	Voicemails		
19 (Inbound) 6 Hosts 1 Screener	15	5	1	4	5	0		
Minutes and Totals								
Access Live Length		Total Minutes			Avg Minutes			
98 minutes		1,530 (1,530 Inbound)			63			
Streaming Audio Minutes and Totals								
Total Streaming Audio Users	Total Streaming Audio Minutes		Avg Minutes	Total Streaming Audio Questions				
57	2,103		36.89	10				



Attachment 8

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

Meeting Transcripts

EnSol Access Live
April 30th, 2025 11:00 A.M.

Speaker 1:

Good morning. This meeting is the first of two public information meetings for the proposed Dom-Mar Recycling and Transfer Facility on Dolsontown Road in the town of Wawayanda, New York. This meeting is required by the New York State Department of Environmental Conservation for compliance with Commissioner's Policy CP-29, Environmental Justice and Permitting. The purpose of the meetings is to inform the public of the environmental permit review process and provide opportunities for the public to comment on the proposed project. EnSol, Inc., the project engineer, will give a presentation describing the proposed facility and the permitting process.

Participants using their phone can give verbal comments following the presentation. Please press *3 on your phone if you wish to verbally provide a comment. Commenters will be organized into a list and will be given a three-minute period to speak when called upon. Participants only accessing the meeting through a computer can type a comment by using the chat box at any time. Comments can also be emailed or mailed until May 14th, 2025. Instructions regarding emailing and mailing comments will be provided in the presentation. Again, please press *3 if you'd like to make a comment or a question. You'll be put on hold until a screener gets to you, so don't hang up. And you will hear the presentation until your name is called.

With that, I'd like to hand it over to David Lenox from EnSol, who will now begin the project presentation.

David Lenox:

Thank you to everyone for attending this meeting. As stated, it is the first of two public information meetings scheduled for this project. The second meeting is at 6:00 PM this evening. The same information will be presented in each meeting, so you don't have to attend both meetings.

Here are the commenting instructions again. Participants using their phone can give verbal comments following the presentation. Please press *3 on your phone to verbally provide a comment. Commenters will be organized into a list and will be given a three-minute period to speak when called upon, or comments can be mailed to EnSol, Inc., at 3000 Alternate Boulevard, Grand Island, New York, ZIP code 14072, or email comments to marangicomments@ensolinc.com. Comments and responses shall be summarized and included in an online and library public repository. Project application documents can be viewed at the Middletown's Thrall Library at 11 and 19 Depot Street, Middletown, New York, or online at dommartransferstation.ensolinc.com.

We'll start with the meeting agenda. First, an introduction of the proposed project and the application and permits required for the project, the status of those applications, a more detailed description of the project, the facility operations, the results of studies completed at the site for the environmental review process and information regarding the public comment period.

On to the introduction. Dom Kam, LLC., which is part of the Marangi waste management group of companies of Middletown, New York, is proposing to construct and operate the Dom-Mar Recycling and Transfer Facility on Dolsontown Road in the town of Wawayanda, New York. The facility consists of a recycling and transfer building with associated administrative office building, inbound and outbound truck scales, residential drop-off area, parking for employees and trailers, wastewater collection and treatment system, and a stormwater management system. Future site development may include a truck maintenance facility. The project engineer is EnSol, Inc. The applicant is based in Middletown, New York. The family members and employees have operated a well-maintained collection truck fleet, which serves Orange and Rockland counties since 1955. The applicant strives to adapt and grow with the changes in the waste management field.

On to applications and permits. The town of Wawayanda approvals include site plan approval and a special use permit. The proposed use is allowable in the mixed commercial zoning district the site is located in. The project is under State Environmental Quality Review, which includes filling out a full environmental assessment form with accompanying studies I will talk about later. The facility will require a New York State Department of Environmental Conservation Solid Waste Management Facility Permit. Stormwater discharges from construction activity will be in accordance with the State Pollution Discharge Elimination System or SPDES General Permit, which includes the development of a stormwater pollution prevention plan to be approved by the town and the New York State DEC. There's also a SPDES Multi-Sector General Permit for stormwater discharges associated with industrial activity during the operation of the facility.

Now on to status of the permit applications starting with the town applications. The site plan and special use application has been submitted and is currently under review including SEQR documents. The town of Wawayanda is the lead agency for the State Environmental Quality Review. This project is included in the Dolsontown Road General Environmental Impact Statement or GEIS administered by the Town Planning Board. The GEIS evaluates the cumulative environmental impacts of the various proposed projects on Dolsontown Road including traffic, stormwater, water and sewer, cultural resources, wetlands and threatened and endangered species. The notice of approval and finding statement for the Dolsontown Road GEIS was issued on April 26th, 2023.

For the New York State DEC Solid waste Management Permit, the application has also been submitted and is currently under review. The site is located on New York State DEC Potential Environmental Justice Area or PEJA. PEJAs include areas with minority or low-income communities that may bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations. The proposed facility's Solid Waste Management Facility Permit Application is subject to Commissioner Policy 29, which provides guidance for incorporating environmental justice concerns into the New York State DEC environmental permit review process and application of the State Environmental Quality Review Act. Applicants within a PEJA are required to actively seek public participation during the application review process through a public participation plan. So, this meeting and this evening's meeting are part of the public participation plan for this project.

More on the public participation plan. Comments from this meeting and this evening's meeting and any received by email or mail will be documented in substantive comments addressed in a final public participation plan. The final public participation plan will include a list of all substantive concerns and issues raised to date, all resolved and outstanding issues, determination as to whether the volume of comments warrants additional posting of information, and a detailed description of how the issues will be addressed within the application documents.

On to project location. The proposed facility is located at 118 Dolsontown Road just north of Interstate 84 and south of Middletown. It's about 26 miles east of the intersection of Dolsontown Avenue and Dolsontown Road. The total parcel area is about 44 acres in size. Here's the map showing the location of Potential Environmental Justice Areas in the vicinity of the site. The Potential Environmental Justice Areas are the shaded areas which include much of the area north of Interstate 84.

On to the facility description. The proposed facility consists of a recycling and transfer building, an administrative office building, inbound and outbound truck scales, a residential drop-off area, which shall be operated at select times and dates to avoid peak traffic times, a parking for employees and trailers, a wastewater collection and pretreatment system, a stormwater management system. And a future second phase of development may include a maintenance building, fabrication shop, fueling station, a roll-off container storage and employee parking for the associated collection truck fleet. A conceptual plan for the full development of the site was included in applications and the environmental review process.

Here's the proposed facility site plan. A residential drop-off area is located to the west of the site entrance. Employee parking and administrative building are located immediately west of the recycling and transfer building. A bio-retention basin is located south of the parking area. Stormwater ponds are located south and east of the facility. Inbound and outbound truck scales are located to east of the site entrance. All trailer parking is located north of the recycling and transfer building.

Here are the proposed building elevations for the facility. Looking from the west, the administration building is in front of the recycling and transfer building. A canopy for the trailer parking area north of the recycling and transfer building will separate that area from stormwater runoff. Looking from the south, there are three recycling material tipping floors towards the west and four material tipping doors towards the east and two sunken loading bay doors for material transfer.

The facility will recover and process recyclables and transfer the remaining material for disposal offsite. The material to be accepted includes municipal solid waste or MSW, construction and demolition debris or C&D, and industrial material and similar composition to MSW and C&D. No hazardous radioactive material or sludge will be accepted at the facility. The proposed facility capacity is 950 tons per day. The facility is expected to have 10 employees in the recycling and transfer building and 20 in the administration building. Facility equipment includes a front loader, trailers and a yard truck, an excavator with a grapple, truck scales, and a baler and grinder. All storage and processing operations will take place indoors. Non-contaminated concrete, asphalt, rock, brick, and soil can be stored outdoors.

Recycling will be an important part of the facility. The facility includes recycling activities to help meet current local and state recycling objectives with the flexibility to support future recycling initiatives. Recycling activities will include the recovery of cardboard, concrete, asphalt, rock, brick, soil, brush, unadulterated wood, incidental tires, and metals. Recycling processing activities will include baling and transfer of cardboard, palletizing, wrapping, and transfer of product stewardship and electronic products, the shredding and transfer of unadulterated wood for further processing, and a transfer of source-separated recyclables and organics.

Here's a rendering of the recycling floor plan. You can see storage of separated recyclables within storage bins along a flush wall. Unadulterated wood and other recyclables can be loaded into transfer trailers within the sunken loading bays. The loading dock doors along the top of the rendering can be used to transfer material. Material will be received in the tipping floor doors at the bottom of the rendering.

Here's a rendering of the recovery and transfer floor plan. Material is delivered through doors on the bottom of the rendering and loaded into transfer trailers within the sunken loading bays using an excavator with a grapple. Material is stored within a concrete push wall at the top of the rendering. Roll-off containers located within the center of the building will be used to separate recyclable materials such as cardboard, metals, unadulterated wood, to be transferred or further processed in a recycling area.

On to facility operations. I will go over traffic, odor, dust, and litter, wastewater, stormwater, and noise, beginning with traffic. Materials will be delivered to the facility in approximately 80 collection trucks each day including roll-off container trucks and front and rear packer trucks. Outbound material will be shipped in approximately 44 transfer trailers each day. A traffic study considering current and future traffic on Dolsontown Road from various projects proposed is included as part of the Dolsontown Road GEIS.

The proposed operating hours of 4:00 AM to 7:00 PM, Monday through Friday, and 7:00 AM to 2:00 PM on Saturday will minimize traffic impacts and avoid peak traffic times by spreading out the traffic over a longer time period. The facility includes 35 off-street employee parking spaces, six full transfer trailer parking spaces and 23 empty trailer spaces.

On to odor control. All material handling, processing, and storage will take place inside the enclosed building. Facility doors shall be kept closed except when vehicles are entering or exiting the building. Odor

shall be controlled by cleaning indoor material handling areas daily. Burning of materials will not be permitted at the facility. Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems. If odor issues continue to persist, an air purification system shall be installed as a contingency.

On to dust and litter control. Dusty conditions and traffic areas are not anticipated due to limited on-site travel and low speeds which will take place on paved roads. Exhaust odors from heavy equipment and trucks will be minimized by limiting idling engines to less than five minutes in accordance with current regulatory idling restrictions. Mechanical street sweeping equipment or misting equipment shall be used as a contingency if dusty conditions persist. All loaded trucks and containers will be covered to prevent litter. The facility grounds will be inspected for litter at the end of each day. Any litter that is found will be collected and disposed. Litter fencing will also be placed downwind of the facility to prevent fugitive litter.

On to wastewater. Wastewater at the facility will primarily consist of precipitation gathered on trailers, incidental liquid contained within the materials received, and floor wash water. Pollutants of concern in the wastewater include total suspended solids, biochemical oxygen demand, oil and grease. All the wastewater within the recycling and transfer building will drain to four drains connected to double-contained drainpipes.

Continuing on to wastewater treatment. Those drainpipes will drain to a gravity oil-water separator for pre-treatment. The trailer parking area north of the recycling and transfer building is included in the wastewater collection and treatment system. The gravity oil-water separator will separate oil and grease and allow solids to settle from the wastewater. The floor drains within the recycling and transfer building shall also trap solids by setting the drainpipe inverts one foot above the base of the floor drain. The pre-treated wastewater will then be discharged to a grinder pump and pumped via a force main to the existing sewer line along Dolsontown Road.

Moving on to stormwater management. A runoff from the site will be collected by swales and catch basins. The trailer parking area will be separated from the stormwater system and covered with a canopy to minimize stormwater reaching the wastewater collection and treatment system. The stormwater treatment and control features include a bio-retention basin and two wet ponds that will service the east and western portions of the site. The stormwater system is designed in accordance with the New York State Stormwater Management Design Manual and shall be monitored in accordance with the DEC Multi-Sector General Permit for Stormwater Discharges from Industrial Facilities.

Here's a cross-section on detail of the bio-retention basin. A bio-retention basin is a green infrastructure technique. These techniques use vegetation and soils to restore natural processes to manage stormwater. The bio-retention basin provides runoff reduction through filtering stormwater through planting soil in a shallow depression. Pipes below the soil collect the filtered stormwater and discharge downstream. The basin is mulched and planted with native vegetation to provide habitat. The basin will treat stormwater runoff from the administration building and the employee parking lot.

Here's the detail of the stormwater wet pond. These ponds are designed to reduce the post-development stormwater discharge rate to less than a pre-development rate. The ponds provide storage through a permanent pool and temporary detention controlled by a discharge structure. Treatment is provided through sedimentation including a forebay for pretreatment. These ponds will also be seeded with native wetland vegetation to provide habitat.

On to noise. To evaluate noise generated by the facility, a detailed model was developed that considers the 3D effects of buildings, topography, vegetation, distance, the ground and atmosphere. Facility noise was modeled from truck traffic and the processing equipment within the recycling and transfer building. The building is oriented away from Dolsontown Road to minimize impacts to potential receptors. The

noise evaluation confirmed noise levels will meet the New York State DEC and town standards. And you can see on the figure, the noise is directed away from Dolsontown Road by having the doors facing away from the road.

On to the environmental review studies conducted for the State Environmental Quality Review. A wetland delineation was conducted. The proposed facility will not impact regulated wetlands. Through the New York Natural Heritage Program, the Indiana bat and Northern Long-eared bat were identified as species of concern. To avoid adverse impacts to those species of bat, the facility will undertake the following mitigation measures. All tree clearing at the site will occur between October 1st and March 31st when the bats are no longer roosting within the trees.

By using approved light fixtures on site with tops that direct light downward to minimize light pollution and decrease interference with potential bat foraging activities. Implementing soil conservation and dust control best management practices such as watering dry disturbed soil areas to reduce dust and preventing erosion and sedimentation in surface waters on the site during construction. Refrain from maintaining stormwater ponds with any chemicals that might adversely affect bats or to insect populations on which they feed. And a tree species preferred by the bat species for roosting will also be planted on the site.

This project is also located in an archeologically sensitive area. A phase 1 archeological survey was conducted. The investigation found no evidence of archeological sites within the proposed project area. The New York State Historic Preservation Office or SHPO recommended the project will not adversely affect historic or archeological properties listed or eligible for listing on the National Register of Historic Places. The human remains discovery protocol shall be implemented should any evidence of human remains, or possible burial grounds be encountered during construction. The map on the slide shows the locations of shovel test pit locations dug by an archeologist within the proposed project area and all of those soil shovel test pits came up negative.

This project is located in a disadvantaged community which is defined in the Climate Leadership and Community Protection Act as communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria or comprise high concentrations of low- and moderate-income households. Per the Climate Leadership and Community Protection Act or CLCPA, the New York State DEC is required to ensure that its permitting decisions do not disproportionately burden disadvantaged communities and prioritize the reduction of greenhouse gases and co-pollutant emissions.

