

Phillips Lytle LLP

Via E-mail and FedEx

July 9, 2019

Mr. Robert Aronson
Seneca County Industrial Development Agency
One DiPronio Drive
Waterloo, New York 13165-1680

Mr. Frank J. Armento
Fisher Associates
325 Delaware Ave., Suite 200
Buffalo, New York 14202

Re: Seneca Dairy Systems Agricultural Manufacturing Facility
Supplemental Analysis of Environmental Impacts Pursuant to SEQR

Dear Mr. Aronson, Mr. Armento and Members of the SCIDA:

As you know, we represent Seneca Dairy Systems LLC ("**SDS**") in connection with the proposed redevelopment of a portion of an approximately 75 acre parcel of land bounded on the north by West Romulus Road ("**Parcel**") located on the former Seneca Army Depot ("**SEDA**" or "**Depot**") in the Town of Romulus ("**Town**"), in Seneca County, New York. The redevelopment entails revitalizing a portion of the Parcel by constructing and operating the Seneca Dairy Systems Agricultural Manufacturing Facility ("**Project**"), a state-of-the-art galvanizing mill and related operations to allow SDS to expand existing operations and meet growing demand for the company's products. The Project will result in the development of approximately 18 acres of the Parcel and will be sited at the southwest corner of West Romulus Road and Fayette Road ("**Site**").

On May 1, 2019, SDS submitted an Application to the Seneca County Industrial Development Agency ("**SENIDA**") for Financial Assistance (the "**Application**") related to the Project. As part of the Application, on May 2, 2019, SDS also submitted an Analysis of Environmental Impacts Pursuant to New York State Environmental Quality Review Act ("**SEQR**") (the "**EA**"). SENIDA declared its intent to act as lead agency for the purposes of a coordinated review, as required by SEQR, by resolution adopted on May 2, 2019. Lead agency packages were distributed to potentially interested and involved agencies by May 3, 2019. As no agency contested lead agency status, and the time period for an Involved Agency to object has expired, SENIDA

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declared itself lead agency for purposes of a coordinated review of the Project pursuant to SEQR by resolution adopted June 6, 2019.

Under SEQR, prior to undertaking, funding or approving a project, SENIDA must, as lead agency, consider the potential environmental impacts of a proposed project. On behalf of SDS, we provide this supplemental submission to aid in SENIDA's review of the Project and its determination, as lead agency, pursuant to SEQR (the "**Supplemental EA**"). The Supplemental EA includes responses to preliminary comments from the Town Board, the Town Planning Board, Fisher Associates, as SENIDA's consultant, stakeholders, the Seneca County Planning Department and the community's feedback over the last two months. In addition, and in response to these comments, we are also providing herein an Air Report (defined below), a Traffic Letter (defined below), an updated Part 1 of the Full Environmental Assessment Form ("**FEAF**"), an updated list of Interested and Involved Agencies, correspondence with the New York State Department of Environmental Conservation ("**NYSDEC**"), and meeting notes from a pre-application meeting with the NYSDEC. Accordingly, please find attached the supplemental information and updates to previously submitted materials listed below:

Exhibit A: **Air Monitoring Report**
Exhibit B: **Traffic Letter**
Exhibit C: **Updated Full Environmental Assessment Form**
Exhibit D: **Updated List of Interested and Involved Agencies**
Exhibit E: **Updated Conceptual Site Plans**
Exhibit F: **May 15, 2019 Letter from NYSDEC New York Natural Heritage Program**
Exhibit G: **June 4, 2019 NYSDEC Meeting Notes and Attendee List**
Exhibit H: **Compilation of Preliminary Written Comments Received**
Exhibit I: **Memorandum to SENIDA with Responses to Preliminary Comments**
Exhibit J: **Excerpts from 2003 Record of Decision**
Exhibit K: **Wetland Data Sheets**

I. UPDATES

1. *Lead Agency*

As noted above, at its June 6, 2019 meeting, SENIDA formally declared itself Lead Agency for purposes of a coordinated review pursuant to SEQR, as more than 30 days had passed since circulation of the Application and EA, and no agency had objected to SENIDA acting as Lead Agency.

2. *Public and Town Outreach*

SDS has undertaken an extensive public outreach process to help inform the Town and community of Project plans and goals as well as to receive input and feedback on various aspects of the Project. SDS has attended a Stakeholder Meeting (April 29), three Town Planning Board meetings (May 6, May 30, and July 1), two Town Board meetings (May 15 and June 19), and a SENIDA meeting (May 2). A compilation of the comments received and itemized responses to each comment are attached hereto as ***Exhibits H and I***. In addition, a public informational meeting will be held on July 11, 2019, at 6pm at the Romulus Fire Hall located at 2010 Cayuga St. in Romulus, to receive additional public input. Over the next several months, SDS will continue to participate in additional Town Board and Planning Board meetings as the Project moves through the zoning application process with the Town.

3. *Agency Outreach*

Additionally, SDS has reached out, and continues to engage in communications with, both NYSDEC and the New York State Office of Parks, Recreation and Historic Preservation ("**OPRHP**") regarding the Project. On June 4, 2019, SDS met with NYSDEC for a pre-application meeting to present Project plans, discuss any initial concerns and discuss the applicable permitting required for the Project. A summary of the meeting notes from the June 4 meeting and a list of attendees is annexed hereto as ***Exhibit G***. Additionally, SDS commissioned a Phase I archaeological study for the Site, at the request of the OPRHP. Following the conclusion of that study, SDS will continue to consult with the OPRHP as necessary to address any archeological issues that may exist on the Site, or to confirm that no such issues are present. Although the Site is located in proximity to an archeologically sensitive area, no significant adverse impacts are anticipated because of the previous disturbance and evaluation at the Site and the Depot. SDS will work to obtain a letter of no effect from the OPRHP.

Additionally, SDS has re-named or given names to all of the roads in the Depot and has put up signs accordingly. SDS continues to engage with Seneca County and the 911 Center regarding

these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. As such, emergency departments are becoming familiar with the Site and with the surrounding roads. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to schedule tours of the Project and discuss Site-specific emergency response procedures. It is anticipated that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

4. *Air Report*

In the EA, SDS noted that the Project will have minor air emissions associated with the galvanizing and pickling lines that will require appropriate air permitting from NYSDEC, and that a detailed air emissions report would be forthcoming. Those air emissions calculations (the "**Air Report**") have been prepared for the Project, and the Air Report is attached hereto as ***Exhibit A***. The Air Report details the operation processes, mitigation and safety measures, the emissions sources and associated calculations and the anticipated permitting requirements. At the June 4, 2019 meeting with the NYSDEC, SDS distributed the Air Report, described the facility operations, and discussed the projected facility emissions concentrations and emissions points. *See* ***Exhibit G***. It is anticipated that the Project will require an Air Registration Certificate from NYSDEC based upon the Air Report and communications with NYSDEC. More details regarding the Air Report are provided in the Comments section below.

5. *Traffic Letter*

In response to public comments and a request by Fisher Associates, SDS commissioned a trip generation/distribution letter ("**Traffic Letter**") for the Project, annexed hereto as ***Exhibit B***. As shown in the Traffic Letter, given the low volume of projected Site-generated traffic and the low amount of existing traffic within the study area, the Project will not have any potentially significant adverse impact on traffic operations and no further study is warranted or recommended. More detail regarding the Traffic Letter is provided in the Comments section below.

6. *Updated FEAF*

In response to public comments and comments by Fisher Associates, an updated Part 1 of the FEAF reflecting changes in data or information associated with the Project is attached hereto as ***Exhibit C***. We thought it would be helpful to set forth each update. A detailed description of the changes are as follows:

- Part 1, Section B.e
  Checked "Yes" for County Agencies and added Seneca Water and Sewer District.

- Part 1, Section B.f
  Checked "Yes" for Regional Agencies and added SENIDA and ESD.

- Part 1, Section B.g
  Added SPDES construction permit and sewer laterals to NYSDEC approvals.

- Part 1, Section B.h
  Checked "Yes" for Federal Agencies and added USACOE and CDBG.

- Part 1, Section D.2.e.iv
  Checked "No" that the proposed plan does not minimize impervious surfaces, use pervious materials or collect and re-use stormwater. However, SDS will be collecting rainwater as part of its daily water requirements.

- Part 1, Section D.2.j
  Added the following text: "See Traffic Letter."

- Part 1, Section D.2.k
  Checked "Yes" that the proposed action will require a new, or an upgrade, to an existing substation.

- Part 1, Section D.2.m
  Deleted the following text: "No increase in current noise levels is expected once construction is complete." Replaced with the following text: "Once operational, common noises will include vehicles traveling to and from the site, loading and unloading of vehicles, and noises from within the Building. Operating hours are Monday - Friday from 6:30am - 4:30pm.

- Part 1, Section E.3.f
  Checked "Yes" that the project site, or any portion of it, is located in or adjacent to an area designated as sensitive for archeological sites on the NY State Historic Preservation Office (SHPO) archeological site inventory.

- Part 1, Section E.3.h
  Added Keuka Lake Scenic Byway and Dean's Cove to scenic or aesthetic resources.

II. SUMMARY OF COMMENTS RECEIVED

As noted above, SDS has received preliminary comments from the Town Board, the Planning Board, members of the community, stakeholders and Fisher Associates, the consultant hired by SENIDA as Lead Agency. A compilation of the comments received and detailed, itemized responses to each comment are annexed hereto as ***Exhibits H and I***. A high-level summary of the comments and responses thereto is as follows:

1. *Galvanizing Process Comment Summary*

Comments have requested a more detailed description of the galvanizing process, including processes the facility will implement to lessen potential byproducts/waste, whether SDS plans to galvanize for others/contract or just for own purposes, and efforts to minimize safety/spill risks.

