STATE OF RENSSELAERVILLE
Department of Environmental Protection

Announcement of Public Comment Period and Legislative Public Hearing
February 26, 2004

APPLICANT: RecycleTech, Inc., 1 Main Street, Atlantic, Rensselaerville (DEP Application No. 1-345678/00002).

Project Description: The applicant, RecycleTech, Inc.(RT), has applied to the Rensselaerville Department of Environmental Protection (DEP) for various permits under the Environmental Protection Law (EPL). RT's proposed project involves construction and operation of a paper recycling plant close to the banks of the Atlantic River in the Town of Atlantic, State of Rensselaerville. This plant will be powered by oil and it will use the steam generated by the paper recycling process to produce additional electricity, which it can sell to someone else.

Permits Required: In order to build and operate this plant, RT is required under the EPL to obtain the following permits:

– Air pollution permit for emissions into the atmosphere,
– State pollutant discharge elimination system (SPDES) permit for discharge of industrial wastewater into the Atlantic River;
– Freshwater wetlands permit for placement of a discharge pipe into adjacent wetlands; and
– Protection of waters permit for dredging of the River and placement of a dock to receive waste paper and other materials needed for the recycling process and to take in 1 million gallons a day of River water for its industrial processes.

Location: The site of the proposed plant is a "brownfield." It was formerly occupied by a factory that produced fireplace equipment but has long since gone out of business. The property contains some contaminated soils from the prior owner that RT would be responsible for cleaning up subject to Rensselaerville's Brownfield Restoration Act.

The site is located at the intersections of River and 1st Street in Atlantic. It is adjacent on its north and west sides to a 25-acre freshwater wetland that in turn is adjacent to the Atlantic River. To the south of the site is an existing electric generating plant owned by Solar Electric. To the east of RT's proposed plant are some railroad track. RT would transport recycled paper via the railroad. If RT cannot use the railroad tracks, RT would have to use trucks to ship its recycled paper products. East of the railroad is the remainder of the Town of Atlantic.

The freshwater wetland, designated as FW-01 by DEP, is locally known as "Grebe Cove" because it is home to a bird species on the State's threatened species list – the Pied-Billed Grebe.

The area around RT's proposed site was formerly heavily industrial but over the last 10 years, old factory buildings have been taken over by artists and antique dealers. Main Street has been designated a State Historical Landmark for its 20 intact buildings dating from the 1800's. Most of these buildings now house professional offices, antique shops, restaurants, residences, and some other assorted commercial enterprises.

The Town of Atlantic is comprised of a population of 15,000 people. It is a community of mixed land uses: agricultural, light industry, residential, and a small downtown with commercial and municipal buildings. The Town is also host to a hospital that specializes in respiratory (breathing) illnesses.

Other relevant points:

Many birdwatchers and canoeists visit this area. If its project is approved, RT has pledged $250,000 to construct a park in this vicinity so that the public could have greater access to the Atlantic River.

Further south of the site and Solar Electric are several abandoned industrial sites as well as a degraded wetland that formerly had a connection to FW-01. This wetland is FW-02 and is commonly known as the "swamp." There are abandoned vehicles, tires, and other debris in FW-02 as well as certain invasive species of plants. These invasive plants are not native to the area and threaten native species.

RT will sell some of its steam-generated electricity to the Town of Atlantic. For any electricity that Atlantic does not buy, RT is seeking to use Solar Electric's transmission lines (power lines).

In order to minimize air pollution effects, RT proposes to use the latest technology in air pollution control equipment and to build a stack 500 feet high that will send the emissions further away from the immediate community.

Across the Atlantic River, a 30-year old paper manufacturer, Atlantic Paper, is still in business and citizens of Atlantic have long complained about the odors emanating from this plant. This plant has been the subject of multiple enforcement cases brought by RDEP concerning air and water pollution violations.

The Town's landfill is located in the southeasterly portion of its boundaries. It has about 5 years of space left unless the Town can find a way to minimize waste currently going into the landfill.

RDEP Staff's Position: The RDEP staff has tentatively decided to grant the permits requested by RT, finding that the benefits of this plant outweigh any detriment to the environment.