The Disproportionate Burden Report for the project provides information and evaluations necessary to address the CLCPA requirements. An existing burden within this disadvantaged community is a potential pollution from diesel trucks. This indicator has a relatively high percentile ranking of 92% compared to the rest of the state. This high ranking is believed to be caused in part by Interstate 84, which is located through the center of this disadvantaged community. The primary source of greenhouse gas emissions from the proposed facility is from inbound and outbound diesel trucks. Traffic mitigation items to be completed by the project applicant per the Dolsontown Corridor GEIS shall provide emission mitigation. Mitigation items include a left turning lane on Dolsontown Road and improvements to the Dolsontown Road and Route 17 intersection, and the Route 17 and US Route 6 intersection.

So that's the end of the presentation. Once again, you can press *3 on your phone to verbally provide a comment. Comments can also be mailed to EnSol, Inc., at 3000 Alternative Boulevard Grand Island, New York, ZIP code 14072, or email comments to marangcomments@ensolinc.com. The comment period closes on May 14th, 2025. I'll now turn it over to the moderator for the comment period.

Speaker 1:

Thank you very much. As was stated, participants now have the opportunity to verbally comment or ask a question. When your name is called, you'll have three minutes to verbalize your comment live. Again, if you wish to provide a verbal comment, you must dial (866) 641-6804 on your phone if you are not already dialed into this event, and press *3 on your phone keypad to get into the queue. Again, that's *3. You'll be put on hold until a screener gets to you, so don't hang up. And right now, we have our first question, an online question from Fern. Fern says that ground pollutants and groundwater pollutants already exist. So, what soil tests and groundwater tests were done to resolve this problem?

David Lenox:

The site has been previously used for agricultural purposes, so there was really no evidence of any pollution on the site from historical uses. There will be water testing done prior to operation of the facility to confirm what the background water, groundwater quality is. We were coordinating that through the town as part of the site plan and special use application. So, we will be testing groundwater per New York State Department of Health's requirements. But as far as soil tests go, there was a geotechnical study conducted. There was no evidence of any waste found on site or any evidence of pollution.

Speaker 1:

Thank you very much for that. I'd like to remind any participants on this call that now is the time that you have the opportunity to verbally comment or ask a question. You'll have three minutes to verbalize your comment or question live. Again, if you wish to provide a verbal comment, you must dial (866) 641-6804 on your phone if you're not already dialed into the event. And please press *3 on your keypad to get into the queue to ask your question live. Once you press *3, you'll be put on hold until a screener gets to you, so please don't hang up. You'll still be able to hear the presentation. And once it's time for you to ask your question, I will call your name, and you will be live.

We will give callers just a few minutes to call in right now. Again, if you're just joining, this meeting is the first of two public information meetings for the proposed Dom-Mar Recycling and Transfer Facility at Dolsontown Road in the town of Wawayanda, New York. This meeting's required by the New York State Department of Environmental Conservation for compliance with Commissioner's Policy CP-29, Environmental Justice and Permitting. Purpose of the meetings is to inform the public of the environmental permit review process and provide opportunities for the public to comment on the proposed project. EnSol, Inc., the project engineer, has just given a presentation describing the proposed facility and the permitting process.

At this time, I believe we do have a live caller. Jacob, Jacob is on the line. Jacob, you are live.

Jacob:

Oh, I'm just here to remind the public that it's a public comment session. We're not going to be engaging in a question and answer back and forth, but we will be collecting public comments for future follow up. So, I'll be staying on the call as the attorney. If you need anything, just let me know. That's all for me. Thank you.

Speaker 1:

Thank you very much.

John Battaglia:

This is John Battaglia talking and I just wanted to take this opportunity to give a little background on the facility design. I was the primary engineer working with Dave Lenox on the design. And I just wanted to share at this meeting and hopefully for the record that this is probably one of the most sophisticated facilities we've ever put together. The Marangis spared really, I say no cost. But they were very conscious of having a facility that was environmentally sound, that was large enough to handle growth in recycling markets, that had the ability to handle various types of stewardship waste down the road, which turns into recycling opportunities for the general public. It's really a class A facility design and it was a pleasure to work with them because they really wanted to have a facility that was there for the long haul, no pun intended.

And then on another note, Marangi did sell his collection company just to clarify, on August 16th of 2024 to Interstate Waste, but he still maintained the rights to develop this new recycling and transfer facility. So, we're still working closely with the Marangis and their dedication to having a class A, well-designed and constructed facility has been paramount in our efforts. And that's what I wanted to add. Thank you.

Speaker 1:

Thank you very much. Participants have an opportunity to verbally comment. When your name is called, you will have three minutes to verbalize your comment live. Again, if you wish to provide a verbal comment, you must dial (866) 641-6804 on your phone if you're not already dialed in to the event, and then press *3 on your phone keypad to get into the queue. If you are already on this event, please press *3 at any time on your telephone keypad. You'll be put on hold until a screener gets to you, so don't hang up. You'll hear the presentation and once your name is called, you'll be able to provide your comment.

Participants only accessing the meeting through a computer can type a comment by using the chat box at any time. Comments can also be emailed or mailed until May 14th, 2025. Instructions regarding emailing and mailing comments will continue to be provided during this call. We'll take just a moment now to wait for some callers to come online to provide comments.

I'd like to thank everyone for participating in this call at this time. Again, please press *3 if you would like to make a comment live. You'll be put on hold, a screener will get to you, so don't hang up again. Again that's *3. You will have the opportunity to verbally comment live.

John Battaglia:

Looks like you might have a call being screened.

Speaker 1:

I believe we do. There's a call being screened right now.

John Battaglia:

All right, great.

Speaker 1:

And we'll hopefully hear that in just a moment.

John Battaglia:

All right. I'm going to pull up, just while we're waiting for any comments, the overall floor plan, operational floor plan. Is that in here?

David Lenox:

No, just a rendering.

John Battaglia:

All right. You can see from that rendering; we have enough space to separate quite a few different material types for recycling. That's again one of the objectives that we had in the design so that we were prepared to handle the materials and have a large enough footprint so that those materials could be stored and then properly packaged and moved out.

And you can also take a look on that figure, you have trucks on either side. So, we can segregate and load on the left side for materials on the outbound and then in the center of the facility, we can load from either side. Again, we're going to have fibers and material processing on the right side of those trucks. And then we also have materials being segregated on the floor on the left side. So quite a bit of space, a lot of real estate, which again keeps everything indoors. There'll be no blowing papers outside the facility. There's adequate airflow and material handling to minimize any odors. And then everything's contained on the floor so that any liquids that are possibly on the floor will get collected and handled and put into the sanitary sewer system. So again, this is a class A facility and this illustration kind of shows it.

Can you pull up the site plan? I'm going to go over that. Again, I really enjoyed putting this site together. Can you zoom in? Does it zoom? And you can see there's also a fairly significant trailer storage area right to the north of the main building. Dave, use your arrow to show. And that's a covered area and also has a collection system so that anything that could or potentially spill is already collected. So, a great staging and storage area for material or for loaded trucks so that they're out of the weather and have no impact on the environment. You won't find it. And this is probably a pretty broad statement, but I've been to many transfer facilities and recycling facilities all across the Northeast and the West Coast and this one really has a lot of great features to it.

We've got a double scale inbound and out scale. We've got a public drop-off area, a convenience area for the public. They really set this facility up nicely. Thank you. Do we have any other commenters that would like to speak?

Speaker 1:

At this time, we have two callers being screened. We do have another comment from Fern. This is a comment she sent in online. Fern is very concerned about pollutants already in the ground.

John Battaglia:

Again, we went through a phase 1 environmental evaluation. It's been reviewed by the state. The site doesn't have any indications. Again, we follow protocols that are governed by ASTM standards for when to test and not to test for pollutants. We don't have any concerns about pollutants on or under the ground right now because the site is, again, it's not been an industrial site. It's a previous farm and really meadows on the property. So, I appreciate that concern and if it were warranted, the New York State DEC, the town, and we would've been out there investigating for that, but no indication of any pollutants on this site.

David Lenox:

Yeah, and we will be doing background testing for the groundwater prior to the operation of the facility in coordination with the town of Wawayanda.

Speaker 1:

Thank you very much. We do have a caller who would like to make a comment. Right now, let's go to Leslie. Leslie, you are live to make your comment.

Leslie:

Thank you very much for giving me this opportunity. So, I'm a resident of Wawayanda and I think one of our major resources was not identified and that's the Heritage Trail, which is 1,000 feet from the proposed Marangi waste transfer station. So, this to me is the wrong place for such a facility. This is one of the few things that we have to offer the residents of this area, especially those in the low- and moderate-income areas near this facility that might not have even cars to get to much needed green space.

This Heritage Trail also lies at the heart of the Monhagen Brook Watershed, which is a currently impaired water body that local communities have been working on to restore. So, when you were talking earlier about the stormwater runoff, I'm wondering how this will impact this endangered watershed.

I also wrote down a few other questions as you were giving the presentation, it talked about cleaning. There's not really specifics on a lot of this. What type of air purification system would be used? And it says that the grounds will be inspected each day. It doesn't say who will be inspecting it. Also, I'm just following your line of presentation, it says 80 collection trucks. I'm not sure the size of those trucks. Maybe it was said, but I didn't get that. And 44 transfer trailers the size of that, that's a huge amount of trucks. It also says that this is from 4:00 AM to 7:00 PM, Monday through Friday and I wasn't quite clear on Saturday, but there's activity on Saturday.

So, this is a lot of traffic on this road that also has other proposed, something like nine proposed projects on this road that's a two-lane road with no shoulder and is not really built to take the weight of these type of trucks. So, I'm wondering what studies have been made about this road and its ability to even physically handle these types of heavy loaded trucks.

Also, it was mentioned that it's going to empty onto Dolsontown Road and Route 6 and that mitigation would be done to create a left turn lane or turning lane there. So, my understanding is that this will only be done through a developer's agreement. So, I'd like to know where that developer's agreement is and what it contains because I think it is in conjunction with the other projects and on Dolsontown Road.

Also, it was mentioned just in this presentation about the wastewater being put into the existing sewer line. So, I'm curious how this will impact our sewage system and how it will be dealt with. It was also stated that it will be monitored from under DEC guidelines. Who will monitor this? We presently right now have a huge power plant that is polluting Wawayanda, and the area and it does not have a valid permit to operate. So, I'd like to know how this is going to be monitored.

Stormwater runoff and impact, which I just mentioned, but the noise I also mentioned, I think is a big concern especially for the people living nearby. I'm wondering if everybody read what Mayor DeStefano wrote that he categorically believes that this is the wrong place for this project, and he cannot believe that it's even being proposed for this area. And there was a whole history of dumping on Dolsontown Road, and I think there needs to be extensive soil samples taken to make sure what is underneath some of these areas. So, I will be submitting more question-

Speaker 1:

Thank you so much for your comment, Leslie.

John Battaglia:

Yeah, I think it's great that you're going to be sending those in writing. We certainly took note of the comments you have. And many of them have been addressed and are addressed in the detailed operating plans and design documents associated with this project. So, your concerns will be addressed and incorporated in the follow-up response to these comments.

Speaker 1:

We very much appreciate your participation. Right now, I'd like to remind everyone that participants have the opportunity as Leslie just did to verbally comment. When your name is called, you'll have three minutes to verbalize your comment live. Again, if you wish to provide a verbal comment, you must dial (866) 641-6804 on your phone if you're not already dialed into the event. And then you press *3 on your telephone keypad to get in the queue. Again, if you'd like to make a comment live, press *3 on your keypad. You'll be put on hold until a screener gets to you. So don't hang up, just wait a moment. You'll still hear the presentation and the comments while you're waiting. And once it's your turn, I'll call your name and you'll be able to make your comment.

Right now, it looks like we have another caller who is in the process of screening. So, we'll wait a moment for that caller. Participants only accessing the meeting through a computer can type a comment by using the chat box at any time. Comments can also be emailed or mailed until May 14th, 2025. We will have a caller coming up in just a moment. Until then, I'll remind you again, please press *3 on your phone if you wish to verbally provide a comment. Commenters will be organized into a list and will be given three minutes to speak when called upon. If you're only accessing this meeting through a computer, you can type a comment by using the chat box at any time. We'll pause for just a moment until our next caller is ready.

I will take a moment to remind everyone that this meeting is the first of two public information meetings for the proposed Dom-Mar Recycling and Transfer Facility on Dolsontown Road in the town of Wawayanda, New York. This meeting is required by the New York State Department of Environmental Conservation for compliance with Commissioner's Policy CP-29, Environmental Justice and Permitting. Purpose of the meeting is to inform the public of the environmental permit review process, provide opportunities for the public to comment on the proposed project.

Right now, we do have a caller. Pramilla, I'm hoping I pronounced that correctly.

Pramilla Malick:

Yes.

Speaker 1:

Great. You are live.

Pramilla Malick:

Yes, hi.

Speaker 1:

What's your comment?

Pramilla Malick:

Hi, this is Pramilla Malick from Protect Orange County. I'm going to just make this really, really brief because I just spent like five entire minutes telling your screener what my questions were not realizing that I was not live. First of all, the system is extremely not user-friendly. I had to disconnect from the live presentation in order to make the phone call, in order to comment or to give you my questions. And therefore, I was cut off from half the presentation trying to make the call to ask the question.

So, this is not the way CP-29 is supposed to be conducted. And by the way, who came up with the policy that it's going to be only three minutes and it's comments only? CP-29 specifically states that you're supposed to answer our questions and engage in a dialogue with the community. The format that you've chosen makes it virtually impossible to have an actual dialogue. So I am requesting in-person on-site meetings within the disadvantaged communities or local church or something like that or community center. But you need to do in-person meetings so you can specifically answer our questions.

There are an enormous number of environmental factors that are implicated here. Again, I just went through a laundry list with your quote-unquote screener. I don't understand why there was a screener for your calls. This is very disturbing. This is not the way CP-29 meeting is conducted. That's number one.

I have a bunch of questions and we need direct answers. I want to know how much power consumption your project is going to entail, both in terms of how you're heating your facility, how you're cooling your facility, how you're running all of the equipment on site. I want precise power consumption, both in terms of gas that you're using as well as electricity that you're using. I want to know where is this waste coming from. Have you answered that yet in your presentation? Hello?

John Battaglia:

Oh, I'm sorry. I'll answer that.

Pramilla Malick:

Hello.

John Battaglia:

Our documents and it sounds like you've read all of the documents, which is great. And this process was developed in accordance with the New York State DEC requirements. So, if there's some improvements to be made to it, well, we'll certainly look into that and incorporate that.

But with regard to your questions about where the materials coming from, the local region, it's spelled out in the permit documents, the surrounding counties. Basically, it's not going to be long hauled in there because it's for local materials and recyclables is what the facility is intended for.

And then with regard to your list of questions, because of the amount of time obviously to go through each and every one of your questions and to allow us the opportunity to properly dialogue with you, we would appreciate you and I think maybe you already have submitted those to us in writing and we will go through each and every one of your questions and provide you with a detailed response.

This format that we're using and this process that we're using again, was in accordance with New York State DEC requirements and certainly you can bring that up to them. But we are doing our best to try to meet their objectives and requirements with regard to our presentations and the information that we're

providing. So, your comments are appreciated and if our screener took a list of them, then they'll be incorporated. If you'd like to also email them to us, that would be wonderful too. So, thank you very much for your input.