SDS Response: A detailed summary of the galvanizing process is included in the original EA. In addition, a detailed schematic of Project operations is found in Appendix 1 of the Air Report. As shown in ***Exhibit A*** and the schematic annexed thereto, the galvanizing process will include a total of 12 process tanks, each with an 8,884 gallon capacity. The acid tanks will be kept under negative pressure and be capped with a folding cover that will remain in place when not in use. A traveling crane hood will be lowered into position above each tank before the folding cover is lifted. Thereafter the steel will be dipped into the process tank and lifted back up to dry before moving to the next tank in line. The traveling crane hood will remain in place until the dipping and drying is complete and the folding cover is closed. Automatic delays in the operating system will allow the steel to drip in place before the traveling hood moves to the next tank in line. The captured air emissions will then pass through a scrubber where the fumes will be cleaned or "scrubbed" before passing through the smokestack and ultimately discharging to the atmosphere. The "scrubbed" material is then recycled and discharged back into the requisite process tank to prevent the formation of any hazardous waste stream. This operating process is designed to prevent drips to the floor, thereby capturing more material and preventing the generation of waste; prevent spattering, thereby preventing the generation of waste and increasing worker safety; and increase the amount of fumes captured from the process tanks, thereby recycling more material, decreasing waste, and decreasing potential air emissions. As noted above, based upon the Air Report and communications with NYSDEC, it is anticipated the Project will require an Air Registration Certificate.

The facility will also utilize a three-stage filtration system to remove particulates from the galvanizing room. First, the particulates will pass through a diatomaceous earth pressure sensing baghouse filter, followed by a HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA

filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

To lessen potential byproducts/waste, SDS will be selective about the steel that is used in its galvanizing operations. In SDS' own operations, the majority of steel it produces or purchases is clean, raw, new steel that does not contain dirt, chemicals or heavy metals. This allows SDS more control over the end product while also preventing contamination in the galvanizing process (which would require those contaminated tanks to be pumped out, disposed of as waste, and replaced). SDS intends to galvanize raw steel for other companies on a limited basis. Similar to its own process, SDS will be selective of the steel it galvanizes for others to prevent contamination of its tanks. If an outside company wants to galvanize its steel at SDS' facility, SDS will only accept clean, raw steel. Overall, this selective process will lessen potential byproducts/waste.

To minimize safety risks and spills, there are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. The entire floor of the processing facility will be lined with a urethane rubber spray. This will prevent the escape of any materials from the facility, even as the facility ages. Notably, NYSDEC was receptive to this facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). *See* ***Exhibit G***. In addition, the facility will be semi-automatic. While workers will be involved in the galvanizing process, most of the system is designed to operate mechanically, which minimizes workers' exposure to chemical fumes and splatter, as well as high heat. Furthermore, because the facility will be semi-automatic, SDS will be able to prevent spills. For example, as mentioned above, the traveling hoods will have an automatic delay, allowing the steel to drip in place, rather than on the floor, before the traveling hood moves to the next tank in line. Because the facility is semi-automatic, SDS can control the delays on each hood, on a case-by-case basis. While this may slow the galvanizing process, it will prevent even small spills/drips from occurring, which must be cleaned up and collected by a worker, and treated as waste. Finally, once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

2. *Hazardous Materials/Waste Comment Summary*

Questions have been raised regarding whether hazardous materials will be stored on site and, if so, what materials and in what quantities. Questions have also been raised regarding whether hazardous waste will be generated by the Project.

SDS Response: SDS will not "store" hazardous materials on-Site. The facility will only store small amounts of general cleaning and maintenance supplies. However, all of the chemicals/hazardous materials needed for the galvanizing process will be actively used in the process. NYSDEC regulations distinguish between tanks that are used to "store" materials and tanks that are used in "process." Process tanks are defined as a vessel or other equipment which is used to mix or physically, chemically or biologically change a hazardous substance. *See* 6 NYCRR § 596.1(c)(43). SDS's tanks will qualify as process tanks because the pure chemicals (i.e., hazardous substance) in each tank will be physically and chemically changed by the introduction of raw steel and heat in the galvanizing process. Process tanks are not regulated under NYSDEC's Chemical Bulk Storage regulations.

In its operations, as shown in Appendix 1 of the Air Report, SDS will utilize 12 process tanks each with an 8,884 gallon capacity. The contents of the process tanks are as follows:

- Tank 1: 10% Phosphoric Acid Degreaser Tank (pH between 1.8-2.5)
- Tanks 2-3: Rinse Tanks (mostly water and some residual phosphoric acid)
- Tanks 4-7: 15% Hydrochloric Acid Pickling Tanks
- Tanks 8-9: Rinse Tanks (mostly water and some residual hydrochloric acid)
- Tank 10: Ammonium Chloride and Zinc Chloride Flux Tank
- Tank 11: Zinc Bath Tank
- Tank 12: Cooling Bath Tank (100% water)

In the event that SDS needs to add raw materials to its process tanks (e.g., addition of phosphoric acid to maintain 10% solution and pH range), those materials will be delivered to the facility and added directly into the requisite process tank. SDS will not store any of the chemicals/raw materials used in the galvanizing process on-Site.

Additionally, SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of hazardous waste. Material that is recycled and *re-used* is not spent or discarded material. *See* 6 NYCRR § 360.2(a)(1)-(2). The facility is designed with an acid purification tank that recycles the acid, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid in the pickling tanks. This process significantly reduces and/or eliminates the need to pump out and replace the pickling tanks, thereby significantly reducing and/or eliminating the

generation of any hazardous waste. The acid purification tank itself will produce an iron oxalate byproduct that is not considered a hazardous waste and will be properly landfilled.

In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a spent material or waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. Additionally, as stated above, normal facility operations are designed with delays to prevent any drips from hitting the facility floor. However, if drips do occur, that material will be considered a waste and will be properly collected, handled and disposed of off-site. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

3. *Hazardous Air Pollutants Comment Summary*

Questions have been raised requesting information on any potential hazardous air pollutants associated with the Project.

SDS Response: Detailed air emissions calculations are provided in the Air Report, attached hereto as ***Exhibit A***. As noted in the Air Report, the Project has been designed, although specifications for emissions control equipment have not been finalized. Consequently, ***highly conservative*** estimates, based on industry norms, were used to characterize the performance of the proposed emissions control devices. Such estimates are showing preliminary pollutant collection and removal efficiencies that are lower than those typically achieved in similar facilities. These efficiencies should be readily exceeded in practice, providing actual emissions that are consistently less than the estimates provided in the Air Report. Accordingly, the Air Report is a conservative evaluation of potential air emissions from the Project.

Hydrochloric Acid emissions, which come from the pickling line solution, are a NYSDEC listed Hazardous Air Pollutant (HAP) regulated by the NYSDEC. Emissions of Hydrochloric Acid are expected to be well below the Major Source Threshold limits. Threshold limits are 25 tons per year (tpy) for all HAPs in aggregate and 10 tpy for an individual HAP. The calculations demonstrate that the maximum concentration of Hydrochloric Acid at the outlet of the scrubber will fall below the short term guidance concentration of 2,100 micrograms per cubic meter. As the guidance concentration is intended to be measured at off-site receptors (after being significantly diluted by the surrounding air), falling below this level at the emissions point is indicative of assured compliance without the need for air dispersion modeling. Accordingly, the Project is expected to qualify for an Air Registration Certificate subject to certain regulations,

as provided in the Air Report, rather than a state facility permit or a Title V permit, due to the limited emissions resulting from the Project.

In addition, the emissions of fugitive particulates are shown to fall well below the Major Source Threshold of 100 tpy. The Project will utilize a three-stage filtration system to remove particulates from the galvanizing room. First the particulates will pass through a diatomaceous earth pressure-sensing baghouse filter, followed by HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

Furthermore, the Project's tanks, galvanizing kettle and buildings will be heated by natural gas boilers. Comfort heating will be supplied by exempt natural gas space heaters. Based on the fuel consumption estimates provided by the Project's design team, total nitrogen oxide emissions from combustion operations will total less than 11 tpy. This is well below the Major Source Threshold of 100 tpy. As such, all stationary combustion facilities will be exempt from permitting requirements.

SDS will continue to work with the NYSDEC and will comply with all applicable regulations and requirements, including obtaining an Air Registration. Accordingly, the Project will not have any significant adverse impacts on air.

4. *Traffic/West Romulus Road Comment Summary*

Questions have been raised regarding potential plans and timing to repair and re-open West Romulus Road. Commenters have also requested information regarding truck and employee traffic flow. Questions were also raised regarding emergency access to the Site.

SDS Response: As shown in the Traffic Letter, at ***Exhibit B***, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive that runs through SDS' private property, not a public road. While SDS anticipates paving and re-opening West Romulus Road for employee and truck traffic to the Project, it will still be a private drive. SDS will repair, maintain and plow

West Romulus Road. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans in place.

As noted above, emergency services departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once construction of Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

It should be noted that, as indicated in the Traffic Letter, the existing SDS facility currently operates with approximately 30% of employees carpooling on a daily basis. It is anticipated that a similar percentage of employees will carpool for the Project, which further reduces the volume of site-generated trips. However, the Traffic Letter does not take carpooling into account for purposes of a "worst-case" analysis. As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have a significant adverse impact on traffic operations and no further study is warranted or recommended.

5. *Archaeologically Sensitive Area Comment Summary*

Comments have noted that the Project Site is located in an archaeologically sensitive area.

SDS Response: As noted above, SDS has commissioned a Phase I archaeological study for the Site, at the request of the OPRHP. Once the results of that study are received, SDS will continue to consult with the OPRHP as necessary to address any archeological issues that may exist on the Site, or to confirm that no such issues exist. Although we understand the Site is in proximity to an archeologically sensitive area, no significant adverse impacts are anticipated because of the previous disturbances and evaluation at the Site and the Depot. SDS will work to obtain a letter of no effect from the OPRHP.

6. *Flora & Fauna Comment Summary*

Comments have requested any site-specific comments from the NYSDEC and NYS Natural Heritage Program in support of SDS' Flora and Fauna Survey Report.

