

Public Participation Plan

for the:

**Dom-Mar Transfer and Recycling Facility
1118 and 1138 Dolsontown Road
Wawayanda, New York 10940
NYSDEC Permit No. T.B.D.**

March 2022

prepared for:

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

prepared by:



EnSol, Inc.
661 Main St.
Niagara Falls, NY 14301
716.285.3920

ensolinc.com

Table of Contents

Section	1. Introduction.....	1-1
Section	2. Plan Implementation.....	2-1
Section	3. Community Description.....	3-2
Section	4. Project Stakeholders	4-1
	4.1 Residents, Neighborhood Groups and Interested Persons.....	4-1
	4.2 Community Organizations	4-1
	4.3 Neighborhood Religious Establishments.....	4-1
	4.4 Elected Officials	4-2
	4.5 Secondary Contact List	4-3
	4.5.1 Local Government Officials	4-3
	4.5.2 Federal Officials.....	4-3
	4.5.3 State Officials.....	4-3
Section	5. Project Document Repository.....	5-1
Section	6. Public Information Meeting	6-1
	6.1 Date and Time	6-1
	6.2 Location	6-1
	6.3 Notification	6-1
	6.4 Project Fact Sheet	6-1
	6.5 Meeting Agenda.....	6-2
Section	7. Plan Documentation	7-1
	7.1 Summary of Comments.....	7-1
	7.2 Interim Progress Report	7-1
	7.3 Final Progress Report.....	7-1

Figures

- Figure 1 Regional Location Map
Figure 2 Vicinity Map
Figure 3 Environmental Justice Area Map

Attachments

- Attachment 1 Fact Sheet

1. Introduction

The Applicant, DOM KAM LLC proposes to develop a recycling and transfer facility (Dom-Mar Recycling and Transfer Facility or Facility) on two parcels located along the southside of Dolsontown Road in the Town of Wawayanda, New York. The proposed Facility requires a New York Department of Environmental Conservation (NYSDEC) Part 360 Solid Waste Management Facility (SWMF) Permit. The subject Parcels are located at 1118 Dolsontown Road, approximately 0.6 miles east of the intersection of Dolson Avenue and Dolsontown Road. The proposed Facility location is shown on **Figure 1** Regional Location Map, and **Figure 2** Vicinity Map.

In the Notice of Incomplete Application #2 Supplement dated November 1, 2021, the New York State Department of Environmental Conservation (NYSDEC) stated that the proposed Facility location is located in a 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 location of PEJAs are shown on the NYSDEC's DECinfo Locator and **Figure 3** shows the location of the PEJAs relative to the proposed Facility. The proposed Facility's Part 360 SWMF Permit application is consequently 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 (SEQR) Act. CP-29 requires applicants within a PEJA to actively seek public participation during the application review process through a Public Participation Plan and requires the preparation of a Full Environmental Assessment Form (EAF).

This Public Participation Plan has been prepared for the proposed Dom-Mar Transfer and Recycling 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. An outline of the Public Participation Plan implementation is included in Section 2. A Full EAF titled Full Environmental Assessment Form Part 1 for Dom-Mar Transfer and Recycling Facility issued February 24, 2021, and revised May 11, 2021 has been prepared for the proposed Facility by The Chazen Companies, and submitted to the NYSDEC under separate cover.

2. Plan Implementation

The Public Participation Plan for the Project shall be implemented upon NYSDEC approval of the Plan. An outline of the Plan Implementation is listed below:

1. Identify and list project Stakeholders to the proposed Facility, including residents adjacent to the proposed Facility location, community-based organizations, neighborhood religious organizations and local elected officials.
2. Prepare a Draft Public Participation Plan (PPP) and submit to the NYSDEC Region 3 Division of Environmental Permits, the Division of Materials Management, and the Office of Environmental Justice for review.
3. Once the Draft PPP is approved by the NYSDEC, a Public Information Meeting time, date, and location shall be coordinated with the NYSDEC and the project Stakeholders.
4. Once the Public Information Meeting has been coordinated, a meeting notification shall be prepared and sent directly to the Stakeholders and advertised to the general public in the Times Herald-Record. Notifications sent directly to Stakeholders shall include a Project Fact Sheet describing the proposed Facility and the permit review process, and color renderings of the proposed Facility.
5. A Project Document Repository shall be set up before the notification is placed in Times Herald-Record. The Repository shall make available pertinent project information, including but not limited to the application documents, meeting notification information, meeting presentation materials, and media releases.
6. Hold Public Information Meeting.
7. Following the Public Information Meeting, a Summary of Comments outlining the project concerns/issues raised by the Stakeholders, proposed actions to address comments, and an Interim Progress Report shall be prepared and submitted to the Lead Agency, the NYSDEC Region 3 Division of Environmental Permits, the Division of Materials Management, and the Office of Environmental Justice. Upon review of the Summary of Comments and Interim Progress Report a determination will be made as to whether any additional Public Information Meetings are necessary.
8. Following review by the NYSDEC and the Lead Agency regarding the Summary of Comments and the Interim Progress Report, the Application documents shall be updated to address the identified issues, and a final progress report including a Certification that the Applicant has complied with this PPP shall be prepared and submitted.