Speaker 1:

Thank you. Right now, we have an online comment from Sarah. Sarah is saying, this is a very weird system. I am incredibly opposed to the site plan development. The mayor of Middletown is in opposition. I am in opposition. My children and all the children of Middletown deserve clean air and this puts air quality in enormous risk.

John Battaglia:

I guess just in response to that, I definitely appreciate your concerns over your family, your friends, and your neighborhoods. Obviously, we all have those concerns. I've been developing facilities for 30 years. I've been to all different types of facilities and been to what I would consider real concerns. This facility is remarkably un-affecting the environment. It's basically handling materials that you dispose of from your home, taking them into the facility, separating them to the best available technology available, recycling, and then disposing of the excess materials.

So, the things that we're concerned about with regard to the environment at this facility and the controls that we have in place, make this a paramount facility in your neighborhood. So, I would have this facility in my neighborhood. I have facilities in my neighborhood, but this facility is again, one of the most sophisticated and complete designs that we've done in a long time, and I fully stand by it. But thank you for your comment and I share your concerns as well.

Speaker 1:

Thank you very much. Sarah also asks, when will you hold in-person comment sessions?

John Battaglia:

We have already done in-person comment sessions with the town during the site plan approval. This format that we're using right now has been provided to us by the New York State DEC, so we're utilizing it. Comments in writing are for us the most valuable so that we can totally articulate your concerns. So please don't hesitate to email us those comments or send them by mail. And we will address them and incorporate them into our facility design process and permitting process.

Speaker 1:

Thank you very much. I'll take a moment now to remind everyone again that participants have the opportunity to verbally comment live right now, today. When your name is called, you'll have three minutes to verbalize your comment. Again, if you wish to provide a verbal comment, please dial (866) 641-6804 on your phone if you're not already dialed into the event, and press *3 on your phone keypad to get into the queue.

Again, if you're in this event and would like to make a comment live, please press *3. You'll be put on hold until a screener gets to you, so don't hang up, wait for the screener. You'll speak to the screener and then you'll be put into the queue to make your comment live. We'll take a moment to pause and wait for more callers to call in to make their comments. I encourage you all to do so. At this time, we will take five more minutes to wait for more comments. Again, this will be a five-minute warning, so please call in with any comments and press *3.

David Lenox:

This is David again. I'll just add, having another meeting this evening at six o'clock. So, if anyone did not see the full presentation, they can also attend that meeting to see it as well.

Speaker 1:

A reminder, if you're only accessing this meeting through a computer and not on the phone, you can type a comment by using the chat box at any time. Comments can also be emailed or mailed until May 14th, 2025. The mailing address is EnSol, Incorporated at 3000 Alternate Boulevard, Grand Island, New York, 14072. You can email your comments to marangicomments@ensolinc.com. That's M-A-R-A-N-G-I-C-O-M-M-E-N-T-S, @, E-N-S-O-L-I-N-C, .com.

We will give participants a few more moments to call in if they'd like to make a verbal comment. If you would like to make a verbal comment before our event ends, you must dial (866) 641-6804 on your phone if you're not already dialed in. And then you'll press *3 on your phone keypad to get into the queue to make your comment live. You can also make a comment on the computer by using the chat box at any time.

We will give any callers who'd like to make a comment live just a few more minutes to get into the queue. Right now, I do have a comment from Sarah, an online comment wondering what traffic concerns have been addressed. They are considerable on that road as it's already heavily trafficked. She wants to know what the next steps toward permitting after this comment session is closed in May.

David Lenox:

So, traffic has been studied extensively with not only this project, but all of the other projects proposed along Dolsontown Road. It was all done as part of the Dolsontown Corridor Generic Environmental Impact Statement. So, all those traffic mitigations identified in that document is being coordinated with the town as well as the New York State Department of Transportation. Following the comment session in May, we will be summarizing all the comments we received from these meetings and providing responses for them and including that into our document repository for the public to view.

Speaker 1:

Thank you for that and thank you, Sarah for your comment. We will wait just a moment to see if we have any more callers. Quick reminder while we have time, please press *3 on your phone if you'd wish to verbally provide a comment live on this event. If you're only accessing this meeting through a computer, you can type a comment by using the chat box at any time. Right now, we're just waiting to see if there are any more callers with comments or any online comments. Looks like we have another call from Fern right now.

Fern Laks:

Hello.

Speaker 1:

Fern, you are live.

Fern Laks:

Hello, my name is Fern Laks. I had worked on this site and the adjacent sites in the '90s with Ward Stone and Fred Isseks on that site removing leachate. And I don't understand how all of a sudden that everything is cleared up and moved away. I don't remember if it was DEC or the town of Middletown that came in and took out truckloads of garbage and cleaned out some soil and then replaced it with sand back in the '90s, the late '90s.

I know for a fact that there are pollutants on that ground. I've literally had it in my hands, almost went to jail because of it and had to give up all the samples. But I believe that major extensive care should be taken in investigating what is in that ground and why was Monhagen Creek polluted and why was Catlin Creek polluted and all water sources here are not viable for fishing, boating or anything here? I mean, this is ridiculous.

And now you want to start building warehouses and garbage dumps on top of something that's already contaminated. I don't understand that, and I don't understand how the DEC could not be aware of this. I'd like to know what their findings are, recent findings not years ago, and I think that the public has the right to know that. I would appreciate some answers about that.

Also, the water. Groundwater in that area flows from Middletown into Wawayanda, which means that the groundwater will be flowing into the next few sites, which are all warehouses plus whatever the warehouses are going to emit. This is not feasible for this area. This is a residential area. It does not belong here. It's not suited for here.

There is a facility right down the road a couple of miles in New Hampton that is a recycle and transfer station. I don't know why we need another transfer station and recycle station when we already have one that operates and it's in play. Why must this be done? Why is it necessary here in the middle of a residence to dump garbage? I appreciate you listening to-

David Lenox:

Thank you for the comment. If you have any specific information on the site you can share, we appreciate that through email or mail. I wonder if you're thinking of a different site. There's no evidence on this site that there was waste placement there in the past. But if you have any additional information on that, we will certainly look at that.

Speaker 1:

Thank you very much for your comment. If you'd like to make a comment live, please dial (866) 641-6804 on your phone. And if you're dialed into the event, please press *3 on your phone keypad and you'll be placed into the queue to make your comment live. If you're accessing this meeting through a computer, you can type a comment by using the chat box at any time. At the end of this meeting, I will give instructions again on where you can email or mail your comments. You'll have until May 14th, 2025, to do so. Right now, we'll give it just a moment to see if we have any more comments.

Right now, we're coming to the end of our live event. I'd like to thank everyone for taking the time to join with us. Thank you so much for your participation. If you have more comments you would like to make, you can email or mail them until May 14th, 2025. The mailing address is EnSol, Incorporated, 3000 Alternate Boulevard, Grand Island, New York, 14072. And you can email comments to marangicomments@ensolinc.com. Again, thank you to all who participated in this event. Have a great day.

EnSol Access Live
April 30th, 2025 6:00 P.M.

Robin:

Good evening, everyone, and welcome to the second of two public information meetings for the proposed Dom Mar Recycling and Transfer facility on Dolsontown Road in the town of Wawayanda, New York. This meeting is required by the New York State Department of Environmental Conservation for Compliance with Commissioner's Policy, CP-29, Environmental Justice and Permitting.

My name is Robin and I'll be moderating the call this evening. The purpose of the meeting is to inform the public of the environmental permit review process and provide opportunities for the public to comment on the proposed project. David Lenox, Project Engineer for EnSol Inc. will be giving a presentation describing the proposed facility and the permitting process. David will be joined by John Battaglia, owner of EnSol Inc., who will be assisting in answering your questions and comments this evening.

Participants using their phone can give verbal comments following the presentation. Please press *3 on your telephone keypad if you wish to verbally provide a comment. Commenters will be organized into a list and will be given a 3-minute period to speak when called upon. Participants only accessing the meeting through a computer can type a comment by using the chat box at any time. You can also submit your comments by email and US Post up until May 14th and I will provide those instructions during this call. Instructions regarding email and mailing comments will be provided throughout this presentation.

And now, I'd like to turn the call over to Dave Lenox from EnSol, so that Dave can begin the project presentation. Dave, the floor is yours. Please go ahead.

Dave Lenox:

Thank you, everyone, for attending this meeting. This is the second of two public information meetings scheduled for this project. Here are the commenting instructions again. Participants using their phone can give verbal comments following the presentation. Please press *3 on your phone to verbally provide a comment. Commenters will be organized into a list and will be given a 3-minute period to speak when called upon.

Comments can also be mailed to EnSol Inc. at 3000 Alternative Boulevard, Grand Island, New York, zip code 14072, or emailed to marangicomments@ensolinc.com. Comments and responses shall be summarized and included in the online and library public repository. Project application documents can be viewed at the Middletown Thrall Library at 11 and 19 Depot Street, Middletown, New York or online at dommartransferstation.ensolinc.com.

So, we will start with the meeting agenda first and introduction of the proposed project. Then, the applications and permits required for the project, the status of those applications, a more detailed description of the project, the facility operations, the results of studies completed at this site for the environmental review process, and information regarding the public comment period.

Now, to the introduction, DomCam LLC, which is part of the Marangi Waste Management Group of Companies of Middletown, New York is proposing to construct and operate the Dom Mar Recycling and Transfer Facility on Dolsontown Road in the town of Wawayanda, New York. The facility consists of a recycling and transfer building with an associated administrative office building, inbound and outbound truck scales, residential drop-off area, parking for employees and trailers, wastewater collection and treatment system, and a stormwater management system. A future site development may also include a truck maintenance facility. The project engineer is EnSol Incorporated. The applicant is based in Middletown, New York. He had owned Marangi Disposal since 1955. It was sold to Interstate Waste on August 16th, 2024.

Onto applications and permits, the town of Wawayanda approvals include site plan approval and a special use permit. The proposed use is allowable in a mixed commercial zoning district the site is located in. The

project is under State Environmental Quality Review, or SEQR, which includes filling out a full environmental assessment form with accompanying studies I will talk about later.

The facility will require a New York State Department of Environmental Conservation Solid Waste Management Facility permit. Stormwater discharges from construction activity will be in accordance with State Pollution Discharge Elimination System or SPDES General Permit, which includes the development of a stormwater pollution prevention plan to be approved by the town and the New York State DEC. There's also a SPEDIES multi-sector general permit for stormwater discharges associated with industrial activity during the operation of the facility.

Now, on to the status of permit applications. Starting with the town applications, the site plan and special use application has been submitted and is currently under review, including the SEQR documents. The town of Wawayanda is the lead agency for State Environmental Quality Review. The project is included in the Dolsontown Road General Environmental Impact Statement or GEIS that was administered by the Town Planning Board.

The GEIS evaluates the cumulative environmental impacts of the various proposed projects along the Dolsontown Road including traffic, stormwater, water and sewer, cultural resources, wetlands, and threatened and endangered species. A notice of approval and the finding statements for the Dolsontown Road GEIS was issued on April 26, 2023.

For the New York State DEC, solid waste management permit application has been submitted and is currently under review. The site is located in a New York State DEC Potential Environmental Justice Area or PEJA. PEJAs include areas with minority or low-income communities that may bear a disproportionate share of negative environmental consequences, resulting from industrial, municipal, and commercial operations.

The proposed facility, solid waste management facility permit application, is subject to Commissioner Policy 29, which provides guidance for incorporating environmental justice concerns into the New York State DEC environmental permit review process and the application of the State Environmental Quality Review Act.

Applicants within a PEJA are required to actively seek public participation during the application review process through a public participation plan. This meeting is part of that public participation plan for this project.

More on the public participation plan. Comments from this meeting and any received by email or mail will be documented and substantive comments addressed in the final public participation plan. And that final public participation plan will include a list of all substantive concerns and issues raised to date, all resolved and outstanding issues, a determination as to whether the volume of comments warrants additional posting of information, and a detailed description of how the issues will be addressed within the application documents.

Now, onto the project location. There's a map of the location of the project. It's located at 1118 Dolsontown Road, just north of Interstate 84 and south of Middletown. It's located about 0.6 miles east of the intersection of Dolson Avenue and Dolsontown Road. The total parcel area is about 44 acres in size. Here's a map showing the location of the potential environmental justice areas in the vicinity of the site. The potential environmental justice areas are shaded areas, and it includes much of area north of Interstate 84.

Onto the facility description. The proposed facility consists of a recycling and transfer building, an administrative office building, inbound and outbound truck scales, residential drop-off area, which shall be operated at select times and dates to avoid peak traffic times, parking for employees and trailers, wastewater collection and pre-treatment system, the stormwater management system. And a future

second phase of development may include a maintenance building, fabrication shop, fueling station, roll-off container storage, and employee parking for the associated collection truck fleet.

A conceptual plan for the full development of the site was included in the applications and the environmental review process. Here's the proposed facility site plan. The residential drop-off area is located to the west of the site entrance. Employee parking and administrative building are located immediately west of the recycling and transfer building. A bioretention basin is located south of the parking area. We can see stormwater ponds are located south and west of the facility. Inbound and outbound truck scales located east of the site entrance and full trailer parking's located north of the recycling and transfer building.

There are proposed building elevations for the facility. Looking west, the administration building is in front of the recycling and transfer building. A canopy for the trailer parking area north of the recycling and transfer building will separate that area from stormwater runoff. Looking from the south, there are three recycling material tipping floors towards the west and four material tipping floors towards the east. Two sunken loading bay doors for material transfer.

The facility will recover and process recyclables and transfer the remaining material for disposal off-site. The material to be accepted includes Municipal Solid Waste or MSW, Construction and Demolition Debris or C&D, and industrial material in similar composition to MSW and C&D. No hazardous radioactive material or sludge will be accepted.

The proposed facility capacity is 950 tons per day. The facility expected to have 10 employees in a recycling and transfer building and 20 in the administrative building. Facility equipment includes a front loader, trailers, and a yard truck, an excavator with a grapple, truck scales, and a baler and grinder. All storage and processing operations will take place indoors. Non-contaminated concrete, asphalt, rock, brick, and soil can be stored outdoors.

Recycling will be an important part of the facility. The facility includes recycling activities to help meet current local and state recycling objectives. A list of flexibility to support future recycling initiatives. Recycling activities shall include recovery of cardboard, concrete, asphalt, rock, brick, soil, brush, unadulterated wood, incidental tires, and metals. Recycling processing activities will include baling and transfer of cardboard, palletizing wrapping and transfer of product stewardship and electronic products, shredding and transfer of unadulterated wood for further processing, and the transfer of source separate recyclables and organics.

Here is a rendering of the recycling floor plan. You can see storage of separate recyclables within storage bins along a push wall. Unadulterated wood and other recyclables can be loaded into transfer trailers within the sunken loading base. Loading dock doors along the top of the rendering can be used to transfer material. Material will be received in the tipping floor doors at the bottom of the rendering.