SDS Response: SDS consulted with NYSDEC's New York Natural Heritage Program regarding the presence of rare or state-listed animals and plants, and significant natural communities in the vicinity of the Project Site. In response, SDS received a letter dated May 15, 2019 regarding two species - - Bald Eagles and the Short-eared Owl - - that NYSDEC's database indicated may occur at or near the Project Site. A copy of the May 15 letter is annexed hereto as ***Exhibit F***. Both species were addressed in the Flora & Fauna Report annexed as Appendix H to the EA (the "Flora & Fauna Report"). The Flora & Fauna Report noted that Bald Eagles do nest in the vicinity of the Parcel, though not the Site itself. Similarly, the Flora & Fauna Report noted that Short-eared Owls have been identified in the vicinity of the Depot, but it is unlikely that the Site provides optimum habitat for Short-eared Owls. Accordingly, the Flora & Fauna Report concluded that the Project will have minimal impact on the Bald Eagles present on the Depot and will not jeopardize or adversely affect Short-eared Owl individuals or populations. In addition, on June 4, 2019, SDS met with the NYSDEC for a pre-application meeting whereat wildlife staff could not attend but staff noted that they do not anticipate issues with the SDS Project relative to wildlife. *See* ***Exhibit G***.

7. *Rezoning Comment Summary*

Several questions have been raised regarding the rezoning of the entire SDS Parcel, or the smaller SDS Site. Additionally, questions have been raised whether SDS' rezoning application will be combined with the rezoning application for farming and homes on Depot property.

SDS Response: SDS is only seeking a rezoning to WITE of the approximately 18-acre Site, not the entire approximately 75-acre Parcel. Further, SDS' rezoning application will not be combined with the rezoning process for the farming/homesteading of a portion of the Depot property. SDS and the potential farmers are still in the process of negotiating and executing a contract for the purchase of the land. As such, the farmer's application for a rezoning will take place if and when all ownership issues are resolved.

8. *Utilities Comment Summary*

Concerns have been raised that the electricity infrastructure is insufficient to accommodate the full buildout of the Project. In addition, comments noted that utility lines may need to be placed in the WITE area where there is a drilling moratoria.

SDS Response: The current electrical infrastructure is sufficient to accommodate Phase I of the Project. SDS has had several discussions with NYSEG regarding upgrades to the existing infrastructure. NYSEG has indicated that once Phase I is operational, it will work with SDS to upgrade the existing infrastructure from the substation to the Site. This work will mostly involve upgrading the electrical line from the substation, however, some utility poles may also

require upgrading. When this work is complete, the Site will have adequate power for full buildout of the Project. In addition, only a small portion in the southern part of the WITE-area has a drilling moratoria. No drilling will occur in this restricted area.

9. *Sewer District Comment Summary*

Concerns have been raised regarding a moratoria on new hookups to the sewer district due to NYSDEC issues.

SDS Response: It is anticipated that the sewer moratorium will be resolved before SDS is operational. However, as an alternative, if the issue is not resolved before construction, SDS will pump all sanitary waste to a buried tank. SDS will engage a private service to pump out the tank on a regular basis. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system.

10. *Solar Development Comment Summary*

Questions have been raised regarding the status of these projects.

SDS Response: Solar Development projects are currently working through the interconnection process and feasibility analysis with the utility. However, if and when these projects move forward, they are separate projects from the SDS Project.

11. *Site Plan Approval Comment Summary*

Questions have been raised whether site plan approval will be sought for all three phases at once or separately.

SDS Response: The SEQR review of potential environmental impacts associated with the Project is being conducted for the entire Project at full buildout (i.e., all three phases). However, SDS will seek site plan approval one phase at a time. This will allow greater flexibility for SDS and the Town to make real time adjustments to the plans based on current operations. This will also provide for greater public involvement in the individual Project phases.

12. Plant Shift Comment Summary

Questions have been raised regarding whether the facility will have shifts. and whether current employees of SDS' existing facility be retained at new plant or will all/mostly all new employees be hired.

SDS Response: Initially, it is anticipated that there will be just be one shift per day. SDS' current facility will remain operational and will maintain a baseline of existing employees, even after full buildout of the Project. Some of SDS' current employees will be retained at the new Project facility and many new employees will be hired.

13. Funding Comment Summary

Are there any other agencies that will have a funding role, aside from the SCIDA and ESD?

SDS Response: In addition to SENIDA and ESD, it is anticipated that the Community Development Block Grant Program will have a funding role in the Project.

14. Site Visits

The Planning Board indicated it would like to coordinate site visits.

SDS Response: We welcome a site visit from local officials! Any Board member who wishes to visit the Site can coordinate through Phillips Lytle or reach out to Earl Martin directly.

As noted above, in addition to the comment summaries included herein, a compilation of ***all*** of the comments received and detailed, itemized responses to each comment are annexed hereto as ***Exhibits H and I***.

III. CONCLUSION

SDS has undertaken extensive public, town and agency outreach to provide detailed information on Project plans and to solicit feedback on potential issues and concerns. In addition, SENIDA, as the SEQR Lead Agency, has retained Fisher Associates to thoroughly review Project documentation, the results of which are represented in Fisher Associates' numerous and substantive comments requesting clarification and additional documentation. And finally, SDS has provided substantial documentation in the EA and in this Supplemental EA, as well as detailed responses to all substantive comments received. SDS will continue to provide additional information and respond to any additional material issues raised at the

July 11 public meeting as well as any additional comments from Fisher Associates on the materials provided herein.

Overall, a number of temporary and/or minor environmental impacts have been identified in connection with the Project. However, it is very respectfully submitted that a thorough analysis of these potential impacts reveals that where necessary, such impacts have been mitigated to the greatest extent possible by the design of the Project and that none of these impacts will be significant.

If you have any questions, please contact the undersigned.

Very truly yours,

Phillips Lytle LLP

By

Kimberly R. Nason

cc: New York State Homes & Community Renewal
New York State Department of Environmental Conservation, Region 8
Town of Romulus Planning Board
Town of Romulus Town Board
Town of Romulus Zoning Board of Appeals
Empire State Development
United States Army Corps of Engineers
New York State Department of Transportation, Region 3
New York State Department of Transportation, Cayuga/Seneca Residency
Seneca County Planning Board
Seneca County Board of Supervisors
Seneca County Public Works
Seneca County Office of Emergency Management
Village of Ovid Fire Department
Romulus Volunteer Fire Dept., Inc.
Varick Volunteer Fire Co., Inc.
Romulus Central School
Town of Varick

EXHIBIT A

Seneca Dairy Systems
Air Emissions Calculations

Executive Summary

Seneca Dairy Systems, LLC ("SDS") proposes to construct and operate Seneca Dairy Systems Agricultural Manufacturing Facility ("Project") on a portion of Tax Map Parcel No. 02-1-01 located on the former Seneca Army Depot (the "Depot") in the Town of Romulus, Seneca County, New York, and sited at the southwest corner of West Romulus Road and Fayette Road ("Site"). The Project is to be completed over time in multiple construction phases. SDS retained LaBella Associates, DPC ("LaBella") to complete an analysis (the "Analysis") of the potential and actual air emissions estimates in advance of the submission of an air permit application to the New York State Department of Environmental Conservation (DEC). The calculations in this Analysis are based on a methodology developed by the U.S. Environmental Protection Agency (EPA) and published in EPA Document: 905/4-76-002 entitled "Emissions from Hot-dip Galvanizing Processes." The Project has been designed, but the specifications for emissions control equipment have not been finalized. Consequently, highly conservative estimates, based on industry norms, have been used in this Analysis to characterize the performance of the proposed emission control devices. Such estimates are showing preliminary pollutant collection and removal efficiencies that are lower than those typically achieved in similar facilities. These efficiencies should be readily exceeded in practice, providing actual emissions that are consistently less than the estimates provided herein.

The calculations demonstrate that maximum emissions of the Hazardous Air Pollutant (HAP) Hydrogen Chloride (HCl) will be well below the Major Source Thresholds of 25 tons per year (tpy) for all HAPs in aggregate and 10 tpy for any individual HAP. The calculations also demonstrate that the maximum concentration of HCl at the outlet of the scrubber will fall below the short term guidance concentration of 2,100 $\mu g/m^3$. As the guidance concentration is intended to be measured at off-site receptors (after being significantly diluted by the surrounding air), falling below this level at the emission point is indicative of assured compliance without the need for air dispersion modeling.

The emission of fugitive particulates (PM-10s) are shown to fall well below the Major Source Threshold of 100 tpy. The Project will utilize a three-stage filtration system to remove particulates from the galvanizing room. This system will consist of a diatomaceous earth baghouse filter, followed by HEPA filtration and polished with carbon filtration. This system will vent back into the galvanizing room so that only greatly reduced fugitive emissions will be capable of being emitted. No particulates emissions point source is associated with the project.

The Project's tanks and galvanizing kettle will be heated by natural gas. Comfort heating will be supplied by exempt natural gas space heaters. Based on fuel consumption estimates provided by the Project's design team, total NOx emissions from combustion operations will total less than 11 tpy. This is well below Major Source Threshold of 100 tpy. All stationary combustion facilities proposed for the Project will be exempt from permitting under New York State regulations.

Therefore, the Project should qualify for an Air Registration Certificate and be subject only to the following regulations:

6 NYCRR Part 200	General Provisions
6 NYCRR Part 201	Permits and Registrations
6 NYCRR Part 211	General Prohibitions
6 NYCRR Part 212	General Process Emission Sources

Introduction

The galvanizing process is described in a schematic diagram attached as Appendix 1. All tanks used in the process will be kept under negative pressure and are provided with folding covers that remain in place until a traveling crane hood has been lowered into position above the tank to capture emissions and prevent spattering. The hood remains in place until the process step is completed and the tank cover is closed. This protocol ensures that virtually all tank emissions are captured and routed to the scrubber. Scrubber liquor consisting of captured hydrogen chloride and phosphoric acid is returned to the rinse tanks as make-up water. The SDS design team has determined that all scrubber liquor can be recycled as make-up water, eliminating the need for a wastewater stream.