3. Community Description

Per CP-29 PEJAs include areas with a low income or minority community. A Minority community is a Census Block Group (CBG), or contiguous area with multiple CBGs having a minority population equal to or greater than 51.1% or 33.8% of the total population in an urban area or a rural area respectively. A minority population is a population that is recognized by the United States Census Bureau as Hispanic, African American or Black, Asian, and Pacific Islander, or American Indian. Per CP-29, an urban area is defined as *“all territory, population, and housing units located in urbanized areas and in places of 2,500 or more inhabitants outside of an urbanized area. An urbanized area is a continuously built-up area with a population of 50,000 or more”*. Rural areas are those that do not meet the above definition of an urban area. A Low-income community is a CBG, or contiguous area with multiple CBGs, having a low-income population equal to or greater than 23.59% of the total population. A Low-income population is a population having an annual income that is less than the poverty threshold, established by the U.S. census bureau.

The proposed Facility is located within CBG 011801-1, which is located along the Town of Wawayanda’s central northern boundary, bordering the southern portion of the City of Middletown, and the Town of Wallkill, New York. The development within this CBG is generally suburban in nature. The DECinfo Locator identifies the CBG as a rural area. The DECinfo Locator reports the population of the CBG as 1,041, the percentage of population below poverty level as 26.59%, and the minority population percentage as 45.52%. These values are reported by the NYSDEC to have been determined by a statistical analysis of the 2014-2018 American Community Survey (ACS) data.

Per the 2020 census information obtained from the United States Census Bureau at <https://data.census.gov>, the population within the CBG is reported at 2,139. Because the population is less than 2,500, and not located in a continuously built-up area with a population of 50,000 or more, the CBG qualifies as a “rural area” per CP-29. Per the 2020 United States Census Bureau information the minority percentage of the population is approximately 34.9%, which is greater than the 33.8% minority population threshold for a rural area per CP-29. The minority population primarily consists of Hispanic at approximately 23% of the population, and African American or Black at approximately 11.3% of the population.

4. Project Stakeholders

CP-29 requires permit applicants to identify Stakeholders to a proposed action and create a contact list consisting of the names, addresses, telephone numbers and e-mail addresses of individuals and organizations with a direct stake in the proposed action for distribution of written information about the proposed action and the permit review process. The contact list shall be updated regularly to include new Stakeholders as they are identified.

The following Stakeholders have been identified for the initial contact list. The Stakeholders shall first be contacted regarding their interest in the proposed Facility. If there is no interest towards the proposed Facility the Stakeholders will be removed from the contact list and not further contacted regarding the progress of the Project Application. Additional Stakeholders identified during the initial contact will be added to the list as well.

4.1 Residents, Neighborhood Groups and Interested Persons

No neighborhood groups near or adjacent to the proposed Facility have been identified. Residences that will be or potentially will be affected by the operation are anticipated to be located along Dolsontown Road between NY Route 17M and McVeigh Road, including residences on Caskey Lane. These residences, and people who have already expressed interested in the proposed Facility include the following obtained from the Orange County GIS Parcel Viewer:

- 1065 Dolsontown Road, Richard P. & Deborah E. Klingman
- 1069 Dolsontown Road, Steven E. & Nancy C. Weymer
- 1073 Dolsontown Road, Wayne E. Weymer
- 1081 Dolsontown Road, Carol Ann & Arthur L. Moore
- 1133 Dolsontown Road, Pericles C. Gardianos
- 1187 Dolsontown Road, Donna Destafeno & Robert Jados JR
- 1197 Dolsontown Road, Anita Geary
- 24 Caskey Lane, Sal & Sherry Devito
- 27 Caskey Lane, Jane Greitzer Deevy