Here's a rendering of the recovery and transfer floor plan. Material is delivered through the doors on the bottom of the rendering and loaded into transfer trailers within the sunken loading base using an excavator with a grapple. Materials stored within the concrete push wall at the top of the rendering. Roll-off containers located within the center of the building will be used to separate recyclable materials such as cardboard, metals, and unadulterated wood to be transferred or further processed in a recycling area.

Onto the facility operations. I'll go over traffic, odor, dust and litter, wastewater, stormwater, and noise. Beginning with traffic, materials will be delivered to the facility in approximately 80 collection trucks each day. Including roll-off container trucks and front and rear packer trucks. Outbound material will be shipped in approximately 44 transfer trailers each day.

A traffic study considering current and future traffic on Dolsontown Road from not only this project, but various projects proposed along the road is included as part of the Dolsontown Road GEIS. The proposed

operating hours of 4:00 AM to 7:00 PM Monday through Friday and 7:00 AM to 2:00 PM Saturday will minimize traffic impacts and avoid peak traffic times by spreading out the traffic over a longer time period. The facility includes 35 off-street employee parking spaces and 6 full transfer trailer parking spaces and 23 empty trailer spaces.

Onto odor control. All material handling, processing, and storage will take place inside enclosed building. Facility doors shall be kept closed except when vehicles are entering or exiting the building. Odors shall be controlled by cleaning indoor material handling areas daily. Burning of materials will not be permitted at the facility. Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems. If odor issues continue to persist, an air purification system shall be installed as a contingency.

Onto dust and litter control. Dusty conditions in traffic areas are not anticipated due to limited on-site travel and low speeds which will take place on paved roads. Exhaust odors from heavy equipment and trucks will be minimized by limiting idling engines to less than five minutes in accordance with this current regulatory idling restrictions. Mechanical street sweeping equipment or misting equipment shall be used as a contingency if dusty conditions persist.

All loaded trucks and containers will be covered to prevent litter. The facility grounds will be inspected for litter at the end of each day. Any litter that's found will be collected and disposed. Litter fencing will also be placed downwind of the facility to prevent fugitive litter.

Onto wastewater. Wastewater at the facility will primarily consist of precipitation gathered on the trailers, incidental liquid contained within the materials received, and any floor wash water. Pollutants of concern in that wastewater include total suspended solids, biochemical oxygen demand, oil and grease. All of the wastewater within the recycling and transfer building will drain to four drains connected to double contained drainpipes.

So those drainpipes will drain to a gravity oil-water separator for pre-treatment. A trailer parking area north of the recycling and transfer building is also included in the wastewater collection and treatment system. Treatment provided by the oil-water separator includes separating oil and grease and allowing solids to settle from the wastewater.

The floor drains within the recycling and transfer buildings will also trap solids by setting the drainpipe inverse one foot above the base of the floor drain. The pre-treated wastewater will then be discharged to a grinder pump and pumped via a force main to existing sewer line along Dolsontown Road.

Moving on to stormwater management. Runoff from the site will be collected by soils and catch basins. The trailer parking area will be separated from a stormwater system and covers the canopy to minimize stormwater reaching the wastewater collection and treatment system. The stormwater treatment and control features include a bioretention basin and two wet ponds that will serve the east and western portions of the site.

The stormwater system is designed in accordance with the New York State Stormwater Management Design Manual and shall be monitored in accordance with the New York State DEC multi-sector general permit for stormwater discharges from industrial facilities. So, here's a cross-sectional detail of the bioretention basin which is a green infrastructure technique. These techniques use vegetation and soils to restore natural processes to manage stormwater. The bioretention basin provides runoff reduction through filtering stormwater through planting soil into a shallow depression. Pipes below the soil collect the filtered stormwater and discharge it downstream.

The basin is mulched and planted with native vegetation to provide habitat, and this basin will treat stormwater runoff from the administration building and employee parking lot. Here's a detail of the stormwater wet pond. These ponds are designed to reduce the post-development stormwater discharge

rate to less than the pre-development discharge rate. The ponds provide storage through a permanent pool and temporary detention controlled by a discharge structure. Treatments provided through cementation, including a forebay for pre-treatment. These ponds will also be seeded with native wetland vegetation to provide habitat.

Onto noise. To evaluate noise generated by the facility, a detailed model was developed that considers the 3D effects of building's topography, vegetation, distance, the ground, and atmosphere. Facility noises modeled from truck traffic and the processing equipment within the recycling and transfer building. The building is orientated away from Dolsontown Road to minimize impacts to potential receptors. The noise evaluation confirmed noise levels will meet the New York State DEC and town standards. You can see on the figure how the noise is directed away from Dolsontown Road. The doors are facing away from the road.

Onto environmental review studies conducted for the State Environmental Quality Review. A wetland delineation was conducted. The proposed facility will not impact regulated wetlands. Through the New York Natural Heritage Program, the Indiana bat and Northern Long-eared bat were identified as species of concern. To avoid any adverse impacts to those species of bat, the facility will undertake the following mitigation measures. All tree clearing at the site will occur between October 1st and March 31st when bats are no longer roosting within the trees. The site will use approved light fixtures with [inaudible 00:22:42] direct light downward to minimize light pollution and decrease interference with potential bat foraging activities. Soil conservation and dust control best management practices will be implemented such as watering dry disturbed soil areas to reduce dust and preventing erosion and sedimentation and surface waters on the site during construction. The project will also refrain from using chemicals in stormwater ponds that might affect bats or insect populations from which they feed. Tree species preferred by the bats for roosting were also selected to be planted as part of the site landscaping plan.

This project is located in an archeologically sensitive area. Phase 1 archeological survey was conducted. That investigation found no evidence of archeological sites within the proposed project area. The New York State Historic Preservation Office or SHPO recommended that the project will not adversely affect historic or archaeological properties listed or eligible for listing on the National Register of Historic Places.

The human remains discovery protocol shall be implemented should any evidence of human remains, or possible burial grounds be encountered during construction. The map on the slide shows the locations of shovel test pits dug by an archaeologist within the proposed project area and all those soil test pits came up negative.

So, this project is located in a disadvantaged community which is defined in the Climate Leadership and Community Protection Act as communities that bear burdens of negative public health effects, environmental pollution, impacts of climate change, and possess certain socio-economic criteria or comprise high concentrations of low- and moderate-income households. For the Climate Leadership and Community Protection Act, the New York State DEC is required to ensure that its permitting decision is required to ensure that its permitting decisions do not disproportionately burden disadvantaged communities and prioritize the reduction of greenhouse gases and co-pollutant emissions. The disproportionate burden report for this project provides information and evaluations necessary to address the climate Leadership and Community Protection Act requirements. An existing burden within this disadvantaged community is the potential pollution from diesel trucks. This indicator had a relatively high percentile ranking of 92% compared to the rest of New York State. The high ranking is believed to be caused in part by Interstate 84, which runs through the center of the disadvantaged community.

The primary source of greenhouse gas emissions from this proposed facility is from inbound and outbound diesel trucks. Traffic mitigation items should be completed by the applicant per the Dolson Town corridor. GEIS shall provide emission mitigation. These mitigation items include a left turning lane all along Dolson

Town Road and improvements to the Dolson Town Road and Route 17 intersection and the Route 17 and US Route 6 intersection. So that's the end of the presentation. Once again, you can press *3 on your phone to verbally provide a comment. Comments can also be mailed to EnSol Inc at 3000 Alternative Boulevard, Grand Island, New York, zip code 14072 or emailed to marangicomments@EnSolinc.com. The comment period closes in two weeks on May 14th, 2025. I'll now turn it over to the moderator for our comment period.

Robin:

Thanks so much, David. Thanks for your presentation. We do have a number of questions that were submitted online, so if you guys are ready, we can get started. First question comes from Anne Marie and Anne Marie says, this site is very close to a known super fund site. She'd like to know what soil and water testing has been done already, what toxins were tested for, and where are the results of the testing posted for the public to review and to comment on? Please go ahead, gentlemen.

John Battaglia:

This is John Battaglia, and we had answered this same question in our earlier session. During the site environmental review, both by the town and the state ourselves, we didn't find any indication of any releases, spills or evidence of any chemical discharges on the site. And had we done that, we would have been doing testing and removal of that material. It appears the site has been used, historically has been used as a supporting farming in the area, and much of the site is actually pasture and or crop growing, so we found it to be fairly inert and clean. So just as a note to that, during any construction activities, regardless of if it's this site or any project we're on, there is a continuous monitoring for identification of anything that would look suspect, and at that point it would be tested and removed from the site.

So, rest assured, there's always a mitigation in place should anything be found. But in order to do a comprehensive testing program, we have to have some evidence that there may be a discharge or release and all the documents that we've looked at to date do not show that. We will though, however, take an extra step. We've already been in touch with the DEC and said, "Hey, do you have any additional files on this site that might be helpful to see if there's any validity to that?" Because certainly we'll address it if there is and should something come out of that, we will post that information. Thank you.

Robin:

Thank you. Thank you so much. We've got a caller. We've got Jacob from Rochester. Jacob, you're live on the call. Please go ahead.

Jacob Zoglin:

Hi, this is Jacob Zoglin from Underberg Kessler. I'm the attorney. I'm making the announcement that this is a public comment session, so we'll be accepting public comments. This is not a question-and-answer session, so we'll be collecting public comments for future follow-up. That was all I had. Thanks.

Robin:

Thank you, Jacob.

John Battaglia:

Can I add to that a little bit?

Robin:

Of course.

John Battaglia:

Yeah. But I will be addressing any comments that are reasonable that I can address right now. So, although I just want to make sure that everyone realizes that if we get a comment that we can address right here now, we will definitely do it and if it requires any additional further follow-up, at that point, we'll incorporate it into the documents.

Robin:

Thank you so much, John. Appreciate that. Our next question comes from Fern and Fern is requesting an in-person Q&A meeting with our group. She says, "It seems that your setup does not meet CP29 requirements. We would like to discuss these points at an in-person meeting, please."

John Battaglia:

What I can say to that is we went through fairly excruciating detail and discussion with the state to make sure that we did not do anything that was outside the realms of CP29, and Dave worked very closely with the state. In fact, this is really, we've even added additional meetings because some of the interested parties indicated that they felt they didn't get properly notified, so we extended an additional meeting. So, we feel we've been going above and beyond to try to meet these needs, and we will continue to do so. I can't speak for the state about meetings regarding CP29. We follow the rules of the law, and we will continue to do so, but we will certainly incorporate that comment and follow up with any additional response to that.

Robin:

Thanks so much, John. Our next caller is James from Middletown. James, you're live on the call. Please go ahead.

James Rollins Sr.:

Thank you very much. Yes, good.

Robin:

Go ahead.

James Rollins Sr.:

Thank you very much. My name is James A Rollins Sr. I am a long-time resident, 30-year resident of the city of Middletown, but I am also a 25-year waste industry professional as well as a community advocate. Knowing fully well that transfer stations are part of how we manage waste in our communities comes to the forefront but I can say that, I am encouraged that I believe that with the construction of a state-of-the-art facility, perhaps it will position the community to actually look at minimizing, perhaps, some of the other facilities that are reaching their lifecycle. Here in Middletown, I can smell waste from where I live right now. Of course, Middletown being only a four-and-a-half square mile city.

And so I am encouraged that there is a state-of-the-art facility being constructed, and I'm looking forward to how it's going to actually assist in doing a better job within our communities because whether we want to accept it or not, it is a part of how we live our lives. I mean, historically, years ago, landfills used to be

located within our municipalities, and I am grateful, again, as a 25-year waste industry professional that that is no longer the case. I know that there may be concerns, however, I am confident that we should be able as a community to work with the owners as well as the community to ensure that a service that is not only valuable but needed, can be managed in a responsible way so that it does not create an undue disadvantage to a disadvantaged community as well as violate any of the environmental justice concerns that would certainly come to the forefront. So, I am looking forward to a state-of-the-art facility being constructed.

John Battaglia:

Thank you, James. And this design incorporates stewardship capabilities, recycling capabilities. The owners had gone above and beyond to make sure that it's prepared and positioned, not really for waste transfer, but for waste recycling and recovery. So, you're on the mark there. I've designed transfer facilities for the last 25 years, and this is probably one of the most sophisticated, largest and by far, capable facility for handling and accepting the changes in the market. It's got the footprint and the material handling capacity to be able to package and separate and recycle many, many new materials as the stewardship programs begin to evolve. But thank you very much for your comments.

Robin:

Thank you, John. Ladies and gentlemen, you are absolutely welcome to provide your verbal comments. That's *3 on your telephone keypad. You'll talk with a member of our staff, and that staff member will take down your name and the city or town that you're calling from, and the next time you hear your name, it will be me inviting you to provide your verbal comment live on the call. And again, if you're coming in through your computer and you'd like to ask a question, you can type your comment or question using the chat box at any time during the call. Gentlemen, our next question comes from Fern, another question from Fern, please. She says, "Why is this facility necessary when we have Orange County Landfill recycling and transfer facility right down the road in New Hampton?"

John Battaglia:

I think James actually kind of hit on the mark is that those older facilities are not set up for the type of processing and recycling that this facility has capacity for. Owners, when they permit these facilities, they're in for the long haul. They're preparing these facilities to address future markets and future changes in the way our society deals with materials. And we really call them material handling facilities, for lack of a better term. But so while there is a landfill, which is a necessary component, the real task here is to be able to accept, qualify, quantify the different types of materials that we generate as the public so that it can be properly packaged and segregated and sent to market or recycled. So that's really the reason for a state-of-the-art facility.

Robin:

Thank you, John. The follow-up question that Fern has is, she asks, 'Who will be monitoring this facility?"

John Battaglia:

Fern, the primary responsibility for monitoring and making sure the facility is run properly is the owner. Now, that being said, that in the application there are different components of the application that include checklists and inspection reports, et cetera, and also annual and quarterly reports to the state on the operations and incidences on the site. With that being said, New York State DEC also has a monitoring component of their regulations. They are routinely and at the sites that I work on, go out to the sites with

either impromptu inspections or routine inspections to check the paperwork, to look around the site to make sure it's properly clean and there's no spills or improper materials being handled. Site owners do not benefit by not keeping a good quality clean site. We certainly promote it to all of our clients and customers, and I believe that type of monitoring is going to be really effective in making sure that the owners and the operators maintain a good quality facility.

Robin:

Thank you, John. Next question comes from Anne-Marie. Anne-Marie says The Dolson Town Road generic environmental impact study is outdated and does not consider traffic estimates for an additional project, which will have hundreds of vehicles per day on many of the same roadways. Will you complete an updated traffic study?

John Battaglia:

The GEIS that she's speaking of was performed in concurrence with other projects, and it's continuously being updated. The Department of Transportation and the town and the town's engineers routinely ensure that that plan meets the needs of the community. We're a part of that group, and the reason that it's called a generic environmental impact statement is because it takes into account multiple projects and regional concerns. So, I certainly appreciate the comment, and I will forward that comment over to the consultants and engineers that are working on that, and we'll provide a response to that. But my recollection and understanding are, and what I've seen through monitoring emails and correspondence, is that the sites that are coming on board have been addressed and making sure that the facility does not impact local traffic concerns. Thank you.