The Project will employ an anti-vapor additive that reduces emissions from the pickling process. Emissions will also be reduced by allowing pickled steel to be heated to 300^{o} F after flux treatment. This reduces spattering and particulate formation when the product is lowered into the zinc bath. Hydrogen chloride used in the pickling tank will be recycled through the use of an acid reclamation process. Iron oxalate precipitated from acid reclamation will be landfilled. Zinc solids (dross) will be captured and removed from the zinc bath and recycled.

Emissions Calculations

Pickling Tank Uncontrolled Emissions Calculations

Pickling operations will occur in four tanks of identical size and configuration that are designated Tanks 4 through 7 in the process schematic diagram provided in Appendix 1. Emissions from these tanks will occur during two operating states. When the tanks are closed and folding covers are in place over each tank, 100 cfm is evacuated from above the tank to create negative pressure. This ventilation will continue at all times. When the tanks are open, a moveable hood and hoist will be in place above the open tank and 15,000 cfm of ventilation will be withdrawn. Evaporation of HCl from an aqueous solution may be determined using the following equation:

$$E = 25[0.46 + 0.117(V)]\log[(760-P_a)/(760-P_v)]TA \text{ (lb/hr)}$$

Where:

V_o = Air velocity across surface of tank when open

V_c = Air velocity across surface of tank when closed

P_v = Vapor pressure of HCl Solution

P_a = 0 (Indicating no change in partial pressure due to evaporation)

Data:

Exhaust when closed	100 cfm	Tank area (l x w)	118.56 ft^2
Exhaust when opened (hood)	15,000 cfm	HCl Concentration	15%
Tank width (w)	4.16 ft	HCl temperature	83^{o} F = 32.2^{o} C
Tank length (l)	28.5 ft	P_v (Tabular Value)	0.9516

Intermediate Calculations:

V_o = 15,000 cfm / 118.56 ft^2 / 60$_{sec/min}$ = 2.11 ft/s

V_c = 100 cfm / 118.56 ft^2 / 60$_{sec/min}$ = 0.014 ft/s

Tank Open Time 4 Hours per day, 5 days per week = 1040 hr/yr

Tank closed when not open = 8,760 – 1040 = 7720 hr/yr

E_{open} = 25[0.46 + 0.117(2.11)]log[(760-0)/(760-0.9516)(118.56) = 0.082 lb/hr(1040hr) = 85.28 lb/yr

E_{closed} = 25[0.46 + 0.117(0.014)]log[(760-0)/(760-0.9516)(118.56) = 0.0535 lb/hr(7720 hr) = 413.02 lb/yr

Potential Tank emissions = 0.082 x 1040 + 0.0535 x 7720 = 498 lb/yr (per tank) x 4 tanks = 1,992 lb/yr.

Uncontrolled Hydrogen Chloride Conclusion:

The uncontrolled potential to emit of hydrogen chloride from all four pickling tanks is less than 1 ton per year. This is well below the Major Source Threshold of 5 tons per year, indicating that the Project should qualify for an Air Registration Certificate.

Pickling Tank Controlled Emissions Calculations

The emissions reduction attributable to control devices is cumulative and can be determined through the successive application of the following formula:

$$E_C = E(1 - Eff\%/100)$$

Where:

E_c = Controlled Emissions

E = Uncontrolled Emissions

Eff% = Efficiency of control device

Emissions from the pickling tanks will be suppressed through the use of an anti-vapor additive whose manufacturer states that emissions are reduced by 70%.

E_{open} = 0.082 lb/hr x (1-70/100) = 0.0246 lb/hr x (1040hr) = 25.58 lb/yr x 4 tanks = 102.32 lb/yr

E_{closed} = 0.0535 lb/hr x (1-70/100) = 0.0161 lb/hr x (7720 hr) = 123.91 lb/yr x 4 tanks = 495.64 lb/yr

Total emissions after use of the additive would be 598 lb/yr.

Since the crane hood will be in place until each tank is completely closed, it is reasonable to assume that the closed lid will capture all (100%) of evaporative losses and route them to the scrubber. For the purpose of this calculation, a highly conservative estimate of crane hood capture efficiency is set at 95%. The actual capture efficiency can be developed after a complete design for this hood is prepared or with testing after construction. Typical capture efficiencies are considerably higher than the efficiency used in this estimate. Under this assumption, 95% of open tank emissions are captured and routed to the scrubber and 5% form fugitive emissions.

$E_{captured}$ = 0.0246 lb/hr(95/100) = 0.02337 lb/hr x 1040 = 24.30 lb/yr x 4 tanks = 97.2 lb/yr

$E_{fugitive}$ = 0.0246 lb/hr(1-95/100) = 0.00123 lb/hr x 1040 = 1.28 lb/yr x 4 tanks = 5.12 lb/yr

All emissions from the closed tanks (495.64 lb/yr) and the captured emissions from the crane hoods (97.2 lb/yr) will be routed to a scrubber whose efficiency is conservatively expected to be at least 97%. Total emissions routed to the scrubber are therefore 592.8 lb/yr.

Scrubber Emissions = 592.8 lb/yr (1-97/100) = 17.8 lb/yr

Controlled Hydrogen Chloride Conclusion:

Maximum hourly tank emissions will occur at 0.0246 lb/hr when a crane hood is located over a pickling tank. As there are two crane hoods there is a potential for 0.0492 lb/hr to be captured. This amount will be reduced by the assumed 97% efficiency of the scrubber to 0.01476 lb/hr. This amount will be diluted by the 15,000 cfm of the scrubber, equating to 900,000 cfh, thus the maximum emissions concentration at the outlet of the scrubber will be:

(0.01476 lb/900,000 cf)(lb/4.4359E8µg/lb)/(0.02831m^3/cf) = 262.7 µg/m^3

This is well below the short term guidance concentration for Hydrogen Chloride which is listed in DEC Publication DAR-1 (Air Guide 1) at 2,100 µg/m^3. As the guidance concentration is intended to be measured at off-site receptors (after being significantly diluted by the surrounding air), falling below this level at the emission point is indicates assured compliance with public safety requirements without the need for air dispersion modeling.However, emission of HAP requires that a permit be obtained. This Project should qualify for an Air Registration Certificate.

Galvanizing Kettle Emissions

Process Data Provided by Client:

a Operating Days	20/mo (260/yr)
b Operating Hours	4 hr/day
c Maximum Steel Throughput	80,000 lb/day
d Projected Zinc Usage	123,589 lb/mo
e Projected Zinc waste (recycled)	12,359 lb/mo

Process Calculations:

f	Daily zinc to product	5,133 lb/day	*(d-e)/a*
g	Finished Production	85,133 lb/day	*(c+f)*
h	Hourly Production	21,283 lb/hr	*a/a/b*
i	Maximum Annual Production	11,067 tpy	*d X [a]/2000*
J	Operating Hours per Year	1040	*a X (b)*

Emissions Calculation

Galvanizing kettle emissions are based on data published by the EPA consisting of an overall emission factor (EF) of 0.52 lb PM10 per ton galvanized steel produced. Fugitive emissions are calculated using a percentage that is the reciprocal of the efficiency of the capture hood. For the purpose of this calculation, hood capture efficiency is conservatively estimated at 90%.

The three-stage emission control, consisting as a fabric filter, HEPA filter and charcoal filtration is conservatively estimated at 99%. (Typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better.) As the galvanizing kettle emissions will exhaust into the facility and not through an emission point it is reasonable to assume that only fugitive emissions will be vented to the atmosphere.

k	Hourly PM10 Emissions (uncontrolled)	5.53 lb/hr	*h/2000 X EF*
l	Annual PM10 Emissions (uncontrolled)	2.88 tpy	*i/2000 X EF*
m	Hourly Emissions Captured	4.98 lb/hr	*k X 0.9*
n	Annual Emissions Captured	2.59 tpy	*l X 0.9*
o	Hourly Fugitive Emissions (hood)	0.55 lb/hr	*k X 0.1*
p	Annual Fugitive Emissions (hood)	0.29 tpy	*l X 0.1*
q	Hourly Fugitive Emissions (filters)	0.25 lb/hr	*m X 0.05*
r	Annual Fugitive Emissions (filters)	0.13 tpy (259 lb/yr)	*n X 0.05*
s	Total Hourly Fugitive Emissions	0.8 lbhr	*o+q*
t	Total Annual Fugitive Emissions	0.41 tpy (820 lb/yr)	*p+r*

Speciation of particulate (PM10) emissions is provided as follows:

Species	% of PM_{10}	lb/hr	lb/yr
PM_{10}	100	0.8	820
NH_4Cl	68	0.54	557.6
ZnO	16	0.13	131.2
$ZnCl_2$	4	0.03	32.8
Zn	5	0.04	41.0
NH_3	1	0.008	8.2

Particulates Conclusion

Using a conservative estimation strategy, fugitive particulate emissions from this Project fall well below the permitting threshold at less than one half of one ton per year. Therefore, this Project would not require an air permit based on particulate emissions.

Degreasing Tank Emissions

The degreasing tank uses phosphoric acid, which is a non-hazardous air pollutant acid and is therefore considered "trivial" under 6 NYCRR 201-3.3(c)(47). Degreasing tank emissions are not considered in this analysis because they are not regulated emissions.

Combustion Process Emissions

The Pickling Tanks (Tanks 4 -7) and the Flux Tank (Tank 10) will be maintained at temperature at all times through the use of a natural gas fired hot water boiler that has not yet been specified. SDS estimates that fuel consumption for this boiler will total 6 Mcfh. This energy consumption would equate to a boiler that inputs 6.3 MMBtu/h. Under 6 NYCRR 201-3.2(c)(1), stationary combustion installations with a heat input capacity under 10 MMBtu/h are exempt from permitting. Utilizing EPA emission factors for Source Classification Code (SCC) 1-03-006-03 (for boilers under 10 MMBtu/h combusting natural gas) and assuming 6 Mcfh for 8,760 hours per year, total annual fuel input is 52.56 MMcf and the resulting emissions are detailed in Table 1, below.