4.2 Community Organizations

The following relevant community, environmental, and business organizations have been identified:

- **Vision Hudson Valley** (formerly known as the Orange County Citizens Foundation)
23 White Oak Drive
Sugar Loaf, NY 10981
Phone: [845-469-9459](tel:845-469-9459)
Email: info@visionhudsonvalley.org

4.3 Neighborhood Religious Establishments

The nearest neighborhood religious establishments within two miles of the proposed project location were identified and include the following, the locations are shown on the Figure 2 Vicinity Map:

- **Our Lady of Mount Carmel Catholic Church**
90 Euclid Avenue
Middletown, NY 10940
Phone: [\(845\) 343-4121](tel:845-343-4121)
Email: ourladyofmtcarmel883@hotmail.com

- **Cornerstone Baptist Church**
65 Schutt Road
Middletown, NY 10940
Phone: (845) 341-0551
Email: sean@cbctoday.com
- **Middletown Islamic Center**
169 Ryerson Road
New Hampton, NY 10958
Phone: 845-374-2191
Email: Info@micny.org
- **Centro Cristiano Nueva Vida** (approximately 2.8 miles from the proposed Facility, included to represent the Hispanic community)
40 Dunning Rd (264.13 mi)
Middletown, NY, 10940
Phone: (845) 956-0165

4.4 Elected Officials

Elected officials who represent the relevant greater municipal and state legislative areas include the following:

- **Orange County Legislative Member District 21**
James D. O'Donnell
255 Main Street
Goshen, NY 10924
Phone: (845) 699-4882
Email: jodonnell@orangecountygov.com
- **New York State Assembly District 99**
Colin Schmitt
6 Depot St., Suite 103
Washingtonville, NY 10992
Phone: 845-469-6929
Email: schmittc@nyassembly.gov
- **New York State Senator District 42**
Mike Martucci
90 North Street, Suite 205
Middletown, NY 10940
Phone: (845) 344-3311
Email: martucci@nysenate.gov
- **Town of Wawayanda Supervisor**
Denise Quinn
80 Ridgebury Hill Road
Slate Hill, NY 10973
Phone: (845) 355-5700, Option 4

Email: Supervisor@townofwawayanda.com

4.5 Secondary Contact List

The following shall be copied on all distribution of written information per this PPP.

4.5.1 Local Government Officials

Town of Wawayanda officials have already been involved in the project through the Application for a Special Use Permit. These same officials will also be copied on the notifications and documentation prepared under this Plan.

- **Town of Wawayanda Planning Board**
Secretary Stacey Daly-Wilkins
80 Ridgebury Hill Road
Slate Hill, NY 10973
Phone: 845-355-5700 ext. 8
Email: planning@townofwawayanda.com
- **Town of Wawayanda Planning Board Engineer**
Patrick Hines
33 Airport Center Drive Suite 202
New Windsor, NY 12553
Phone: 845-567-3100
Email: phines@mhepc.com

4.5.2 Federal Officials

Federal officials have been involved through a wetland jurisdictional determination and through SEQR coordination. These same officials will also be copied on the notifications and documentation prepared under this Plan.

- **United States Army Corps of Engineers New York District**
Brian Orzel, Project Manager, Civil Engineer
Jacob K. Javits Federal Building
26 Federal Plaza
New York, New York 10278-0090
Phone: 917-790-8411
Email: brian.a.orzel@usace.army.mil

4.5.3 State Officials

State officials have been involved through the Part 360 permit application process and through SEQR coordination. These same officials will also be copied on the notifications and documentation prepared under this Plan.

- **New York State Department of Environmental Conservation Region 3**
21 South Putt Corners Road
New Paltz, NY 12561-1696
Division of Environmental Permits
Alysse Devine
Phone: (845) 240-7806
Email: alysse.devine@dec.ny.gov

Division of Materials Management

David Pollock

Email: david.pollock@dec.ny.gov

Wesley Salis

Email: wesley.salis@dec.ny.gov

- **New York State Office of Environmental Justice**

Jordan Gougler

625 Broadway

Albany, NY 12233

Phone: (845) 256-3003

Email: jordan.gougler@dec.ny.gov

5. Project Document Repository

CP-29 requires the project sponsor to establish a Document Repository to make information about the Project and the process readily available to the public. Initially, the following are proposed document repositories:

Physical Copies

Middletown Thrall Library
11-19 Depot Street
Middletown, NY 10940
(see Figure 2 for location)

Electronic Copies

A dedicated website (domain name to be determined), with an email address for Stakeholders to directly submit comments or questions.