Robin:

Thank you. Thank you, John. Folks, remember, that's *3 on your telephone keypad to ask a question. And if you have accessed this meeting by way of your computer, you must dial in at (866) 641-6804, and then press *3 on your phone keypad or you may type a comment in the chat box at any time. And we did mention that you have up until May 14th, which is two weeks from today, to submit your comments by email or mail and the instructions regarding those are as follows, and I will repeat this a few times throughout the call. If you would like to send your comments to US post, you'll send them to EnSol Inc at 3000 Alternate Boulevard, Grand Island, New York, zip 14072. And if you prefer to email your comments, you'll email to marangicomment@EnSolinc.com. I'll spell that. It's M-A-R-A-N-G-I comments@EnSolinc.com. Again, *3 on your telephone keypad to provide a verbal comment.

As we're waiting, John, David, any comments to share with the audience that may have just dialed in? Maybe they've joined a little late. Is there anything you'd like to share?

John Battaglia:

I think while we're waiting, I think there's somebody in screening right now, but the site plan at this facility incorporates a fairly complete control of any materials. Everything will be indoors. It's a large, over 40,000 square foot structure with two transfer bays, which allows, again, the ability to segregate recyclable materials out for market. It also includes an area for consolidating materials and packaging materials and bailing materials and loading docks to ship those materials out for recycling. It has a segregated area for a little office and management of any stewardship materials. We already know that stewardship materials include paints and electronics, and I expect that that list will continue to grow as our society becomes more of a cradle the grave material or waste handling society. So that's been important to ensure that our facility incorporates that. And lastly, any trucks that are handling any materials are in a covered and

controlled space. So, the facility, again, has got all the important aspects of environmental control and clean, safe operations. So, okay. Thank you.

Robin:

Thank you for that comment. Our next caller is, and I'm probably not going to pronounce this, but I will try, I think it's Pramilla. Pramilla, you are live on the call. Please go ahead and forgive me if I've mispronounced your name.

Pramilla:

Hi, can you hear me?

Robin:

Yes, please go ahead.

Pramilla:

Yes. Am I live?

Robin:

Yes, ma'am.

Pramilla:

Okay. So yeah, this system of taking questions is extremely difficult. I'm trying to, at the same time that I'm trying to give you my questions, I am trying to, yeah, there's a delay. There's a delay. There's a delay between your, all right. I have to close my computer. Can you hear me?

John Battaglia:

Yes, we can hear you. And yeah, close your computer off so we can chat. That would be great.

Pramilla:

Just give me one second because I can't, I got to pull up my question and I can't do all of this at the same time. All right.

John Battaglia:

Take your time. Take your time.

Pramilla:

Trying to mute. Okay. All right. All right. I muted my laptop, so this is not consistent with CP29. Also, I may just ask you periodically if you can hear me, because I can't tell if... I can't hear myself.

John Battaglia:

I can hear you. Pramilla, I can hear you loud and clear.

Pramilla:

This is not consistent with CP29, and I can send you the guidelines for CP29. I know you said you referred to DEC, but the guidelines are in writing, publicly available. I can send them to you, but you are supposed to hold a series of meetings with the community organizations and take questions and answer those questions. A comment doesn't really answer our questions and even if we submitted written questions to you and you emailed us back the answers, which doesn't really satisfy CP29 because then we can't ask follow-up questions. We need to have an in-person meeting where whoever is in charge or has the information, is able to answer our questions, and then we can respond back and then they can respond to us. That is what CP29 requires. So, we're going to ask you again, for in-person meetings where we could actually have questions answered. So, I have a bunch of questions. I'm going to start with the first and let's just see how far we go. What alternate sites did you look at for this project?

John Battaglia:

Alternate sites.

Pramilla:

What alternatives did you explore?

John Battaglia:

Yeah, the owner of the company has properties in the Middletown area that he considered for doing this project. He looked at several properties that he was evaluating where he would like to put his facility and specifically addresses, I don't have it, but that information is his information. I mean, I don't know if it's relevant to this discussion because his project is relevant to what his needs are and wants are, so I can't tell you the specific ones, but I can tell you that any project he and his project, I am aware that he looked at alternative locations. So, what the specific locations are, I don't know.

Pramilla:

Right, because normally when you do a review of a project of this magnitude, you are supposed to explore alternatives. And I'm wondering if you looked at sites that are far away from residential communities and from critical resources. You have the Monhagen watershed right at the site, right where you are. The brook goes right through, I think, the borderline of the site. So, I'm just wondering why you didn't look at less sensitive locations, but clearly you don't have the answer to that. Does the project sponsor have a developer's agreement with the other Dolson Town Road projects?

John Battaglia:

They have a draft agreement that they're waiting to finalize the requirements from the project with regard to the traffic and then once that's finalized, then they'll execute a final agreement.

Pramilla:

But you have a draft agreement, correct?

John Battaglia:

They do, yes.

Pramilla:

Okay. And so, are you willing to make the draft agreement available to the public?

John Battaglia:

I can tell you that that process is for the site plan approval process. So, if that's something that you would like, I'm sure you can get it through that process.

Pramilla:

Okay. Do you know how much this project is costing in total?

John Battaglia:

I think generally, \$6 million to \$8 million of construction dollars, roughly.

Pramilla:

That's the equipment and everything?

John Battaglia:

That's the building and there might be probably another million and a half to \$2 million in equipment. I'm giving you, just because I've built so many of these. I mean, I can give you a, I think, he has a financial model. I don't necessarily think that I can share that with you, but I can tell you based on my experience, and I've done a lot of facilities, so I'm probably not too far off.

Pramilla:

So, did you do a direct mail to all the residents in the disadvantaged communities?

John Battaglia:

David, how did the mailings go?

Dave Lenox:

Yeah, we did mailings to the stakeholders in our approved public participation plan. So, it was residents along Dolsontown Road, as well as neighborhood religious establishments and including a number of environmental groups that received emails of the notification as well as leaders, public leaders, and regulators.

Pramilla:

Right. I did see that list and it's about; I think 25, maybe 30 max recipients. However...

Pramilla:

Recipients. However, those are not the people that are specifically protected pursuant to CP29 and CLCPA. Those are the members of the disadvantaged communities, people who live at Horizons and David Moore Heights. I'm wondering what kind of access.

John Battaglia:

I can tell you your type of comments, and as detailed as they are, I really would like them in writing because then we can craft a response that provides us the input from the department as well as whatever legal.

Pramilla:

I mean, the problem with doing it in writing is that it's not a back and forth and it really doesn't... again, I can send you CP29-

John Battaglia:

I can tell you talking to you about it right now. I wouldn't be able to give you the answer anyway. So, in writing is really a high-quality way to document and support your arguments.

Pramilla:

Okay. But again, this is why we have to have an in-person meeting because not only do my questions and your answers inform me and you, it also informs everyone else who's interested, who's participating, and every other stakeholder. That's why it's important to have an in-person meeting, which maybe can be broadcast or Zoomed, but this format is extremely difficult. It is extremely difficult to-

John Battaglia:

And you know, we understand your comment with regard to the format, and we did our best and we believe that we have complied with CP29, so we will share that comment with the state, and we'll get back to you about that.

Pramilla:

Can you tell me specifically where is the waste coming from? Hello?

John Battaglia:

The waste will be coming around from the surrounding counties and communities. Probably. I would guess, within a 50-mile radius of the facility roughly.

Pramilla:

So that 55-

John Battaglia:

Because most of it's a market. And when you have markets, when customers are collecting materials like this, they have to do it as efficiently as possible. The idea is to be able to bring the recyclables and the materials for disposal as efficiently as possible. So, what they'll do is they'll bring materials that make a lot of sense from a marketing and time for collection. So, when you say specifically, I think in the application we identified, Dave, I think... did we identify generally what counties were expected the materials to come from?

Dave Lenox:

Yeah, local service area, Rockland and Orange Counties.

John Battaglia:

Right. So, there you go.

Pramilla:

Do you have contracts with specific towns or counties currently for this project?

John Battaglia:

I am not aware of the contractual relationships that the owner has, so I don't know that.

Pramilla:

I think it's extremely important for the public to know because their garbage processing laws would directly impact how that garbage comes into this community. And also-

John Battaglia:

What's even as more important to that is that this facility will be able to take materials that currently are not able to be recycled. So, you're right, they do need to be aware of it because we expect that they're going to want to use this facility because it's going to have components in it that none of the other facilities have. So, I do agree with you there.

Pramilla:

Will you have any waste coming from New York City?

John Battaglia:

No. I can tell you that. That's just too far.

Pramilla:

To categorically prohibit or state in your agreement or in your license or permit that you will not process any waste from New York City.

John Battaglia:

I can't speak for the owner. You asked me if I expect it to come from there. Again, I told you that it's so far away that a collection vehicle wouldn't... Those are questions like regional landfills deal with because they take waste from far. I'm just giving you an idea of the market because I've been in the market for 25 years. So, the type of question you're asking is really a question on a regional landfill kind of discussion. A local transfer facility is really what it is. It's collecting materials from the local market.

Pramilla:

So, you're only taking waste locally. That means only from New York State, from local counties, from Orange County and Rockland County. Is that correct?

John Battaglia:

That's what we expect to be the economical limit. And I can't speak for the owner to tell him he can contractually obligated not to, but if there's no reason. Again, I'm a practicalist, okay? I know where materials come from based upon the distances that haulers have to travel and they're not going to travel two hours to drop a load. You know what I mean? It just doesn't happen.

But if you were talking about a landfill, landfills, they're a different bear. They're going to take materials from far away. So, in that particular case, yeah, you would know that it could potentially come from far

away, but a transfer facility is really servicing communities that are within an hour or so. I think those two counties is a reasonable representation of where the material is going to come from. I believe that.

Pramilla:

Okay, because your application state, New York, New Jersey, and Pennsylvania, which is well beyond local.

John Battaglia:

Is that where it's going out to, Dave? What does that read?

Pramilla:

How many-

Dave Lenox:

Parts of Pennsylvania and New Jersey are within a 50-mile radius of the Facility.

John Battaglia:

Oh, okay.

Dave Lenox:

But it'd still be considered local.

John Battaglia:

That's very consistent with what I just said, so, yeah, okay.

Pramilla:

Well, again, because different states have different regulations and policies, and if you're taking waste from Pennsylvania-

John Battaglia:

Oh, yeah, yeah, that is true. That is true. We deal in all those states, and we make sure that our facilities are in compliance and we're well aware of the type of material handling requirements from those states. But one good thing is, is that we do have this new stewardship, and I think that's going to go national and it's already beginning. So that will kind of like bring all the rules together so that we can start extracting more materials from the waste and minimize the amount going to landfills.

Pramilla:

Can you send me specific details-

John Battaglia:

So that's been a positive impact. Pardon me? Are you familiar with that?

John Battaglia:

So that's been a positive impact. Pardon me? Are you familiar with that?

Pramilla:

Can you send any more details about that program?

John Battaglia:

Yeah, and the other programs that are out there. Yeah, we can incorporate that. Sure.

Pramilla:

Well, if you can send me information about it, incorporating it after the fact doesn't help us understand what is being proposed.

John Battaglia:

It's in the application by the way. It is in the application. So, I do want to let you know that what I just said is not after the fact. We identified that and he identified it in his presentation as well.

Pramilla:

And who owns the trucks that will be coming in?

John Battaglia:

The local haulers.

Pramilla:

So not Marangi.

John Battaglia:

This facility is a separate company than the hauling.

Pramilla:

Okay. So different companies are going to own the trucks?

John Battaglia:

It'll be open to the market. In other words, whatever haulers have appropriate materials will be allowed to bring their materials there for recycling and transfer, yes. And again, this is nothing new, by the way. This is very, very standard material management across not only New York State, but pretty much every state in the union. So, your questions are valid, but they're very consistent with what-

Pramilla:

I think I understand.

John Battaglia:

And help facilitate-

Pramilla:

There was some contract between Marangi... didn't Marangi sell this project to Interstate Waste. What is the exact business relationship?

John Battaglia:

No, Marangi sold his hauling company to Interstate Waste.

Pramilla:

Okay.

John Battaglia:

But he still owns the transfer facility.

Pramilla:

Okay. So, they will... the trucks that are coming in? Or whoever-

John Battaglia:

Whatever haulers are needing a facility to recycle and transfer their materials will be eligible to bring it to this facility.

Pramilla:

So how are you going to monitor the integrity of the trucks coming in, in terms of not leaking, in terms of not having any contamination on the trucks themselves that they're then bringing into the facility? How are you going to be verifying that if you have different haulers?

John Battaglia:

It's called a Waste Control Plan. It's incorporated in the documents in the operational plan. So, it spells out monitoring when it's tipped, inspecting the load, I believe. So, all the loads being brought in are going to be monitored when they're tipped. If a truck is leaking, it's put off to the side and an operator has to address that. We've got containment areas, so we'll put them on our containment area and tell the operator of the truck if he continues to bring in leaky trucks, they'll have to probably kick them out. I think it's up to the-

Pramilla:

But if it's leaking as it's coming in, by the time it gets to the gate, it's going to have done a lot of environmental damage, right?

John Battaglia:

Well, if it had been leaking all the way there. So, you're right. You're right. But at least we caught him, you know what I mean? And we are obligated to catch him and obligated to make sure that he doesn't cause an environmental impact. And if the impact is significant, we'll be cleaning it up. We'll make sure it's cleaned up. Anything on our site we're responsible for. And that is a good question. And these facilities take care of that. They're obligated by law and by the Spills Act, and any type of spill has to be cleaned up. So, you are correct. That is a component of our plan.

Pramilla:

Okay. So, who's going to pay for the roads as they get damaged by the truck traffic?

John Battaglia:

The trucking and traffic approvals are going through the town. So, any traffic and road upgrades are all incorporated in the GEIS. So that document is available again through the town. So, you can get the details on that from there.

Pramilla:

So that doesn't answer my question. The question is, you four developers or five developers are going to pay for the road improvements, correct, together, is that right?

John Battaglia:

That's the way I understand it. And based on the agreement that they're going to have that. So yes, that's correct.

Pramilla:

But my question is, after operations begin, who's going to pay for the damage to the roads from all of the trucks coming in?

John Battaglia:

And I would say that that's a good question that you're going to ask that process, because what that process is all about. If you're asking my opinion on it, I could share that with you, but obviously the-

Pramilla:

Yes, please do.

John Battaglia:

The fuel use tax is used for road maintenance and repair. If you're familiar with trucking, there's a certain dollars per gallon that has to go to each community and each state that the truck transports in. Those dollars are used to maintain the roads of New York State and every other state. So, road use taxes are typically used to maintain roads.

Pramilla:

So that it's going to go into a general poll. It's not going to be for those specific roads, right?

John Battaglia:

Well, how they administer use tax, I'm not familiar. I just know that that's where the dollars are used for to maintain roads.

Pramilla:

Okay. How much power is this facility going to consume in total? And I'm talking both, in terms of heating and cooling, the machinery on site, both in terms of kilowatt-hours as well as BTUs for gas-

John Battaglia:

Yeah, I think Dave, we did an analysis on that as part of the CLCPA. Did we do consumption of energy?