The galvanizing kettle will be heated by direct firing of natural gas. SDS estimates that this kettle will utilize 8 Mcfh which equates to 8.4 MMBtu/h. Under the above-cited regulation, the kettle will also be an exempt stationary combustion facility. Emissions from this form of external combustion boiler are best represented by the same SCC code as above. Annual emissions would therefore be based on an annual combustion of 70.08 MMcf of natural gas and are detailed in Table 2.

The remaining buildings on site will be heated by natural gas-fired space heaters. SDS estimates maximum hourly fuel consumption at 26 Mcfh, or a combined input of 27.3 MMBtu/h. As these consist of multiple units, none of which exceeds the permitting threshold of 10 MMBtu/h, these units will be exempt from permitting. Potential to emit is based on operation at 8,760 hours per year; however these units will not be in operation at all times. To account for actual operation, a cycling factor of 0.4 is applied, reducing estimated actual fuel consumption from 227.76 MMcf to 91.1 MMcf. Emissions at this level of operation are detailed in Table 3.

Combustion Process Conclusion

Aggregate emissions from the above three combustion processes are summarized in Table 4 and indicate that emissions of NOx and PM from the boilers will not exceed one half the major source threshold, even if combined with fugitive particulates from the galvanizing process. Therefore, this Project would not require an air permit based on combustion process or combined particulate emissions.

Table 1

Natural Gas-fired Hot Water Boiler Emissions

Degreasing and Pickling Tanks

Annual Fuel Million Cubic Feet 52.56	Reportable Constituent	Emission Factor (lb/MMcf)	Emissions (lbs)
SCC CODE	Carbon monoxide	8.400E1	4,415.04
	Sulfur dioxide	6.000E-1	31.54
1-03-006-03	PM 2.5	7.600E0	399.46
	PM10, total	7.600E0	399.46
	PM, total	7.600E0	399.46
	Nitrogen oxides (NOx)	1.00E+02	5,256.00
	Total organic compounds	1.10E+01	578.16
	Carbon Dioxide	1.20E+05	6,307,200.00
	Nitrous Oxide	2.20E+00	115.63
	Methane	2.30E+00	120.89

Table 2

Direct-fired Natural Gas Kettle Emissions

Galvanizing Tank

Annual Fuel Potential Million Cubic Feet 70.08	Reportable Constituent	Emission Factor (lb/Mgal)	Emissions (lbs)
SCC CODE	Carbon monoxide	8.400E1	5,886.72
	Sulfur dioxide	6.000E-1	42.05
1-03-006-03	PM 2.5	7.600E0	532.61
	PM10, total	7.600E0	532.61
	PM, total	7.600E0	532.61
	Nitrogen oxides (NOx)	1.00E+02	7,008.00
	Total organic compounds	1.10E+01	770.88
	Carbon Dioxide	1.20E+05	8,409,600.00
	Nitrous Oxide	2.20E+00	154.18
	Methane	2.30E+00	161.18

Table 3

Natural gas-fired Space Heaters

Annual Fuel Potential Million Cubic Feet 91.10	Reportable Constituent	Emission Factor (lb/Mgal)	Emissions (lbs)
SCC CODE	Carbon monoxide	2.00E+01	1,822.00
	Sulfur dioxide	6.00E-01	54.66
1-05-001-06	PM 2.5	8.70E+00	792.57
	PM10, total	8.70E+00	792.57
	PM, total	8.70E+00	792.57
	Nitrogen oxides (NOx)	1.00E+02	9,110.00
	Total organic compounds	5.30E+00	482.83
	Carbon Dioxide	1.20E+05	10,932,000.00
	Nitrous Oxide	2.20E+00	200.42
	Methane	2.30E+00	209.53

Table 4

Total Project Combustion Emissions

Reportable Constituent	**lbs.**	**Tons**
Carbon monoxide	12,123.8	6.06
Sulfur dioxide	128.2	0.06
PM 2.5	1,724.6	0.86
PM10, total	1,724.6	0.86
PM, total	1,724.6	0.86
Nitrogen oxides (NOx)	21,374	10.68
Total organic compounds	1,831.87	0.91
Carbon Dioxide	25,648,800	12,824.4
Nitrous Oxide	470.2	0.24
Methane	491.6	0.23

Conclusion

The Project is not a major source of HAP or any criteria pollutant. The potential to emit is below the permitting threshold; however the Project is subject to 6 NYCRR 212 as a Process Emission Source of a Hazardous Air Pollutant (hydrogen chloride). DEC will assign a hazard rating for these emissions. Based on the low emission rate demonstrated in these highly conservative calculations, it is reasonable to assume a hazard rating of "D" may be achieved. Such a rating would indicate:

> *"An air contaminant whose discharge will not result in measurable or observable effects on receptors, nor add to an existing or predictable atmospheric burden of that contaminant which may cause adverse effects, considering properties and concentrations of the emissions, isolated conditions, stack height, and other factors."*

6 NYCRR 212-1.3(e)

The rating would also require no additional emission controls be applied.

All other emission sources identified herein are exempt from permitting under 6 NYCRR 201-3.2 and are exempt from Federal NESHAP and NSPS requirements due to size or applicability limits. The Project should therefore qualify for an Air Registration Certificate and be subject only to the following regulations:

6 NYCRR Part 200	General Provisions
6 NYCRR Part 201	Permits and Registrations
6 NYCRR Part 211	General Prohibitions
6 NYCRR Part 212	General Process Emission Sources

Monitoring requirements will likely include monitoring the pressure drop across some or all of the stages of the particulates filter apparatus, monitoring the opacity of air exiting the filter apparatus, and the testing of the HCl concentration at the scrubber outlet. DEC may also require testing of the capture efficiencies of the control devices.

Senaca Dairy Systems

Galvanizing Process Schematic

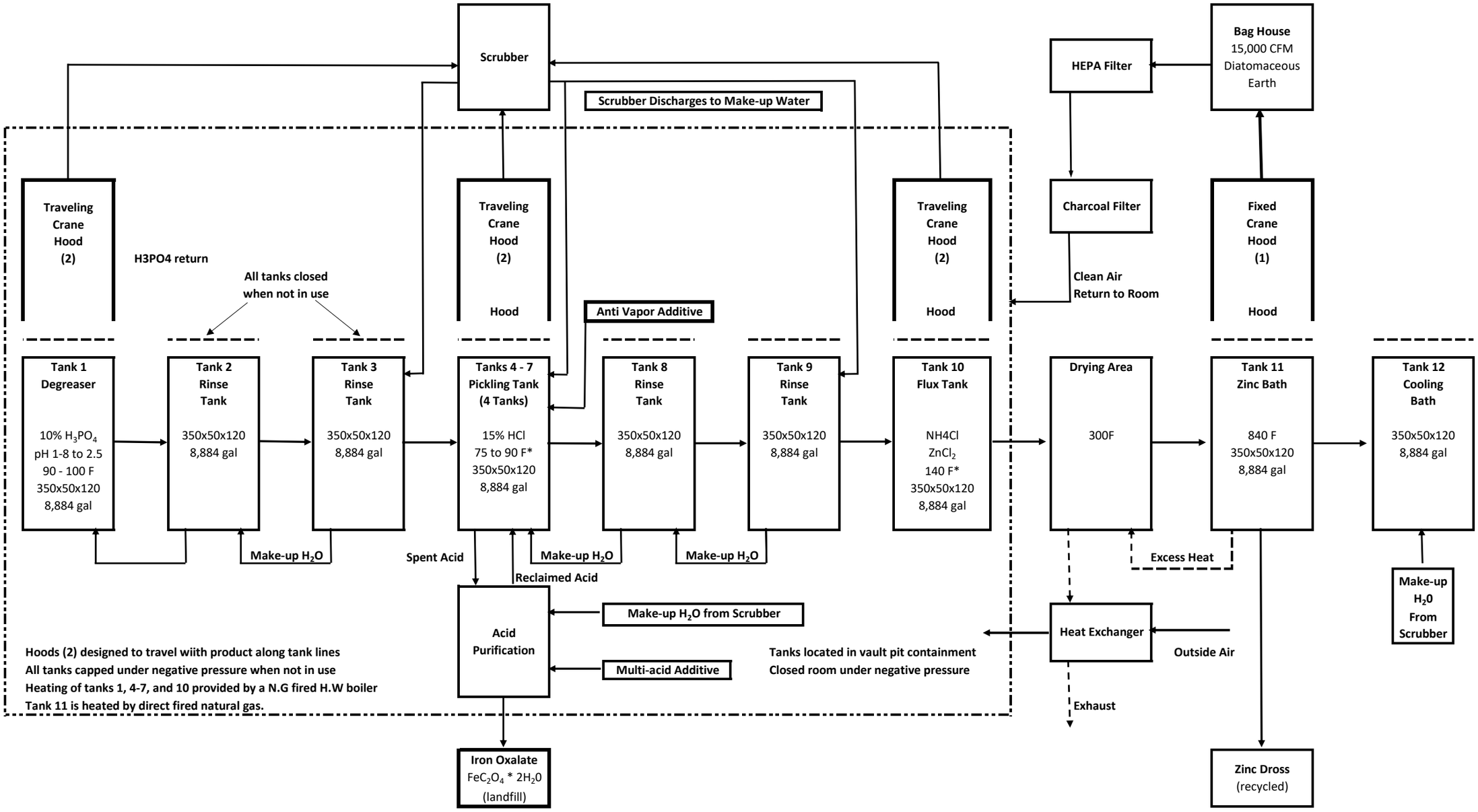


EXHIBIT B

SRF ASSOCIATES
www.srfa.net
Transportation Planning / Engineering / Design

3495 Winton Place
Building E, Suite 110
Rochester, NY 14623

phone 585.272.4660

June 27, 2019

Seneca Dairy Systems LLC
3236 Hoster Road
Seneca Falls, New York 13148
Attn: Mr. Earl Martin

RE: Seneca Dairy Systems Development, NYR Route 96, Town of Romulus, NY
Trip Generation/Distribution Letter

Dear Mr. Martin:

The purpose of this Technical Letter is to provide a trip generation and distribution assessment for the referenced project, as outlined in the attached site materials. This letter details projected trip generation volume estimates for both passenger vehicles and trucks, distribution of site generated trips, and discusses the thresholds for completing a Traffic Impact Study (TIS). The proposed development is located on the southwest corner of the Fayette Road/West Romulus Road intersection on a portion of the former Seneca Army Depot site in the Town of Romulus, NY. The site location and study area are depicted in **Figure 1** (all figures are attached at the end of this letter).