Additional or alternative physical copy document repositories will be identified if the above designated repository is for some reason unavailable.

The physical and electronic Document Repositories will contain the same information to include, at minimum, a copy of all the following information:

- An index of items will be used to help keep the Document Repository organized.
- Part 360 Application Narrative
- Engineering Report
- Facility Manual
- Part 360 Permit Drawings
- Full Environmental Assessment Form Narrative
- Storm Water Pollution Prevention Plan
- Latest Town of Wawayanda Special Use Permit Application Narrative
- Transcript of the Public Meeting
- Summary of Comments
- Interim Progress Report
- Final Progress Report and Certification

6. Public Information Meeting

In accordance with CP-29, a Public Information Meeting shall be held to inform the Stakeholders and the public about the proposed Facility, the permitting process, and to solicit feedback from the community.

6.1 Date and Time

Once this Public Participation Plan has been reviewed and approved by the NYSDEC a Public Information Meeting shall be scheduled. The meeting date and time shall be selected after consulting with the identified Stakeholders, and the NYSDEC. The meeting shall be scheduled to avoid other important meetings or events that are regularly held or already scheduled in the community. The meeting shall be scheduled after working hours, and not conflict with national or religious holidays or locally important observances. Accommodations for the hearing impaired will be provided, if requested prior to the meeting.

6.2 Location

The meeting shall be held in a location that is familiar to residents (i.e. municipal hall, school, fire station or library), is easily accessible to people with disabilities and to public transportation, and has ample work space and parking. The identified community organizations and municipal officials shall be consulted to help identify an appropriate location for the meeting when the meeting date and time is being coordinated.

6.3 Notification

The community shall be notified through an advertisement in The Times Herald-Record and Project Stakeholders and secondary contacts shall be notified directly by email or mail if necessary. Notification shall be given at least three weeks before the scheduled meeting date. The meeting notification shall provide the following:

- The name of the project applicant and sponsor.
- The name and address of the proposed Facility.
- A description of why the meeting is being held.
- The time and place of the public meeting.
- A short description of why the public should attend.
- A short description about how the public can participate and the type of input sought.
- Whether there will be a question-and-answer period.
- A brief description about the information that will be discussed.
- Contact information for any questions about the meeting.
- Location of the Project Document Repository.
- A dedicated email account for those who cannot attend the meeting and would like to submit comments about the proposed Facility.

6.4 Project Fact Sheet

The Project Stakeholders and the secondary contacts shall directly receive a Project Fact Sheet with the meeting notification. The Fact Sheet shall be provided in English and Spanish. The Fact Sheet shall include a description of the proposed Facility design and operation, the permit application process, the location of the physical-copy Project Document Repository, and the web address for the electronic-copy Project Document Repository. The Fact Sheet shall also be included in the Project Document Repository. The draft Fact Sheet is included as **Attachment 1**.

6.5 Meeting Agenda

The anticipated agenda for the Public Information Meeting is as follows:

- 5 Minutes: Introduction of speakers, outline of the meeting agenda, and meeting ground rules including attendee participation, and where answers to questions can be found after the meeting has concluded.
- 5 Minutes: Statement by NYSDEC staff about how the public information meeting fits into the Department's Part 360 application review process and the current status of the permit application review.
- 20 Minutes: Presentation by project sponsor providing overview of proposed operations and potential environmental impacts, permitting process and request for community input.
- 10 Minutes: Refreshment break and informal discussions and comments.
- 60 Minutes: Formal period of questions and answers, comments from public.

At this meeting, a contact information sheet will be provided for members of the public who wish to be added to the Stakeholder Contact List. In addition, a sign-in sheet will be provided for those who wish to comment or ask questions about the proposed Facility during the question-and-answer session. Speakers will be called in the order they sign up. Finally, index cards will be provided for members of the public to submit written comments at the meeting. Comments shall also be received by email as included in the Meeting Notification for those who cannot attend the meeting. The comment period shall be from the Meeting Notification to ten days after the meeting date.

At this point in time, no additional public meetings are anticipated. However, if significant issues are identified which could be addressed or resolved through additional public meetings, an additional meeting will be scheduled as necessary.