Dave Lenox:

Yeah, we've got those numbers. They've been presented in environmental assessment form.

John Battaglia:

I wish I could... yeah, so we do have them. They're in our documents, and I wish I could roll them off the top of my head. And when you say exactly, energy is an interesting thing if you've ever done energy estimates. I've designed things where I thought I had it right away, and they used a third of the amount that I thought. I was doing a facility for processing materials in Pennsylvania. I said, "We need a 750-kilowatt generator for this process." We were processing materials for land application and recycling. Wouldn't you know it came in, we set it up, it didn't even get off idling. So, I always be careful to say when you ask exact, because energy is an interesting thing because peak energy and standard operating energy and continuous processing energy are all different quantities. And it depends on the efficiency of the operation, how much material's coming in. So, we have estimates, and we feel comfortable with our estimates, but when you ask exact, I got to say we will give you a number that we professionally will stand by, but exact is a tough one.

Pramilla:

Yeah, I don't think you actually did the power consumption analysis. I'll have to go back and look at my notes on your-

John Battaglia:

Yeah, please do.

Pramilla:

I think it was lacking, and I think we're going to need more follow up on that issue.

John Battaglia:

Well, and I'm curious on your concern because the facility, besides the operating equipment, which are the main things, which I'm pretty sure we had that incorporated, if you incorporate the lights and the heating of the building, I mean those become blips on the screen compared to operating the equipment. So again, this goes back to how much effort to get exact is reasonable. And we can add in 60,000 BTU heater for the office, but if you compare it to the amount that the excavator for material handling, or the processor compares to, would be a blip on the screen. So, I'm just trying to give you an understanding of the sensitivity of those types of computations.

Pramilla:

I think I was concerned because you were kind of silent on some of the heavier equipment, especially the grinder and shredder for the tires. I'm told those are very energy-intensive equipment. So there needs to be a lot more information on how are you shredding these tires? How are you separating the metal from the rubber in your tires?

John Battaglia:

Yeah, that's a good comment. And Dave, take a look at that and make sure that we get those incorporated.

Dave Lenox:

Yeah, we're not processing any, there's no tire processing. Tires will be collected if they're within the waste that comes in, and then they'll be sent somewhere else for that. There is no tire processing at this facility. It's just wood shredding.

Pramilla:

So, what is the only thing you're shredding? You're not shredding tires.

Dave Lenox:

We're shredding wood, unadulterated wood.

Pramilla:

But you're bringing in tires. Why are they being brought in if you're not going to-

Dave Lenox:

If any tires come in with any of the waste, like incidental tires they're called, they get picked out of the waste and put aside in a container to be sent somewhere else for processing so they don't end up in a landfill because they're not supposed to be in landfills.

Pramilla:

Well, yeah, I mean, I was told that receiving tires is a big deal because they're hard to get rid of.

John Battaglia:

Yeah, we're not a tire facility. We're not permitted as a tire facility. It's not our intention to be a tire facility. I'm very familiar with tire facilities. That's a whole different permitting process.

Pramilla:

Right. But you did say in your application that you would be processing somewhere around-

John Battaglia:

I think we have a limit of 1,000 tires on site. Dave, did we limit it to under the requirement for a permit or something?

Dave Lenox:

Yeah, you can store below 1,000 tires, and you don't need to have a registration or permit. So that's just tires come in, get stored, and-

John Battaglia:

Tires are ancillary. They're de minimis, so to speak.

Pramilla:

Okay. I mean, again, we'll have to revisit this because I do think there might be more to this.

John Battaglia:

More to the tires? I'm curious what more to the tires do you think there is?

Pramilla:

Well, just because... how do we know that you only have 1,000 tires? How do we know they're not-

John Battaglia:

We have a storage area limit. They're not in the tire marketing. They don't bring... have you ever seen tire facilities? Have you ever been to one?

Pramilla:

No, I haven't.

John Battaglia:

Yeah. Well, believe me, they are set up completely different. What we have is a roll-off and when it gets filled, and it's usually under 1,000 tires, they ship it off-site. A tire processing facility is an operation. I mean, they're collecting from different tire retreaders, and tire stores and they bring them into these big trucks, and they deposit them and then they go through them and pick out the good ones. And there's nothing about that type of stuff in our operation. So, I mean, you can go ahead and look into it, but I don't want you to waste your time, basically.

Pramilla:

Okay.

John Battaglia:

But that's fine.

Pramilla:

Yeah, no, like I said, just a few things more about tires, especially if you're shredding them and I mean you're saying you're not, but-

John Battaglia:

We're not shredding them. I mean, so we're not a tire processing facility. We basically have an ancillary allowable amount so that we don't have to everyday drive off with three tires. We're allowed to store up to under 1,000, and then we ship them off for recycling. I mean, that's very typical. Actually, this is a standard component of a transfer facility, quite honestly. There's nothing oddball in this application. There's nothing... I mean, I could show you half a dozen applications that have the exact same wording and the exact same component in it because it's typical of how to operate a facility. And if you get the material and you got two or three tires, you got to pull them out. You have to have a place to store them before you ship them off.

Pramilla:

Yeah, we can go on. So, there's quite a few critical wetlands bordering your facility. Would you be willing to have an independent ecologist look at doing a review of the site? I know you had one done, but that was before-

John Battaglia:

Yeah, I can't support that. We've done a significant amount of environmental review for this site. My client, I believe, has gone above and beyond and worked with the state and the Corps to make sure that we've done the right thing, so I can't support that.

Pramilla:

There are new wetland delineations and there is-

John Battaglia:

All the wetland studies for this application are in the application. You're welcome to comment on those.

Pramilla:

Okay. So, you do not want to do at least a new wetland delineation because-

John Battaglia:

No, no, no. We're not going to do another wet delineation. No.

Pramilla:

Okay.

John Battaglia:

No, thanks.

Pramilla:

Okay. And you're not willing to increase the buffer around the wetland to make it consistent with the new regulations?

John Battaglia:

What we proposed in our application is what we're working with the state on, and so if that's a comment, again, I appreciate it.

Pramilla:

Well, I mean, this is supposed to be, if this is not a comment, is supposed to be a dialogue. And I'm trying to engage in a dialogue with you guys to try to see if there's a way for your project not to adversely harm and impact the local ecological resources and residential communities. I'm trying really hard-

John Battaglia:

All of our water on the site is captured and run through on-site retention and treatment basins. So, nothing leaves the site without being monitored and controlled. So, our stormwater is totally encapsulated with

our stormwater collection system. And any Leachate you want to call it, or truck drippings, or whatever, doesn't go in the stormwater, it's inside the building. And if that gets collected, that gets tanked and then transferred to first treatment, so there's definitely-

Pramilla:

After the truck gets there, right? It's inside the building.

John Battaglia:

If a truck is transporting, a leaking truck is transporting, we will address that truck. We'll put diapers under it. We'll collect any liquids that might be dripping out of the truck. We'll put the truck aside and we'll address the operator of that truck. We will control any sort of discharges coming from that truck once it gets onto our site. If it does get on our site.

Pramilla:

Hello?

John Battaglia:

Yes.

Pramiya:

Hello. Hi.

John Battaglia:

I hear you.

Pramilla:

How are you going to monitor for radioactive waste?

John Battaglia:

I'm sorry?

Pramilla:

How are you going to monitor for radioactive waste,

John Battaglia:

Dave, does a transfer facility require a rad monitoring? If it's at our facility, do we have rad monitoring on that?

Dave Lenox:

Yeah, there will be a radiation detection system prior to the truck scales. It will be monitoring for radiation. All inbound trucks will go through that.

John Battaglia:

Thanks, Dave. So yeah, this site's got a RAD monitoring requirement depending on the location of your site. Some require it, some don't. But so, we do have a RAD monitoring plan again in the documents if you'd like to take a look at that.

Pramilla:

Will that data be made available to the public? So, for example-

John Battaglia:

Definitely.

Pramilla:

Huh?

John Battaglia:

There's a staging area. If a truck comes in, it's in the plan, what the procedures are, should a load come in that triggers the RAD scanner. And Dave, maybe you could walk her through that.

Dave Lenox:

Background radiation readings will be taken. Anything that comes in five times above that background, that waste would get set aside, and investigated for the source of the radiation using a handheld radiation detector. And then a dialogue would start with the New York State DEC on how to handle that material.

John Battaglia:

And typically, what happens is that it's repackaged and then shipped for proper disposal. I mean, this has happened. It does happen occasionally. Typically, for medical.

John Battaglia:

It does happen occasionally. Typically, for medical things like people that had had medical procedures and then they feed some of their soiled clothing or whatever, gets in a load. These systems are fairly sensitive, and so it'll trigger the thing. They'll find this area of concern, and then they'll segregate it, and then properly dispose of it.

Pramilla:

I'm told that it is not uncommon, especially because radioactive waste could be even in household garbage. If somebody-

John Battaglia:

Well, smoke detectors are another. Old smoke detectors, they've had americium, yeah.

Pramilla:

Right. You had mentioned that you're going to be planting new bat trees. How many bat trees are you cutting?

Dave Lenox:

There's not so much forested areas on site. We are cutting trees only during the time period when bats are not roosting in those trees specifically to minimize any impact. The vast majority of this site is open field though. There's not a lot of tree removal. Basically, the only trees that were being removed are trees growing along the vacant buildings on the site.

Pramilla:

Clearly didn't read our ecological report. There actually are several bat trees on the site, and their foraging habitat, and their maternity roosting habitat. Whether they're there or not, the colonies come back to the same maternity roosting nest. So, you guys clearly haven't read our ecological report. I want to get back to the testing because you said that you were going to do soil and water testing after.

John Battaglia:

No, that's not at all what we said.

Pramilla:

Okay.

John Battaglia:

What we said was that we have the studies and reports that we have from the historical use of the site do not indicate the need for a phase two. Are you familiar with the phase one and phase two ASTM standard for site evaluation?

Pramilla:

I am, but I would have thought, given the proximity to a Superfund site that you would have automatically gone to phase two.

John Battaglia:

That's not. That doesn't trigger an automatic phase two, quite honestly. It's really historical site use. So, this site did not have the triggers for that. We reviewed again all the environmental work with both the town and the state. We're comfortable with the condition of the site. We're comfortable that should anything be identified, like any construction site, like any development area, that if you find something during your work, then you will address it. You'll address it efficiently and properly. There are a ton of rules above and beyond the standard.

Pramilla:

I'm just wondering what would be the harm in doing the soil and water testing before construction.

John Battaglia:

Because it's not necessary.

Pramilla:

As whatever is the data that's there, it's not real-time on-the-ground information.

John Battaglia:

Well, again, I don't believe it's necessary. They didn't believe it was necessary. So, we're-

Pramilla:

If somebody had come in the middle of the night and dumped material there 10 years ago or five years ago, you wouldn't really know it, would you?

John Battaglia:

That is the same thing for every other farmland and site that I go to. So theoretically, if we used your logic, we would test every single piece of property we buy.

Pramilla:

Project of this magnitude and with this kind, I mean you're not building a house. You're building a waste transfer facility, and various chemicals can interact with each other.

John Battaglia:

Right. Well, theoretically it would be more important to do on a residential property, theoretically.

Pramilla:

Like I said, I think Dolsontown Road was known for illegal dumping for many, many, many years. Therefore, I'm surprised-

John Battaglia:

I've been cleaning up sites for ... Again, I've been doing this for a while. Unless it's a Superfund site onsite, we very seldom find super significant impacts. If during their construction activities they identify stained soils or odiferous soils, there's a procedure in place to address that. That'll be addressed. It'll be addressed better then, because they'll have all the equipment and manpower to immediately take care of it. That's how it's done.

So, I feel very comfortable based on the environmental work that we've reviewed that this site does not need a phase two right now. The mitigative measures and the state laws and rules and regulations associated with developing and constructing are available and instituted to help protect the environment. So, if it is there, it will be addressed, but it's likely and again-

Pramilla:

Okay. Once you start disturbing the soil in terms of migration of potential toxins, it's a little too late.

John Battaglia:

I don't agree with that.

Pramilla:

Let's move on.

John Battaglia:

We contain sites all the time. We contain sites all the time once we identify. We stop construction. We cover it up. We take some samples. We find the appropriate disposal facility. We dig it up and we truck it out.

Pramilla:

Okay.

John Battaglia:

That's what happens, all right? It happens efficiently.

Pramilla:

What kind of equipment did you do for the noise study? Hello? That wasn't in your report.

John Battaglia:

I want to let you know that we are supposed to allow other people's comments, but you seem to be the only one commenting. I'm not cutting you off. I just let you know that it's supposed to be a little bit more of a general dialogue not to somebody that's so deep into it that you know every nook and cranny, and that's wonderful that you do. I'd be happy to have this discussion.

I just want to let you know that if we did follow the plan, we would probably, but since you're the only dialoguer, I'm enjoying the conversation. How is that?

Pramilla:

Well, I'm not the only one. I'm sure there are a lot of other people who would want to do it except that your attorney at the start of the meeting said it's comments only. It's three minutes only and it's only because-

John Battaglia:

He was wrong. Okay? He was wrong.

Pramilla:

Okay.

John Battaglia:

That's why I corrected him.

Pramilla:

Right, because it is the only reason I came prepared for dialogue is because I know that-

John Battaglia:

Oh, no. I'm happy to dialogue. That's why I corrected him. Did you notice I corrected him immediately on that one? I don't know if you caught that.

Pramilla:

Yeah. The thing is everyone needs to be advised of this. Anyway, let's just go on. Noise, you have trucks. The trucks are starting to come in at 4:00 AM?

John Battaglia:

Dave, what was our truck study?

Dave Lenox:

We set up early times so that we could get these trucks enter the facility before peak traffic times. This is a mitigation technique for limiting our impact on traffic.

Pramilla:

So, what I'm asking is what kind of equipment you did for your noise study? What kind of equipment did you use? Did you model specifically for garbage trucks, and did you model noise levels specifically in the EJ communities because you're talking about bringing extremely noisy trucks? When my garbage truck comes around to collect garbage, and I live on a fairly quiet road, it is extremely loud. You've got trucks coming in at 4:00 AM.

John Battaglia:

This is as a note, again dialogue. As a note to that, when a garbage truck is slowing and stopping at each stop and running the motor so that it can tip the material into it, that's a different noise than running across the road. I just want you to recognize that we don't monitor the collection of waste on that road.

Pramilla:

The garbage truck coming in at 4:00 AM near at least three disadvantaged communities. I am really perplexed and wondering how you can assert that this is not going to wake up children who should be sleeping right before they go to school.

John Battaglia:

I live on a road that's right down the road from a landfill. I don't know, it hasn't. I don't really notice it. It's significant to me, but Dave did a study to measure, to estimate those levels. We incorporated that study into the application. So, Dave, you used the equipment and the trucks that we anticipated to be entering into the site, correct?

Dave Lenox:

You can see on the slide showing the purple line is the trucks driving around the site. There's also the equipment in the building. You can see those contour lines, the red and green, that's the noise. So, the building was purposely orientated in that direction away from Dolsontown Road. You can see how the noise is projected away from residents.