EXISTING HIGHWAY SYSTEM

The following information outlined in **Table I** provides a description of the existing roadway network within the project study area. The existing transportation network and Average Daily Traffic (ADT) is shown on **Figure 2**.

TABLE I: EXISTING HIGHWAY SYSTEM

ROUTE[1]	FUNC. CLASS[2]	JURIS.[3]	SPEED LIMIT[4]	# OF TRAVEL LANES[5]	TRAVEL PATTERN/ DIRECTION	EST. AADT[6]	AADT SOURCE[7]
NY 96A	Major Collector	NYSDOT	55	2	Two-way/ North-South	2,955	NYSDOT (2016)
NY 96	Major Collector	NYSDOT	35	2	Two-way/ North-South	2,686	NYSDOT (2016)
NY 414	Minor Arterial	NYSDOT	55	2	Two-way/ North-South	2,491	NYSDOT (2016)

Notes:
1. "NY" = New York State Route
2. State Functional Classification of Roadway: All are Rural.
3. Jurisdiction: "NYSDOT" = New York State Department of Transportation.
4. Posted or Statewide Limit in Miles per Hour (MPH).
5. Excludes turning/auxiliary lanes developed at intersections.
6. Estimated Annual Average Daily Traffic (AADT) in Vehicles per Day (vpd).

7. Source (Year). Obtained volumes represent the most recent available data.

Turning movement traffic counts at the intersections of East Patrol Road/NY 96, NY 96/CR 148, and CR 148/NY 414 were collected on Thursday, September 14th, 2017 by SRF Associates. Traffic counts were conducted between 7:00-9:00 AM and 4:00-6:00 PM. The data indicates that during these periods, the peak hours of traffic at the study intersections are generally 7:00-8:00 AM and 4:00-5:00 PM. 24-hour north-south directional counts along NY Route 96A were collected from Monday, June 13th to Thursday, June 16th, 2016 by the NYSDOT.

The existing conditions, weekday AM and PM peak hour volumes are shown in **Figure 3**.

PROPOSED DEVELOPMENT

The proposed project will construct an industrial plant totaling 221,600 ± square feet (SF):

- 120,000 SF Mill/Weld Shops
- 48,600 SF Galvanizing Plant
- 47,000 SF Warehouse
- 6,000 SF Office

Access is provided via four full access driveways: one along West Romulus Road and three along Fayette Road. **Figure 4** illustrates the proposed Site Plan.

Data contained in Trip Generation 10th Edition (2017), published by the Institute of Transportation Engineers (ITE), was used to project the volume of traffic generated by the proposed project. Data published by the ITE is the nationally accepted standard for generating trips for new uses. **Table II** summarizes the volume of projected site trips during the weekday AM and PM peak hours.

TABLE II: SITE GENERATED TRIPS

DESCRIPTION	ITE LUC[1]	SIZE/ UNITS	AM PEAK HOUR		PM PEAK HOUR	
			ENTER	EXIT	ENTER	EXIT
Warehousing	150	47,000 SF	24	7	9	24
Mill/Weld Shop/Galvanizing Plant	110	168,600 SF	58	8	7	46
Office Building	710	6,000 SF	28	4	1	7
Truck Deliveries	N/A	N/A	5	5	5	5
Total Site Generated Trips			***115***	***24***	***22***	***82***

Notes:

1. "ITE LUC" = Institute of Transportation Engineers Land Use Code

The proposed project is expected to generate approximately 115 entering/24 exiting vehicle trips during the AM peak hour and 22 entering/82 exiting vehicle trips during the PM peak hour.

Figure 5A & 5B show the anticipated trip distribution pattern percentages for the proposed site traffic. **Figure 6A & 6B** illustrate the peak hour site generated traffic based on those percentages.

It should be noted that the existing Seneca Dairy Systems facility operates with approximately 30% of employees carpooling to work every day. It is expected that the proposed facility will operate with a similar percentage of workers carpooling which would reduce the volume of site generated trips. This

analysis does not take into account this potential trip reduction to provide an evaluation of a "worst case" condition.

Additionally, truck drivers will be instructed to enter the site through the West Romulus Road entrance along Route 96A rather than the East Patrol Road entrance along Route 96. Truck trip generation estimates are based upon the attached traffic excerpt from the project's **Letter of Intent**.

THRESHOLDS FOR THE REQUIREMENT OF A TRAFFIC IMPACT STUDY

Reviewing agencies, including the New York State Department of Transportation (NYSDOT), use a guideline in determining whether a project warrants the preparation of a TIS. The applicable guideline is that if a proposed project is projected to add 100 site generated vehicles per hour (vph) on any one intersection approach, then that intersection should be studied for potential traffic impacts. The guideline was developed as a tool to identify locations where the magnitude of traffic generated has the potential to impact operations at off-site intersections and screen locations from requiring detailed analysis as they are unlikely to result in the need for mitigation.

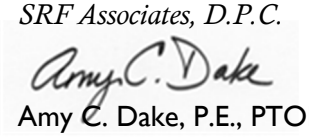
The proposed project is projected to generate an increase of 102 vph entering and exiting the project site at East Patrol Road during the AM peak hour. However, since the project only meets the 100 vph guideline during the AM peak hour and the Average Daily Traffic (ADT) along NY Route 96 in the vicinity of this project is relatively low, a traffic study is not warranted or recommended for this project.

CONCLUSIONS & RECOMMENDATIONS

Given the low volume of projected site generated traffic and low amount of existing traffic within the study area, it is our firm's professional opinion that the proposed project will not have any potentially significant adverse impact on traffic operations within the greater study area. No further study is warranted or recommended.

If you have any questions or require additional information, please do not hesitate to contact our office.

Very truly yours,
SRF Associates, D.P.C.



Amy C. Dake, P.E., PTOE
Senior Managing Traffic Engineer

Attachments: Trip Generation Estimates
Figures
Letter of Intent Excerpt

AD/pv

S:\Projects\2019\39035 Seneca Dairy Systems Farmington\Report\Seneca Dairy Systems Farmington - Trip Gen.docx