7. Plan Documentation

Two weeks after the close of the comment period, the Project Sponsor will submit a Summary of Comments and an Interim Progress Report to the Lead Agency and the NYSDEC Secondary Contacts. Following approval from the NYSDEC, the Summary of Comments shall be submitted directly to the Stakeholders. All of the PPP documents will become part of the Application and will be made available to the public at the Project Document Repository.

7.1 Summary of Comments

The summary of comments shall include the following:

- 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.

7.2 Interim Progress Report

The interim progress report shall include the following information:

- The status of the PPP implementation.
- The components of the PPP yet to be implemented.
- Expected timeline for completion of the PPP.
- Copies of written information such as newspaper notices, flyers, and meeting notifications; methods used to engage the public and solicit outreach.
- The time and date of public meetings held.
- The names of the meeting attendees.

7.3 Final Progress Report

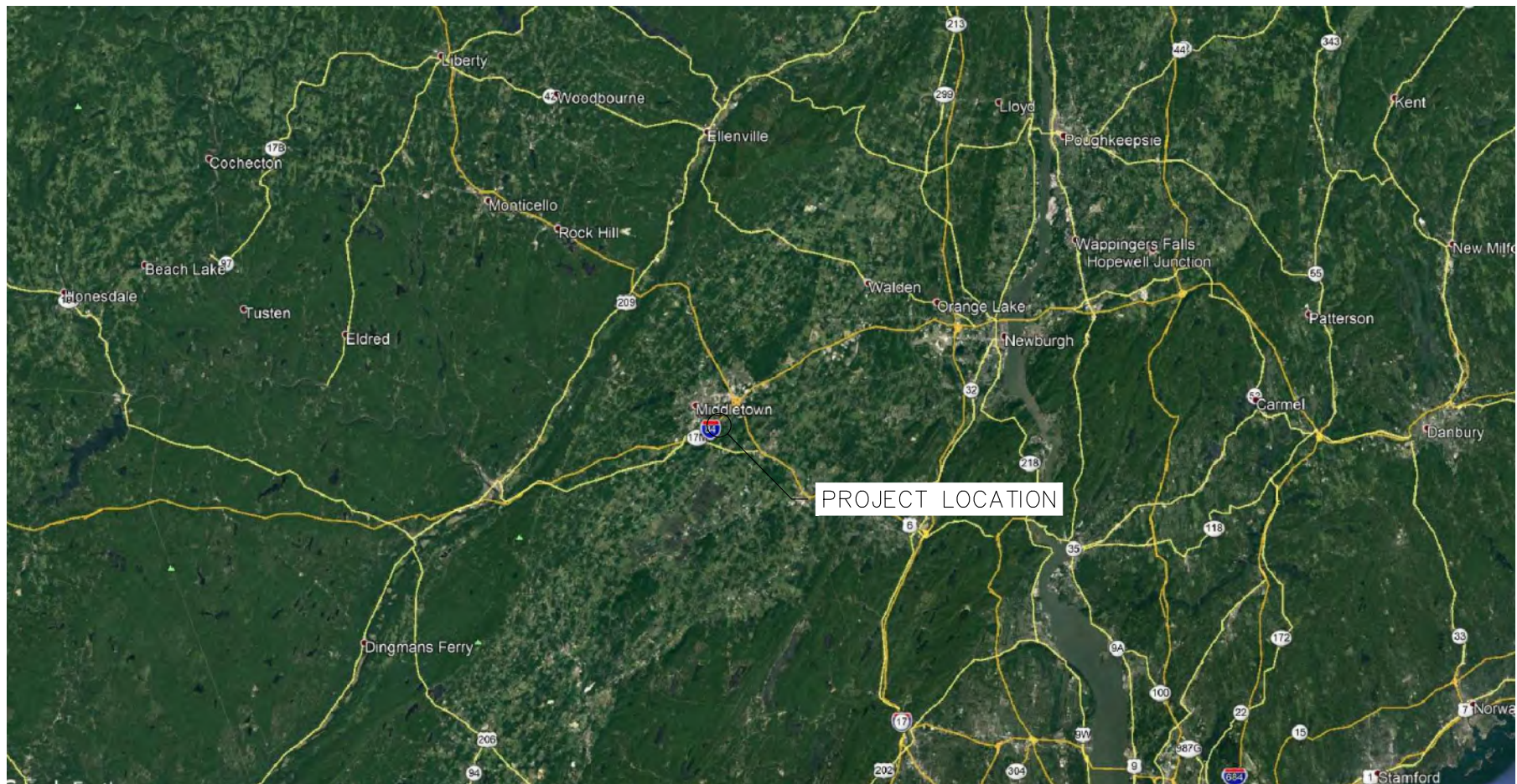
Upon completion of the PPP, the Project Sponsor shall submit a Final Progress Report with written certification that it has complied with the PPP. As part of the certification, the Project Sponsor shall update the Progress Report detailing activity which occurred subsequent to the Interim Progress Report. The certification shall be signed by the Project Applicant 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 Document Repository.