Pramilla:

The trucks are still going to be coming off 84 and down that road. So, I don't see how people in Horizons are not going to be woken up by it. I don't see how people on Kirbytown Road are not going to be woken up by it, and certainly people on Dolsontown Road, and likely given the elevation, David Moore Heights. So, I'm wondering if you did take specific readings at those locations at that hour?

John Battaglia:

The impacts on the road system is in the GEIS. So, I'm probably going to defer to that, and we will provide you with what we find out, how that study looked at it.

Pramilla:

All right. The last question I have is when you did your assessment of pollution, and you said it was 92 percentile for the disadvantaged communities in terms of pollution exposure. You said most of the pollution was from I-84. You didn't assess the pollution from the CPV power plant and the Shoemaker plants around these communities to assess their burdens?

Dave Lenox:

The 92-percentile ranking is specifically for the potential pollution from diesel trucks. This ranking is one of many categories the State uses to determine which zip codes are a disadvantaged community. So, the 92 percentile was from New York State guidance.

Pramilla:

Okay, but you didn't-

John Battaglia:

A lot of these impacts are state driven.

Pramilla:

In terms of assessing the burdens around these communities, did you not identify CPV, the Shoemaker plant, river smelting, and the other industrial facilities?

John Battaglia:

We use the guidance and procedures that were provided for us. If that was incorporated in it, then we would've used it. It probably is reflected somehow in those calculations because they have a broader reach of an analytics.

Pramilla:

Okay. So, I'm going to end this by once again requesting an in-person meeting, so that people don't have to navigate very difficult and cumbersome technology in order to ask a simple question and to get a simple answer. People should be thoroughly advised that they can ask questions, that they will get answers. That this is a dialogue, and you will respond to them. Again, that's in the CP29 guidelines. They were supposed to be-

John Battaglia:

You don't need to send us a copy of it. We have several, and we've looked through it with and concurrence with the state, as well as our engineers. So, we're very comfortable that we've met those requirements. I appreciate your comments and feel free that you can call me. I'll give you my phone number if you'd like to ask me any questions in the future, if you like that.

Pramilla:

The reason I want to do this in an in-person meeting is because if I raise a question, it may inform another stakeholder, or another resident, or another neighbor and say, "Oh yeah, I have that issue," or "I remember that," or "Oh, I saw these types of artifacts at this location," or "There's an eagle's nest nearby." By the way, there happens to be an eagle's nest nearby. I don't know if you did any evaluation of that, but that's another factor.

So, these are things that come up when you have a community forum, and you bring people together to do a Q&A together. Me doing it individually via email doesn't help the general public understand this project-

John Battaglia:

I appreciate it, and you've made your point. Okay. You've made your point, and we will certainly discuss it. I can tell you that this project has had a lot of involvement. This is our third, at least third public meeting, not including the ones with the town. So, we've had inputs from everybody and anybody, and we will continue to take it for the next two weeks. So, if you want to coordinate some additional comments or concerns, please feel free to send them our way.

Pramilla:

A lot is a subjective term, but like I said, we are formally requesting in-person meetings-

John Battaglia:

I got it.

Pramilla:

You are supposed to hold a series of meetings. I'd like other people to have the same opportunity that I just had now to ask questions.

John Battaglia:

Well, I appreciate that and-

John Battaglia:

We will share that. We will share your concerns, and comments, and address them.

Pramilla:

All right. Thank you.

John Battaglia:

Thank you.

Pramilla:

Bye.

Robin:

Ladies and gentlemen, we have come to the end of our live event this evening, and we do thank you for taking the time to join the call tonight.

John Battaglia:

Hey, there's a couple more comments. Do you want to just go through this real quick?

Robin:

Sure, absolutely.

John Battaglia:

I might as well close the loop on these.

Robin:

Okay, not yet. There's a couple of them you have answered, John. So, James asks, "Will it protect the stink in the air on a hot summer day?"

John Battaglia:

That's James. Yeah. Again, because the materials move out routinely and daily, it doesn't really rot in the facility. So, that's usually when facilities get overburdened. I think that's happened a lot in a lot of communities where they don't move the materials. So, we will not have that issue of the rotting stink of multiple days of material on the floor.

Robin:

Thanks, John. Next question from Deborah. Deborah asks, "Will these trucks be utilizing the highway, or will it be 17 and/or our local back roads to haul the waste?"

John Battaglia:

Dave, I think our study showed what we anticipated the traffic patterns to be, is that right?

Dave Lenox:

Yeah. They'll be using the highway as much as they can.

John Battaglia:

What percentage would you say? What percentage?

Dave Lenox:

Well, the haul trucks going away from the site to disposal sites, will just use Dolsontown Road, go on 17M and then reach highway I-84 and go out. Collection trucks can come from different areas. They'll primarily use the main roads.

John Battaglia:

Okay. That's in the traffic study. The next question?

Robin:

Yes. Last question, John. Also, this is a follow-on question from James as well. James asks, "Why are we bringing in these businesses so close to residential homes? Is this going to foul the air in the Hudson Valley?"

John Battaglia:

Again, this goes back to the state-of-the-art facility. It goes back to the material handling and proper operations. You won't smell it. Again, I've run facilities like this. The odor, you will smell it if you're inside the facility, but you don't smell it outside a facility that's moving the material on a daily basis. It just doesn't happen. It's in and out. We do have a mitigation system proposed. We had a mitigation proposed for an event, if it did become an issue.

Dave Lenox:

If there was a long-term issue an air purification system would be installed. Short-term issues would be addressed with barrel misters and deodorizers. The tipping floor is going to be cleaned every day to prevent that.

John Battaglia:

Right. That's the key to a properly run facility right there. Okay.

Robin:

Thank you, John.

John Battaglia:

That's it. I just wanted to make sure I addressed this final few.

Robin:

Oh, of course. Before I hand the call back to you for your final comments, John, I just want to remind folks. Folks you've got until May 14th, which is two weeks from today to submit additional comments either by US post or by email. I'd like to share that; those addresses with you now.

For US post, direct your comments to EnSol, Inc. at 3000 Alternate Boulevard. That's Grand Island, New York, zip 14072. You may email your comments to marangicomments@ensolinc.com. That is spelled M-A-R-A-N-G-I comments at E-N-S-O-L-I-N-C dot com. Now I'm going to hand the call back to you, John, for your final thoughts.

John Battaglia:

I see there's another person screened. I know we're out of time, but I don't like to leave a loose end.

Robin:

Okay, let's go ahead. We've got Leslie from Slate Hill. Leslie, you are-

John Battaglia:

Hi, Leslie.

Robin:

Go ahead, Leslie.

Leslie:

Hi. I spoke this morning, but I just heard you say that this project has had a lot of input, and this is the third public hearing. Unfortunately, those of us that live in the town of Wawayanda only found out about this recently. So, I'm not sure that kind of-

John Battaglia:

Oh, that's wonderful because you are provided with another opportunity.

Leslie:

Well, it's not because if we had started early on this, we could have expressed our concerns in a meaningful way. I had serious-

John Battaglia:

This project has been in front of your community for a year and a half in the town.

Leslie:

There are so many other-

John Battaglia:

There's been many, many opportunities at the town level as well as the state level to come.

Leslie:

Unfortunately, unless a person lives within a certain distance of the actual project, they're not notified. So, you'd have to-

John Battaglia:

So, is your comment regarding the communication of the project? I just want to kind of cut to the chase because we are out of time, but I'd love to hear the substance of your comment.

Leslie:

You're trying to tell us that we've had many opportunities to be involved in this, and that's not true. I looked at your stakeholders' list.

John Battaglia:

I'll say that from what we've done, and what I've seen and the amount of input that we've received during the public meetings we had with the town, as well as comments that we've received, we feel that we've had. Certainly, everybody has an opinion on that.

Leslie:

You may feel that way but not the residents.

Leslie:

... we don't feel that way-

Leslie:

... and we have to live with it.

John Battaglia:

Thank you for your comment.

Leslie:

I have another question, please. Okay, when will you have a developer's agreement, and which projects will be participating in that developer's agreement?

John Battaglia:

The developer's agreement will be executed once they resolve all of the site plan approval requirements for the projects, which is under way. You'd have to contact the town to find out who else is involved with it, because I don't have that off the top of my head. Thank you. All right. Appreciate it.

Robin:

John, if you'd like to go ahead and share any final thoughts you may have with the audience, please go ahead.

John Battaglia:

I just want to thank everybody for participating. We look forward to addressing these comments. We will be incorporating in our website a list of all those comments, so that anyone has a chance to take a look at them. They can even provide additional further comments. Dave, when's the comment period end?

Dave Lenox:

It's on May 14th. Two weeks from today.

John Battaglia:

Two weeks from today. So, feel free to send your comments our way. Thank you very much.

Robin:

Thank you everyone. Thank you, have a good evening. Good night.

John Battaglia:

Good night.

Attachment 9

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

Emailed Comments

Dave Lenox

From: juliepat23@aol.com
Sent: Monday, May 12, 2025 1:16 PM
To: Dave Lenox
Cc: protectorangeco@gmail.com
Subject: Dom-Mar Transfer Facility

To Whom It May Concern:

My Name is Julie Patterson. I live at 82 Kirbytown Road with my husband, daughter, my adult disabled son and my elderly mother. This letter is pertaining to the Marangi Transfer Facility to be built on Dolsontown Road in the Town of Wawayanda.

There are 9+ warehouses with 6 million sq ft of warehousing currently proposed in our town, which has a population of less than 8,000 people. Kirbytown Road is situated between the CPV Plant and Dolsontown Road. Another warehouse, the Bluebird Project which is 3.2 million sq ft is less than 10 minutes away from our house, past the CPV Plant on Route 6. This is already a burden put on the residents of this area and will greatly affect our quality of life. How much more can we take?!

We understand that Marangi estimates a volume of 180 trucks a day, plus existing traffic from the other warehouses to be built on Dolsontown Road. The hours of operation are 4am to 7pm, 6 days a week. Who wants to hear and contend with all this traffic, noise, air and light pollution? Especially at 4am in the morning? In addition, four more warehouses are proposed on Dolsontown Road which has a 6 ton weight limit as does Kirbytown Road, which will also be inundated with traffic and be used as a short cut. What size are these trucks and containers? How can these roads handle the additional traffic? Dolsontown Road is also a major access road to Garnet Health Medical Center and Optum AKA Crystal Run Medical. How will emergency vehicles be able to make timely calls? Is there an emergency plan? How long will it take my family to reach their medical appointments? Who will be responsible for the roads? The gasoline tax? These taxes are collected locally and subject to the use by the entire State of New York with no guarantee they will come to our community. Therefore the road maintenance could become and undue burden on the local taxpayers through out real estate taxes. We didn't ask for this and don't want this type of development.

This is a rural community and this transfer station needs to be on a piece of land all by itself, not with 4 other warehouses, as not to add any additional wear and tear and traffic on a road that is used by so many residents whose lives WILL be affected by this.

There are concerns about all the noise and air pollution that this facility will bring as well as environmental impacts on wildlife, wetland and water contamination. Have the proper soil tests been done? Most residents in Wawayanda have well water and are concerned about potential drinking water contamination.

The residents deserve an in-person meeting. The meeting was inaccessible. The Middletown Library is not a public forum for the residents of Wawayanda. The town of Wawayanda does not have access to the Ramapo Library and Wawayanda residents did not have access to the records.

For those reasons my family is opposed to DOM-Mar Transfer facility. We do not see any benefits to our community as it will be a burden to the residents of this area and it WILL affect their quality of life. We asked that this be DENIED.

Thank you,
Julie Patterson
82 Kirbytown Rd
Middletown, NY 10940

Dave Lenox

From: POC <protectorangeco@gmail.com>
Sent: Tuesday, May 13, 2025 12:02 PM
To: O'Malley, Tracey L (DEC); dec.sm.Justice; Adriana.Espinoza@dec.ny.gov
Cc: skoufis@nysenate.gov; Dave Lenox; savewawayanda; Leslie Hanes; Charles Kangethe; pramilla.malick@gmail.com; Ann Marie Pendleton; normajeanmartine@gmail.com; norma martine; Fern; Fred Isseks; pkay@nyassembly.gov; Stop MCS; jasoncnietz@gmail.com; amandpm2006@gmail.com; carol strauss
Subject: Marangi-Application: 3-3356-00170/00001: CP 29-Meeting April 30th 2025

Dear Ms. O'Malley and Ms. Espinoza:

I am writing to notify you that the virtual meeting held by EnSol on behalf of Marangi failed to meet the requirements of CP-29. Specifically the meeting failed on the issue of accessibility, engagement, and dialogue. Pursuant to CP-29 I am requesting that Marangi be required to hold at least two (more than one) ***in-person*** meetings with members of the community and the general public, in which they are directed to answer questions and engage in a dialogue as fully as possible. I further request that they be required to mail a letter directly to each resident of the 3 impacted Disadvantaged Communities (DACs) inviting them to attend the in-person meetings.

Although I participated in both the 11am meeting and 6pm meeting on behalf of **Protect Orange County** I am aware of several other participants from other local community groups who attempted to participate but could not.

First: During both meetings an attorney by the name of Jacob began the public participation section by informing all participants that they would NOT take questions but that participants could only submit comments which were limited to 3 minutes. This is not what the CP-29 guidelines advise. They urge project sponsors to engage in a “dialogue” with members of the community and to answer questions and concerns to the full satisfaction of the community. Therefore many members of both my group and several other groups were deterred from asking questions. Towards the end of the second meeting I confronted an EnSol representative on this failure and he acknowledged that the attorney was wrong. However, it was too late for all those who had wanted to engage in a “dialogue”

Second, The meeting had cumbersome technical limitations and accessibility issues. I had a very hard time calling in at 11am and had to call in 3 times before I was able to get through and actually listen to the meeting. Several other people I know had trouble calling in or logging in to submit a comment. Moreover, if you wanted to listen to the meeting on the phone, you could not simultaneously call in order to make a comment or ask a question. Anyone participating online could only submit a question or comment in writing.

Finally both calls as well as online comments were screened. When I attempted to call during the first meeting I spent several minutes relaying my questions and concerns only to realize that I had been speaking to an operator who was writing down what I had said, and that I was NOT, as I believed, addressing the public meeting. Additionally there was a delay between the public meeting on the phone and virtually. This was extremely confusing because the only way to ask a question verbally and listen to the meeting was to use both a phone as well as internet connection.

I expressed concern at the meeting itself that the format was not compliant with CP29. The EnSol rep responded that they had consulted with DEC and were advised this is all they needed to do. I have no way of verifying what exactly DEC advised but the CP29 guidelines are clear; on issues of accessibility, engagement, and dialogue the meeting held on April 30th failed to meet the guidelines. I had even offered to send those guidelines to EnSol to which they then responded that they had them already.