ATTACHMENT

June 20, 2019

Letter to

Mr. Earl Martin
SENECA DAIRY SYSTEMS LLC

Proposed Seneca Dairy Systems Development
Trip Generation/Distribution Letter

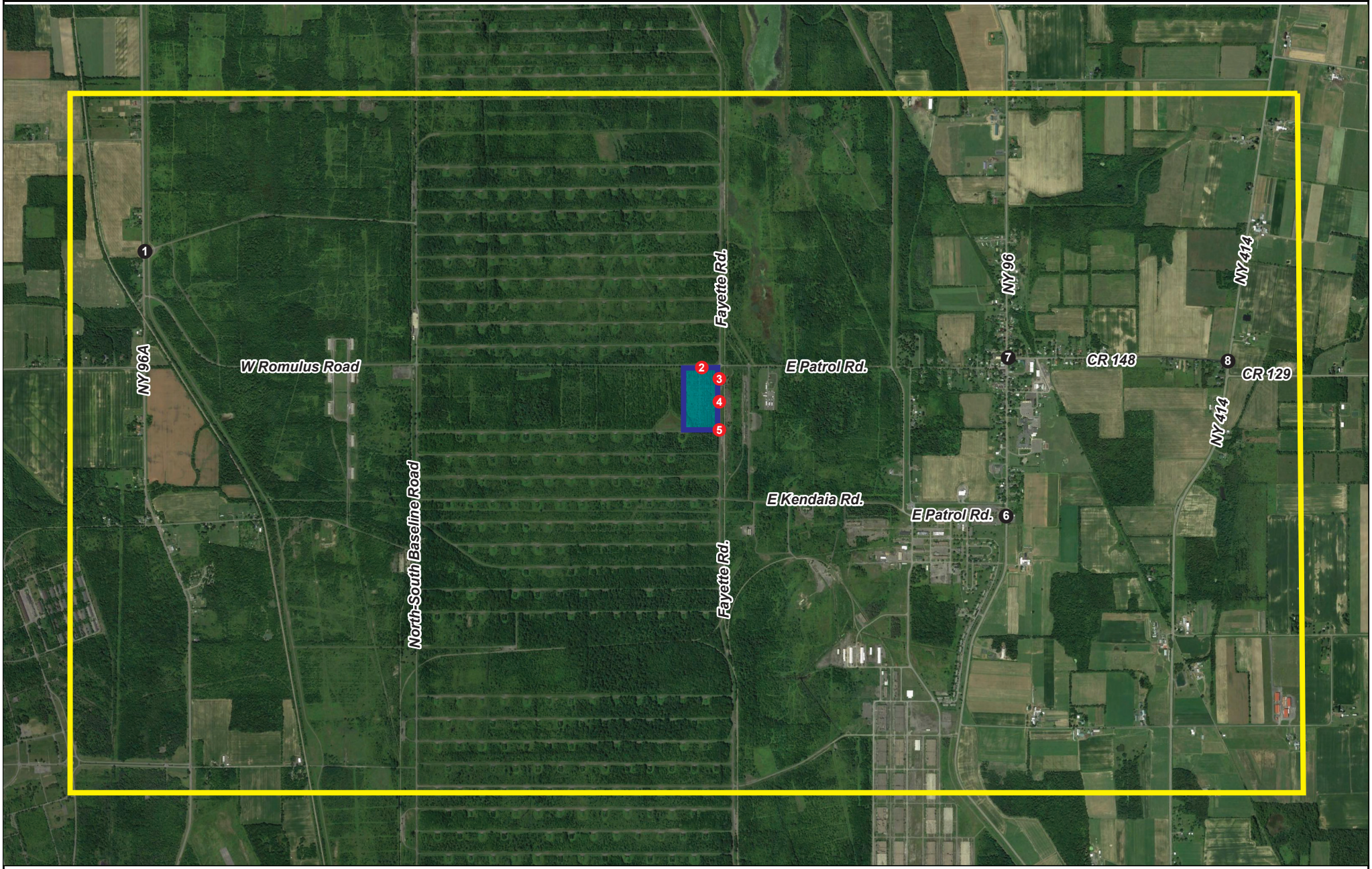
Town of Romulus

Seneca County, New York

SRF ASSOCIATES

3495 Winton Place
Building E, Suite 110
Rochester, NY 14623

FIGURE 1 - SITE LOCATION AND STUDY AREA



Study Intersection
Proposed Intersection
Site Location
Study Area

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT

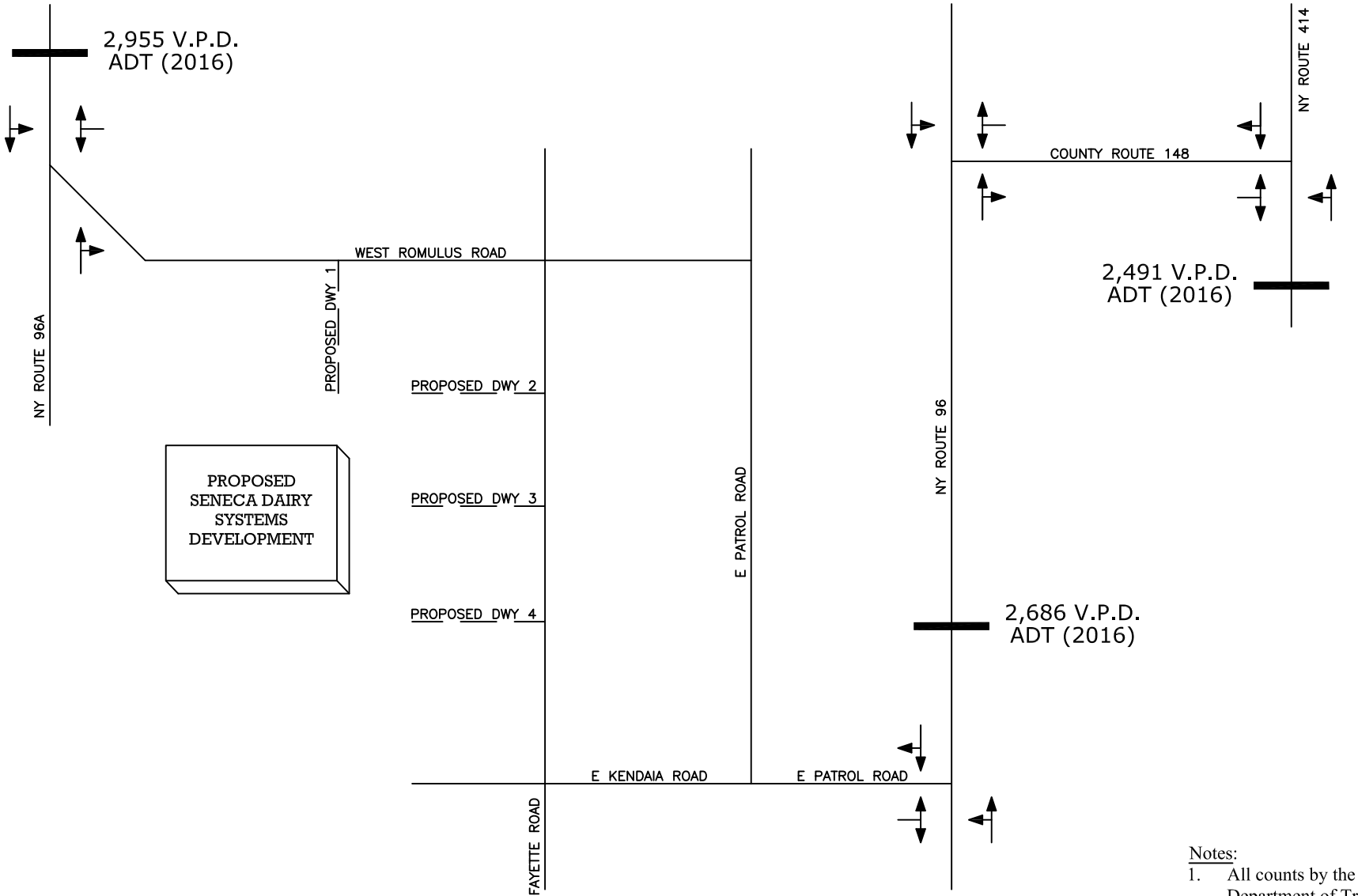
TOWN OF ROMULUS, NY

0 2,000 4,000 8,000

Feet

N

SRF ASSOCIATES
www.srfa.net
Transportation Planning / Engineering / Design



Notes:
1. All counts by the NYS Department of Transportation.
2. V.P.D. = Vehicles per Day.

PROJECT NO: 39035

SRF ASSOCIATES
Transportation Planning / Engineering / Design
www.srfa.net / (585) 272-4660

N

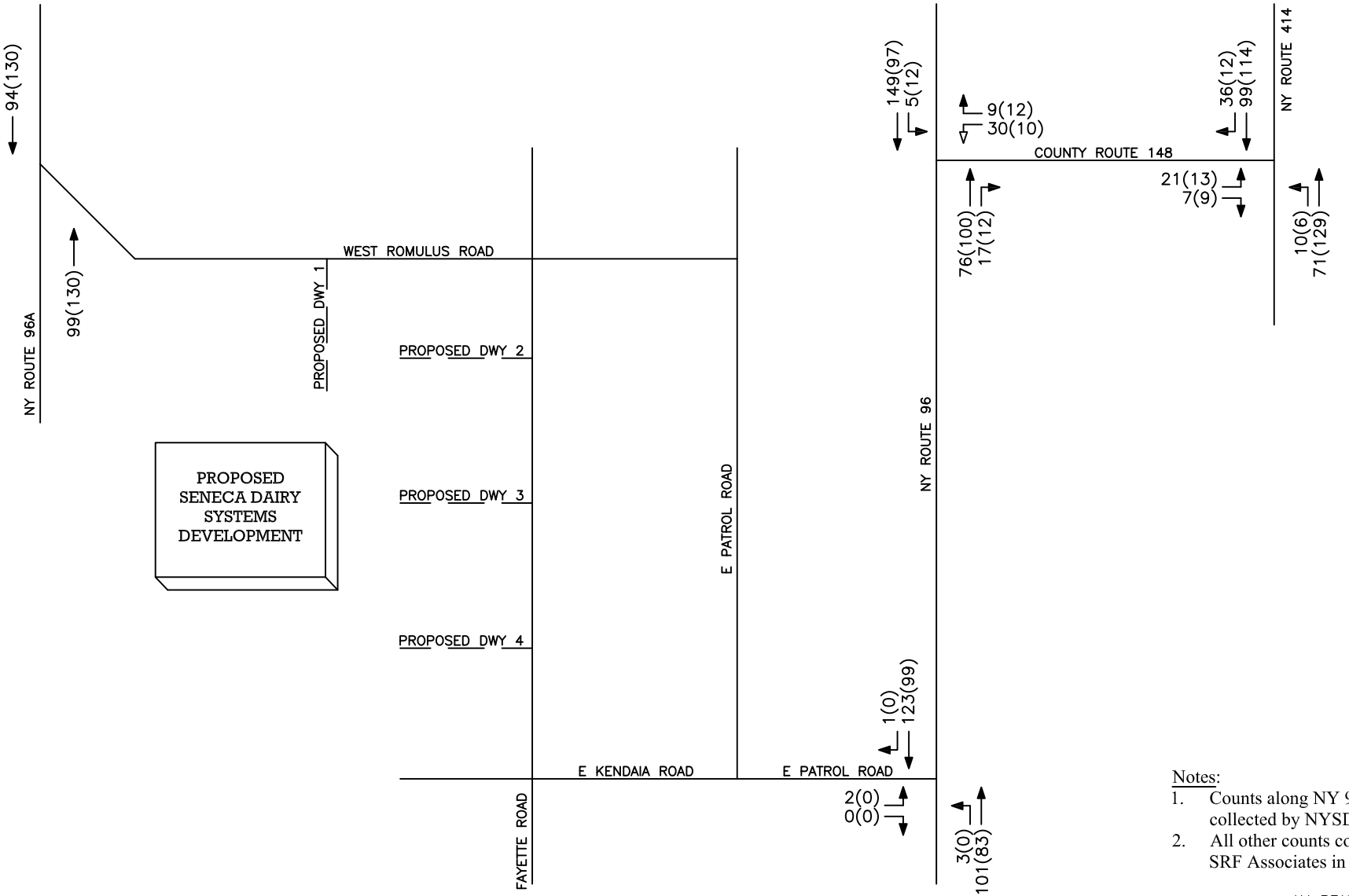
NOT TO SCALE

FIGURE 2

LANE GEOMETRY &
AVERAGE DAILY TRAFFIC

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT,
TOWN OF ROMULUS, NY

KEY



Notes:
1. Counts along NY 96A were collected by NYSDOT in 2016.
2. All other counts collected by SRF Associates in 2017.