Figures

EnSol, Inc.



ENGINEERING + ENVIRONMENTAL



NOTES:

1. SOURCE: GOOGLE EARTH IMAGERY ACCESSED ON 12/29/20.

SCALE: ~31,250' 0' ~31,250' ~62,500'

REGIONAL MAP

DOM-MAR TRANSFER AND RECYCLING FACILITY

DOMKAM, LLC.



661 Main St.
Niagara Falls, NY 14301
716.285.3920

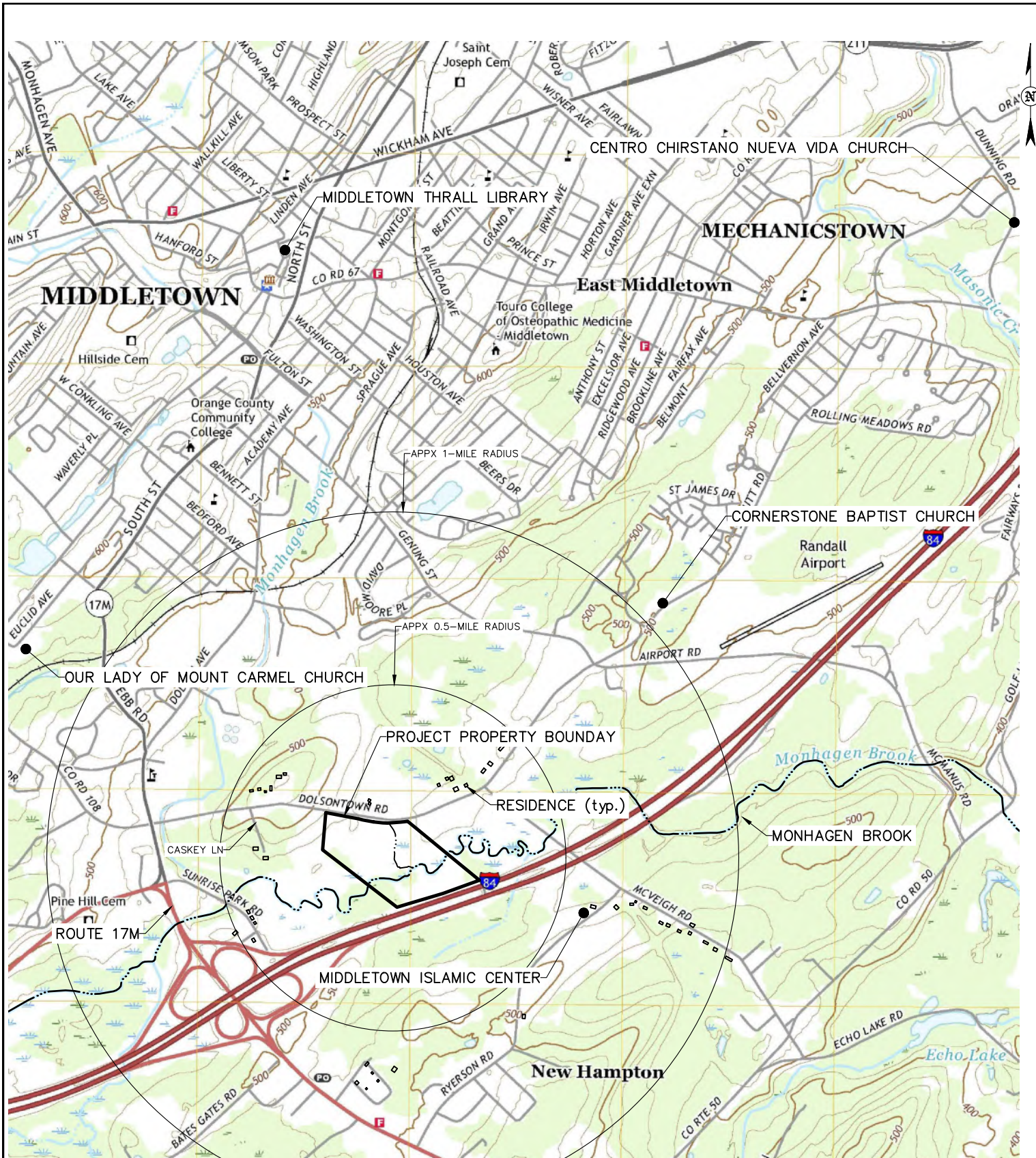
TOWN OF WAWAYANDA
COUNTY OF ORANGE
STATE OF NEW YORK

MARCH 2022

PN: 029-A0001

FIGURE

1



NOTES:

1. SOURCE: USGS MIDDLETOWN QUADRANGLE 7.5 MINUTE SERIES

GENERAL LEGEND

- RESIDENCE
- DRAINAGEWAY
- MONHAGEN BROOK

VICINITY MAP

DOM-MAR TRANSFER AND RECYCLING FACILITY

DOM KAM LLC



661 Main St.
Niagara Falls, NY 14301
716.285.3920

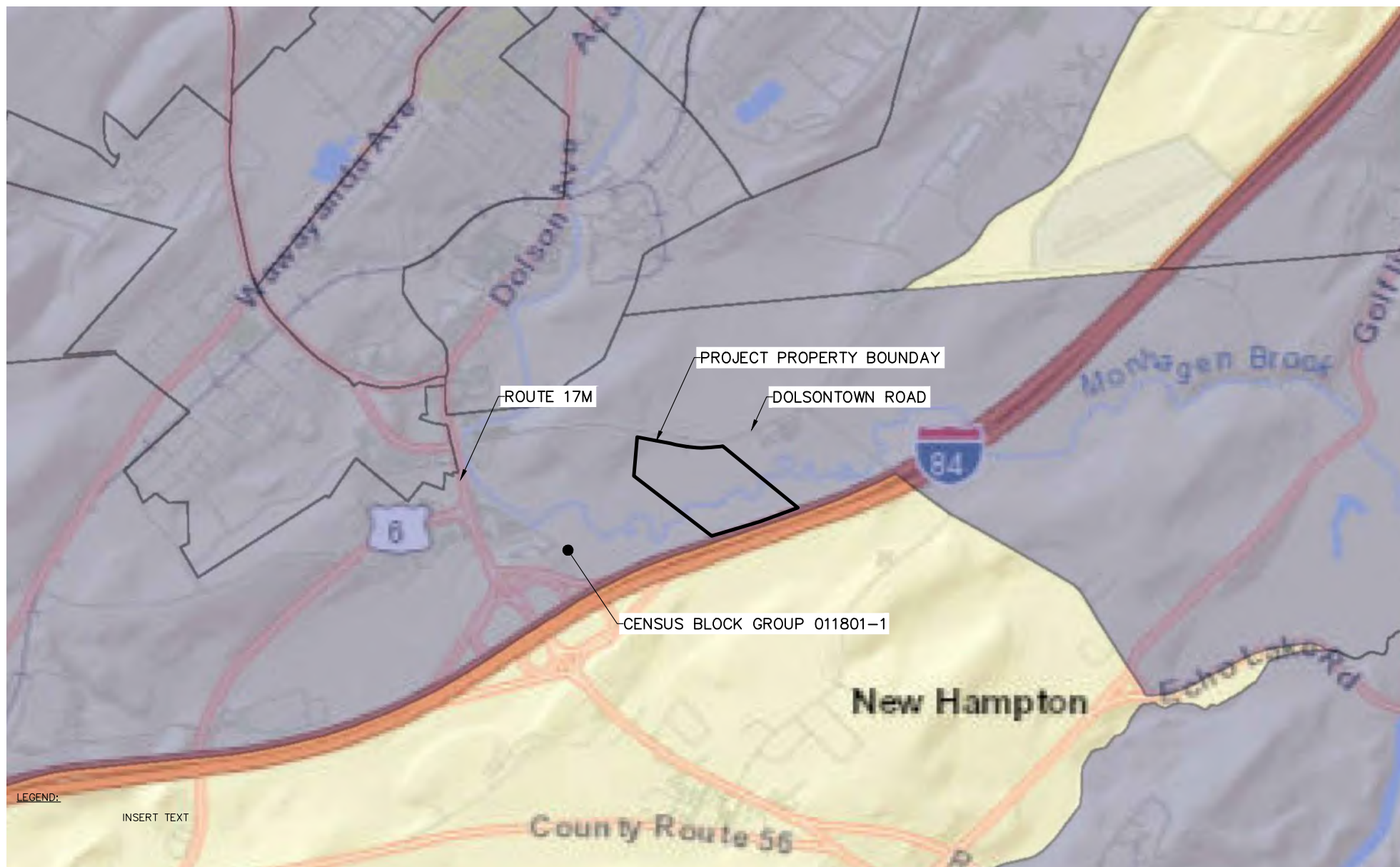
TOWN OF WAWAYANDA
COUNTY OF ORANGE
STATE OF NEW YORK

MARCH 2022

PN: 029-A0001

FIGURE


2



NOTES:

1. BACKGROUND IMAGERY OBTAINED FROM THE NYSDEC INFO LOCATOR ACCESSED ON DECEMBER 13, 2021.

LEGEND:

 POTENTIAL ENVIRONMENTAL JUSTICE AREA



POTENTIAL ENVIRONMENTAL JUSTICE AREA

DOM-MAR TRANSFER AND RECYCLING FACILITY

DOM KAM LLC



661 Main St.
Niagara Falls, NY 14301
716.285.3920

TOWN OF WAWAYANDA
COUNTY OF ORANGE
STATE OF NEW YORK

MARCH 2022

PN: 029-A0001

FIGURE

3

Attachment 1

EnSol, Inc.

ENGINEERING + ENVIRONMENTAL

Fact Sheet

FACT SHEET

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

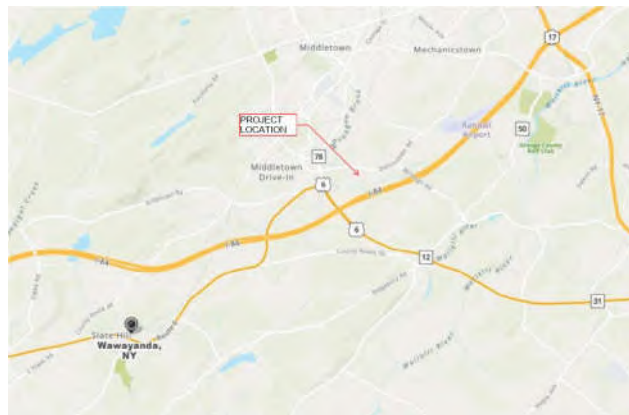
OVERVIEW

The Applicant, DOMKAM, LLC, is seeking to construct and operate a solid waste and recyclables Transfer Facility to be located on Dolsonstown Road in the Town of Wawayanda, NY. A permit is required from the New York State Department of Environmental Conservation (NYSDEC). NYSDEC is currently reviewing the permit application. The approval process for the Town of Wawayanda is underway.

FACILITY OVERVIEW AND OPERATIONS

The primary features of the proposed Transfer Station will include; an approximate 42,000 square foot (sf) building, a separate approximate 3,100sf administration/office building, a dedicated residential drop off area, and stormwater management features.

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. Waste materials will be consolidated and shipped to NYSDEC-permitted disposal facilities and recovered recyclable materials will be marketed to end users by material type.



The facility will not accept hazardous materials of any kind. All material unloading, handling, and loading activities will occur within the enclosed building which is designed, and will be operated, in full accordance with the NYSDEC's Part 360 regulations governing such facilities.

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

Hours are Mon -Thurs 9 am - 8 pm, Fri 9 am - 6 pm, Sat 10 am - 5 pm, and Sun 1 pm – 5 pm.

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:

xxxxxyyyy@zzzz.com

INFORMATIONAL MEETING

An informational meeting will be held at _____ PM on _____, 2022 at _____. The meeting will be hosted jointly by the NYSDEC, the applicant and the applicant's engineer (EnSol, Inc.). All interested members of the local community are encouraged to attend this meeting to both learn more about the facility as well as identify any concerns the community may have.

PUBLIC COMMENT

The public is encouraged to provide any comments or concerns about the proposed facility. Each concern will be documented and evaluated by the Application and the NYSDEC and appropriate action(s) will be taken to alleviate the concern(s).

Any questions, comments, or concerns can also be submitted via email to

projects@ensolinc.com

Comments will be accepted until xxxxxx, 2022