It is deeply disappointing that Marangi has been given so many opportunities to comply with CP 29 but that they continue to evade its requirements and thwart its intent. There is no doubt that this facility would compound burdens on already disadvantaged communities. We have numerous questions and concerns and request a meaningful and reliable format to raise them and have them answered. It makes no sense to merely submit them in writing because it deprives us of the ability to ask follow-up questions based on their responses. This is the only way for impacted residents to come to a full understanding of the project, which CP29 tries to effect. Moreover without an in-person meeting participants are deprived of the benefit of listening to the questions and concerns of other participants as well.

CP29 requires direct engagement with the community. I am therefore requesting at least two in-person meetings to ensure there are no technical limitations. Both should be held on a weekend afternoon. I believe one of the community spaces within a DAC housing complex would be an ideal location. And, the owner of Marangi should come himself to answer the questions directly.

Finally the EnSol rep informed me that this project is expected to cost somewhere between \$8-10 million. If this is correct there is no reason whatsoever that Marangi should not be required to directly mail impacted residents within the DACs and PEJA complexes a letter describing the project and inviting them to a meeting.

I have copied some key local leaders as well as our elected representatives.

I look forward to your response

Thank You

Pramilla Malick, Protect Orange County and Charles Kangethe, Save Wawayanda

Dave Lenox

From: Jerry Kleiner <gkleiner@middletown-ny.com>
Sent: Wednesday, May 14, 2025 12:40 PM
To: Dave Lenox
Cc: mayordestefano@yahoo.com; Richard McCormack
Subject: DOM-Mar comments

Hts
10940

13 Randall
Middletown NY
May 14, 2025

EnSol, Inc.

Att: Dom-Mar

Comments regarding the proposed Dom-Mar Transfer and Recycling Facility on Dolsontown Rd in the Town of Wawayanda.

After listening to the public information meeting on April 30, 2025, I feel that the very valid concerns of Middletown residents have not been taken seriously. The Supervisor says these concerns “should be routed in facts, not fear or selective outrage.” I find these comments insulting.

Our consultant, CDM Smith, identifies their areas of concern, including odors, litter, dust and dirt, and traffic. They disagree with the Supervisor, and the Dom-Mar representatives at the meeting, who dismissed every concern with their “state of the art” answer.

So my concerns are as follows:

Proximity to the Monhagen Brook. The Monhagen Brook takes its most winding path in its entire length as it goes through this area. Historically it brought many complaints from communities upstream on the Wallkill River. Middletown has come a long way in protecting its watershed, and I am not convinced that the Dom-Mar plans properly protect this valuable waterway.

Proximity to the Heritage Trail. The Trail runs along McVeigh Rd., and users could be subject to the same problems of odor, dust and noise.

Traffic – 80 trucks in and 44 trailers out – not including any private trucks and vehicles using or working at the facility. When the warehouse proposals were before the planning board, the people were almost laughed out of the room when they said these were the same traffic experts used for the car wash study. The NYSDOT’s study of the Rt. 17 project shows the average speed at exit 120 is 0 to 30 mph. That’s Ridiculous. County 78 was built as part of the “loop” around Middletown. Dolsontown Rd and Schutt Rd were part of the “loop.”

Bad location – we have the Orange County landfill and the Al Turi landfill on 17M. We have CPV. To put a Transfer and Recycling facility that close to Middletown’s 4th Ward is truly a bad neighbor policy. So my question is about enforcement. If the dust and dirt and litter and noise and odor and traffic are a

problem, what provisions are there for correcting the problems? I see nothing about followup or inspections or anything to hold people accountable. Who monitors the air quality in the 4th Ward?

Finally, I believe the DGEIS dismisses the archeology, so we all pretend that digging a few holes shows that the Lenape weren't here. What a shame.

Respectfully submitted,

Geral Kleiner

Alderman, Middletown, NY

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Attachment 10

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

Comment Summary

Dom-Mar Recycling and Transfer Facility
Public Participation Plan
Public Comment Summary

Meeting No. 1 April 30, 2025 11:00 AM		
Name	Question and Comment Summary	Response
Fern Laks	Previous pollution onsite, groundwater impacts, questions the need for the Facility.	There is no evidence the Site has experienced previous releases, spills, or waste disposal through the environmental review process. Site was historically used for agriculture. Background groundwater testing will be conducted prior to Facility Operation. Existing Facilities do not have the recycling capabilities the proposed Facility will have.
Leslie Hanes	Facility's proximity to the Heritage Trail, the Monhagen Brook watershed, stormwater impact.	Impacts to the Heritage Trail, the Monhagen Brook watershed and stormwater impacts and mitigation were evaluated in the Dolsontown Corridor GEIS and summarized in the Findings Statement for the Project.
	Need soil testing onsite.	No additional soil testing is needed onsite based on the site investigation.
	Noise, odor and traffic and sewer impacts.	Noise was evaluated in the Project Engineering Report, noise levels meet NYSDEC and Town requirements. Per the project Facility Manual the control of odors and dust will primarily take place inside the Facility building and includes cleaning indoor material handling areas on a regular basis. Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems. Facility doors shall be kept closed except when vehicles are entering or exiting buildings. If odor issues continue to persist an air purification system shall be installed. Traffic and Sewer impacts and mitigation were evaluated in the Dolsontown Corridor GEIS and summarized in the Findings Statement
	Status of the developers agreement.	The developers agreement is being coordinated with the Town of Wawayanda and is incorporated in the Site Plan and Special Use Permit Application review for each project.
Pramilla Malick	Request in-person meetings.	Four Public Information Meetings have been conducted in accordance with the approved Public Participation Plan, and in coordination with the NYSDEC. Additional meetings are not believed to be necessary based on the comments received and the responses provided.
	What is the proposed Facility's power consumption.	Facilities power consumption will be off-set by a 275.5 KW (annual 321 mWh production) rooftop solar panel system which is included in the Dolsontown Corridor Project Findings Statement.
Sarah	Request in person meetings.	Four Public Information Meetings have been conducted in accordance with the approved Public Participation Plan, and in coordination with the NYSDEC. Additional meetings are not believed to be necessary based on the comments received and the responses provided.
	Air quality and traffic impact.	Traffic impacts and mitigation were evaluated in the Dolsontown Corridor GEIS and summarized in the Findings Statement for the Project.
	What are permitting steps after comment session is closed?	Comments will be summarized with responses and put in the document repository following the comment session. A final PPP Progress Report will then be issued to the NYSDEC.

Dom-Mar Recycling and Transfer Facility
Public Participation Plan
Public Comment Summary

Meeting No. 2

April 30, 2025 6:00 PM

Page 1 of 2

Name	Question and Comment Summary	Response
Anne Marie	Site is close to a known super Fund Site , what soil and water testing has been done?	No evidence site has experienced previous releases, spills, or waste disposal through the environmental review process. Site was historically used for agriculture.
	Traffic impacts need to be updated for new project.	The Dolstontown Corridor GEIS Traffic evaluation has been continuously updated as new projects are proposed in coordination with the Town of Wawayanda and NYSDOT.
James Rollings Sr.	In support of the Facility to replace existing insufficient Facilities.	NA
Fern Laks	Question need for the Facility, who is responsible for Facility Monitoring?	Existing Facilities do not have the recycling capabilities the proposed Facility will have. The Facility Owner and operator is responsible for monitoring, under NYSDEC oversight.
Pramilla Malick	Request in-person meetings.	Four Public Information Meetings have been conducted in accordance with the approved Public Participation Plan, and in coordination with the NYSDEC. Additional meetings are not believed to be necessary based on the comments received and the responses provided.
	Alternative site evaluation.	Applicant/owner has chosen the site that will best meet his goals. The Applicant looked at a site on Route 6, but it did not have the necessary zoning.
	Impact to Monhagen Brook watershed.	The cumulative stormwater and watershed impacts and mitigation were evaluated in the Dolstontown Corridor GEIS and summarized in the Findings Statement. Facility Stormwater management is described in the Facility Engineering Report and Stormwater Pollution Prevention Plan.
	Status of developers agreement.	The developers agreement is being coordinated with the Town of Wawayanda and is incorporated as part of the Site Plan and Special Use Permit Application
	Traffic impacts impact of leaking trucks, road maintenance.	Per the Facility Manual all vehicles transporting solid waste shall not allow particulates, fluids, leachate, or other matter to escape. Vehicles transporting solid waste from the Facility shall include a leak resistant walking floor system. Trucks will be inspected onsite per the Facility Waste Control Plan and leaking trucks will be sent to the full trailer parking area for cleanup and not allowed to come to the Facility again. Roads are expected to be maintained through the fuel use tax.
	Facility service area.	Project service area is locally from Orange, Sullivan, and Putnam Counties in New York, and Wayne and Pike Counties in Pennsylvania.
	Tire Processing.	No tire processing will take place at the Facility.
	Wetland delineation and buffer.	No additional wetland delineation or buffers are necessary.

Dom-Mar Recycling and Transfer Facility
Public Participation Plan
Public Comment Summary

Meeting No. 2

April 30, 2025 6:00 PM

Page 2 of 2

Name	Question and Comment Summary	Response
Pramilla Malick	Impact to Bats.	The impact to Bats was evaluated in the Dolstontown Corridor GEIS and summarized in the Findings Statement for the project. The mitigation items include the following: Land clearing will be performed in a manner to avoid adverse impacts on protected bats, specifically through the implementation of a seasonal tree clearing restriction during which tree removal would be limited to the period of October 1st through March 31st. Dust will be managed during construction with a stone apron and concrete wash pad. Light installations will be dark sky compliant to protect the Indiana and Long-eared bats from light pollution. Noise will comply with the Town Zoning Code limit of 65 decibels at the property line. The project landscaping plan includes planting trees that are listed as preferred tree species for the Indiana Bat per the U.S. Fish and Wildlife Service Indiana Bat Conservation Plan (revised July 26, 2011).
	Noise evaluation equipment.	The Facility Noise Evaluation considered the equipment inside the building including the wood Shredder, front loader, and excavator, and outside the building including employee automobiles, inbound medium trucks, and outbound heavy trucks.
	Radioactive Waste.	Per the Facility Manual, all inbound trucks will be screened by a fixed radiation detection system. If radiation is detected at five times the Facility background radiation levels, the waste will be hauled to a safe area and investigated with a handheld detector. The Site Manager will arrange for disposal in coordination with the NYSDEC.
	Power Consumption.	Facilities estimated power consumption will be off-set by a 275.5 KW (annual 321 mWh production) rooftop solar panel system which is included in the Dolstontown Corridor GEIS Project Findings Statement.
	DAC pollution exposure percentile.	The DAC indicator "Potential Pollution Exposure – Traffic: Diesel Trucks" has a 92-percentile ranking in the DAC. It is the highest percentile DAC indicator in the DAC.
	Proximity to superfund site.	Facility will not impact these sites.
	Cost of Facility.	About eight million for construction of the building, and two million in equipment.
James	Concerned about odor and air impact.	Per the Facility Manual, Control of odors and dust will primarily take place inside the Facility building and includes cleaning indoor material handling areas on a regular basis. Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems. Facility doors shall be kept closed except when vehicles are entering or exiting buildings. If odor issues continue to persist an air purification system shall be installed.
Deborah	What routes will the trucks take?	Majority of in-bound and outbound trucks will utilize Interstate 84 and Route 17M west of Dolstontown Road. Trucks will utilize the main roads as much as possible.
Leslie Hanes	Not enough meeting notification, status of developers agreement.	Public information meeting notification was conducted in accordance with the approved Public Participation Plan and in coordination with the NYSDEC. Developers agreement is being coordinated with the Town of Wawayanda and is incorporated in the Site Plan and Special Use Permit Application review for each project.

Dom-Mar Recycling and Transfer Facility
Public Participation Plan
Public Comment Summary

Emailed Comments		
Name	Question and Comment Summary	Response
Julie Patterson	Burden on residents, traffic impacts, noise, light and air impact, groundwater impact.	Traffic, air, light, and groundwater impacts are evaluated in the Dolsontown Corridor GEIS and summarized in the Findings Statement for the Project. Noise was evaluated in the Project Engineering Report, noise levels meet NYSDEC and Town Requirements.
	Emergency vehicle plan/impact.	This Facility and other proposed projects along Dolsontown Road are in coordination with the local fire department through the Town of Wawayanda Site Plan and Special Use Permit Application review.
	site soil testing.	No evidence site has been polluted in the past. Site was historically used for agriculture. No additional soil testing is necessary.
	Road maintenance.	Road maintenance after is expected to be funded by the Fuel Use Tax.
	Request in-person meeting.	Four Public Information Meetings have been conducted in accordance with the approved Public Participation Plan, and in coordination with the NYSDEC. Additional meetings are not believed to be necessary based on the comments received and the responses provided.
Pramilla Malick	Meetings were not accessible, Request In-person meetings and notification for all residents in three DACs.	Four Public Information Meetings have been conducted in accordance with the approved Public Participation Plan, and in coordination with the NYSDEC. Additional meetings are not believed to be necessary based on the comments received and the responses provided.
Geral Kleiner	Proximity to Heritage Trail, and Monhagen Brook, traffic impact.	Impacts to Heritage Trail and Monhagen Brook watershed and Traffic impacts were evaluated in the Dolsontown Corridor GEIS and summarized in the Findings Statement for the Project.
	Dust, Litter, Noise and odor impact.	Per the Project Facility Manual: Dusty conditions in traffic areas are not anticipated due to limited onsite travel and low speeds. Exhaust odors from heavy equipment and trucks will be minimized by limiting idling engines in accordance with current regulatory idling restrictions. Burning of materials is not permitted at the Facility. Mechanical street sweeping equipment or misting equipment shall be used as a contingency if dusty conditions persist. The primary means of litter control at the Facility will be to perform material handling and processing activities inside the building. All material transport vehicles entering or exiting the Facility must be tarped or otherwise adequately covered in order to contain material within the vehicle. A litter fence will be installed around key areas. The Facility grounds, perimeter and entrance/exit will be inspected daily for litter, which will be collected and disposed. Noise was evaluated in the Project Engineering Report, noise levels meet NYSDEC and Town Requirements. Control of odors and dust will primarily take place inside the Facility building and includes cleaning indoor material handling areas on a regular basis. Odor neutralizers and deodorizers including barrel misters will be used if needed to control any short-term problems. Facility doors shall be kept closed except when vehicles are entering or exiting buildings. If odor issues continue to persist an air purification system shall be installed.
	Enforcement, and what provisions are there for correcting Problems?	Per the Project Facility Manual, The Site Manager will perform regular self-inspections of the Facility daily as required by subdivision 360.19(e). All stormwater management controls will be inspected and maintained to ensure that they function effectively. Unannounced entry to the Facility by NYSDEC personnel or the Town of Wawayanda building inspector shall be allowed during normal business hours. NYSDEC personnel and the Town building inspector shall have full authority to inspect the entire operation and Facility to determine compliance. Any complaints received by the Facility about its operation will be documented with a description of the action taken to alleviate the concern and the results of the action. A complaint and odor control phone number shall be posted on the Facility entrance sign, and on waste transport vehicles. The phone number will be monitored or have a recording during off hours. A log of phone calls and the actions taken in response to complaints will be maintained and available for review. Complaint documentation will be available for review by the NYSDEC and the Town of Wawayanda upon request.