The Staff cites the following benefits from RT's proposed plant:

- a major depository for receipt of waste paper that could help expand the life of the Town's landfill;
- generation of needed electric power;
- wise use of railroad and barge in lieu of truck transportation; and
- increased public access to the River.

The Staff recognizes the following negative impacts that the plant would also create:

- increased air pollution in the form of particulates;
- some damage to fish populations due to intake of river water;
- discharge to river, and dredging and construction of dock;
- unknown impacts to Pied-billed Grebe due to some filling and intrusion into FW-1; and
- some increase in noise and potential visual effects.

The Legislative Hearing is scheduled for 1:30 p.m. on February 26, 2004 at Albany Law School. Anyone who has an interest in this project is urged to attend and present views.

List of Issues/Participants

DEP Staff - 4 people
Applicant - 4 people

Town Officials - 4 people - these individuals will be in favor of project based upon tax revenue, park income, jobs, and potential for revival of the community due to the presence of a large business that is a source of energy. The Town is also enthusiastic about the potential to (1) clean up and revive a brownfield that is currently an eyesore in the community and (2) add years to the life of its landfill.

Citizens:
Birdwatchers/Wildlife Advocates - 4 people - opposed to project based upon the potential impact on the Pied Billed Grebe, the wetlands, and the Atlantic River.

Historical Society, Restaurant Owner, and Antique Dealers' Ass'n - 4 people - concerned about how visual effects, noise, and odors will affect the character of community and the historical buildings on Main Street. Shopkeepers are worried that tourists who have started to come to Town will stop if the RT plant is built. One restaurant owner is unsure if she is opposed, though, because of the potential for regular business from employees at new plant.

Union leaders - 4 people - in favor of plant due to the potential for jobs at the plant as well as related businesses that might develop as a result, such as restaurants for workers, maintenance of the plant, landscaping, etc.

Fishermen/Recreational Boaters/Boat Dealers/Renters - 4 people - concerned about the plant due to potential for impacts to the fishery. They want to see if RT would be willing to enhance the habitat to assist in bringing back the commercial fishery. Recreational fishermen and boaters are concerned about the effects of the RT plant to the fish and to the environment of the River; they are afraid that it will be noisy and smelly in this vicinity and they will not want to fish or boat there anymore. The local boat dealer and renter is afraid his business will go downhill for similar reasons.

Hospital/Doctors - 4 people - concerned about impacts on the hospital and community health in general.

Farmers - 4 people - This group is divided in their viewpoint. Some are concerned that air and water impacts could effect their ability to farm, that the RT plant will affect the animals, crops, etc. Also, they are worried that the plant could bring a lot of newcomers to Town who will seek housing and force the sale of farms for new housing subdivisions. Others believe that plant's entry to Town will allow the Town to go forward with a plan to reduce taxes on agricultural lands so that they will not have to give up their farms. Such a tax plan will also preserve large areas of open space in community. These people also think that the plant's existence will keep the railroad going as well as other businesses that they need to continue their farming, such as local suppliers of hardware, etc.

Homeowners - 4 people - this group is also split - some believe that the RT plant will lower their tax burden and help improve the schools with the increased income as well as help with solid waste problems that are soon to come. Others are worried that RT will turn back efforts to beautify the community and bring in weekend residents from a large downstate city. Some believe that property values will decrease if the plant is allowed while others think they will increase with the plant's proposal to create a river park.

Some ideas to explore:

Wetland mitigation

- Restoring one degraded wetland in exchange for allowing some degradation of another - if this is a condition - how is success determined?
- Use of wetland to assist in mitigation of discharge to River

Emissions reduction credits

- Reduction of air emissions at another plant in vicinity of new plant in exchange for new emissions

Pollution Controls at the plant

- What kinds of pollution, odor, noise controls are available?
- What are levels that the community or agency will allow?
- What about environmental monitors? What are these? What does the enforcement record of RDEP against Atlantic Paper have to do w/this application? Should it have anything to do w/the decision to permit RT?

Effects on Wildlife

- What types of studies can be done to evaluate effects to wildlife?
- When should these be done?
- What would the effect of the park proposed by RT have on the pied-billed grebe?

Health Effects

- What are potential health effects?
- How should this be addressed by company, community?

Effects on Farmers

- What about farmers and their future?
- Why does the community care?
- Does it have an interest in keeping farms in the community?