AM PEAK: 7:00–8:00
PM PEAK: 5:00–6:00

PROJECT NO: 39035

SRF ASSOCIATES
Transportation Planning / Engineering / Design
www.srfa.net / (585) 272-4660

N

NOT TO SCALE

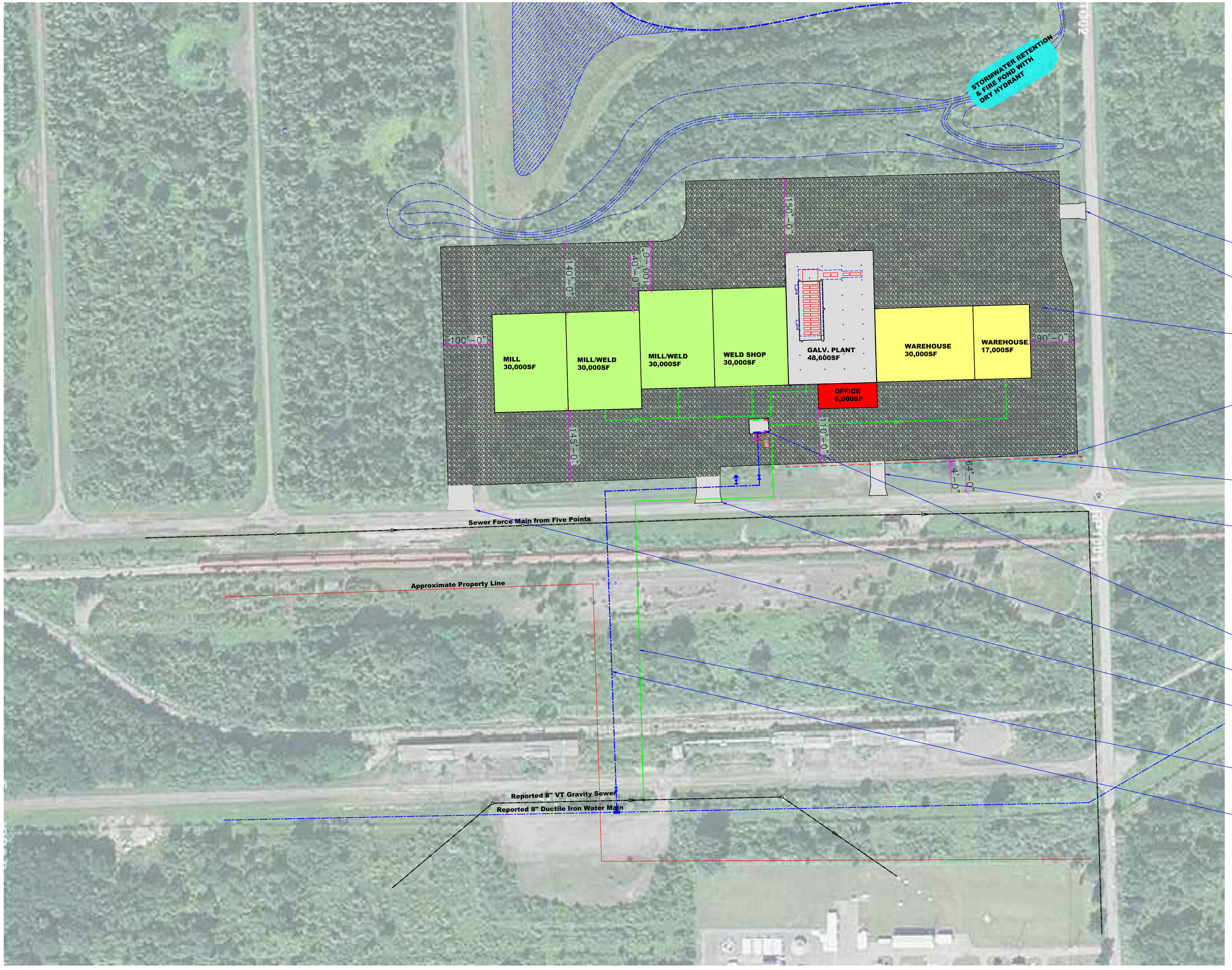
FIGURE 3

PEAK HOUR VOLUMES
EXISTING CONDITIONS

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT,
TOWN OF ROMULUS, NY

KEY

00(00) = AM(PM)



SITE PLAN

SCALE: 1" = 100'-0"

0' 50' 100' 200'

PROJECT SUMMARY

1. UTILITY BUILDING (EXISTING) (1,200 SF)
2. GALVANIZING PLANT (48,600 SF)
3. OFFICES (6,000 SF)
4. MILL/ WELD FACILITIES (120,000 SF)
5. WAREHOUSE AREA (47,000 SF)
6. PAVED (CONCRETE) AND GRAVEL AREAS FOR PARKING AND SITE TRAFFIC (APPROXIMATELY 524,000 SF)
7. STORMWATER MANAGEMENT SYSTEM (POND AND INFILTRATION BASIN WITH RIPRAP CHECK DAMS, ETC.)
8. SITE UTILITIES (WATER, SEWER, GAS, ELECTRIC, FIBER OPTICS)

- INFILTRATION BASINS WITH RIP RAP CHECK DAMS
- ACCESS DRIVEWAY 1 CONCRETE
- YARD AREA (SITE TRAFFIC AND PARKING) PAVED WITH CONCRETE
- UNDERGROUND UTILITY ELECTRIC
- UNDERGROUND UTILITY FIBER OPTICS
- ACCESS DRIVEWAY 2 CONCRETE
- UTILITY BUILDING (EXISTING) 40'X30'
- ACCESS DRIVEWAY 3 CONCRETE
- ACCESS DRIVEWAY 4 CONCRETE
- LOW PRESSURE SEWER SYSTEM
- WATER MAIN

WARNING

IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, OTHER THAN WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

DRAWN BY: JTM
PROJ. ENGR.: JTM
PROJ. MNGR.: JTM
CHECKED BY: JTM

NO.	DATE	DESCRIPTION
0	04/12/19	FOR APPROVAL

REVISIONS

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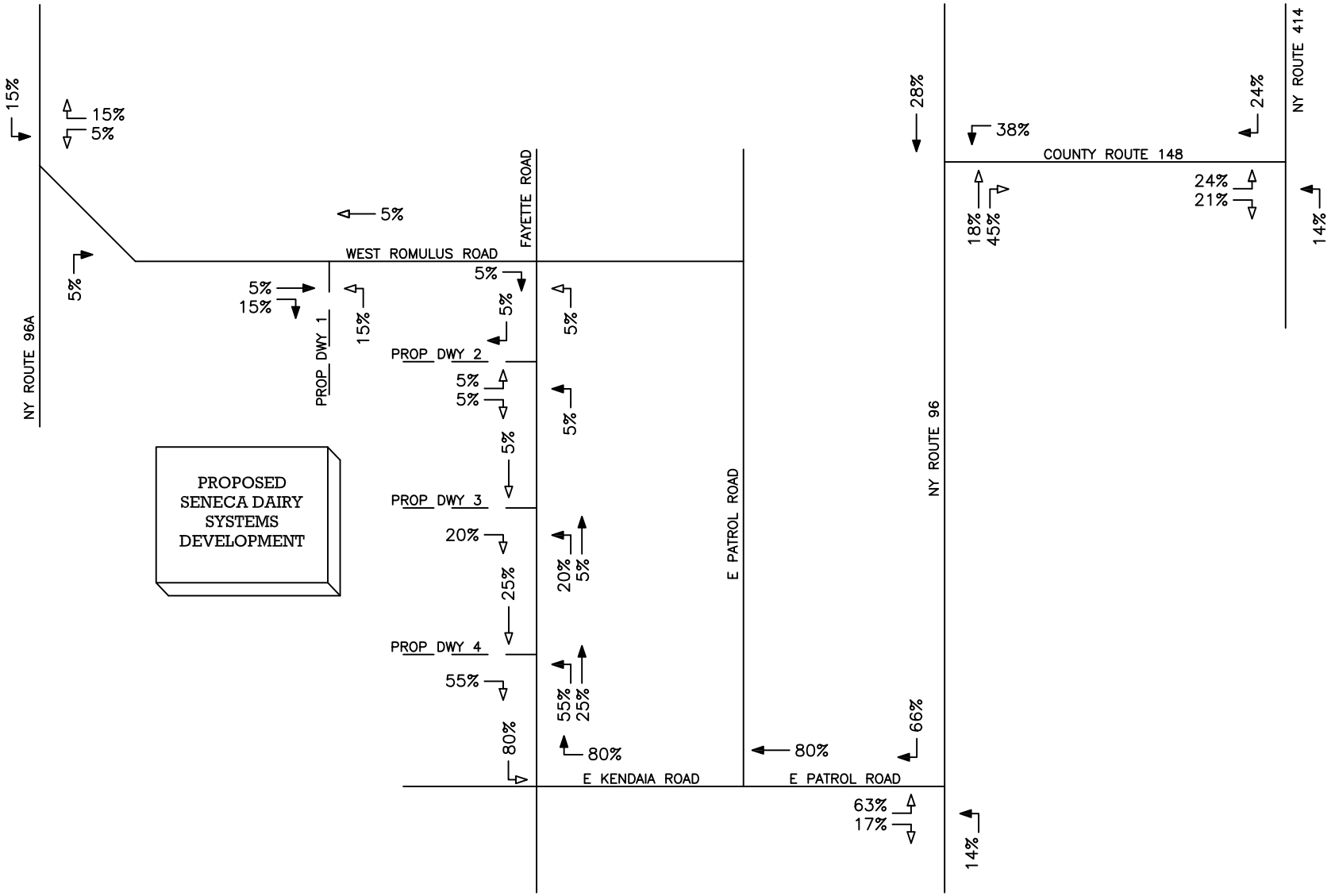
McCormick Engineering P.C.
294 Skuse Road
Geneva, New York 14456
(585) 721-7219

JOB No. 18-119

Seneca Dairy Systems Manufacturering Facility
Former Seneca Army Depot
(T) ROMULUS, SENECA CO., NEW YORK

SITE SKETCH
COMPLETED PROJECT

Scale: AS NOTED
Date: 04/19
DWG. C-4.0



PROJECT NO: 39035

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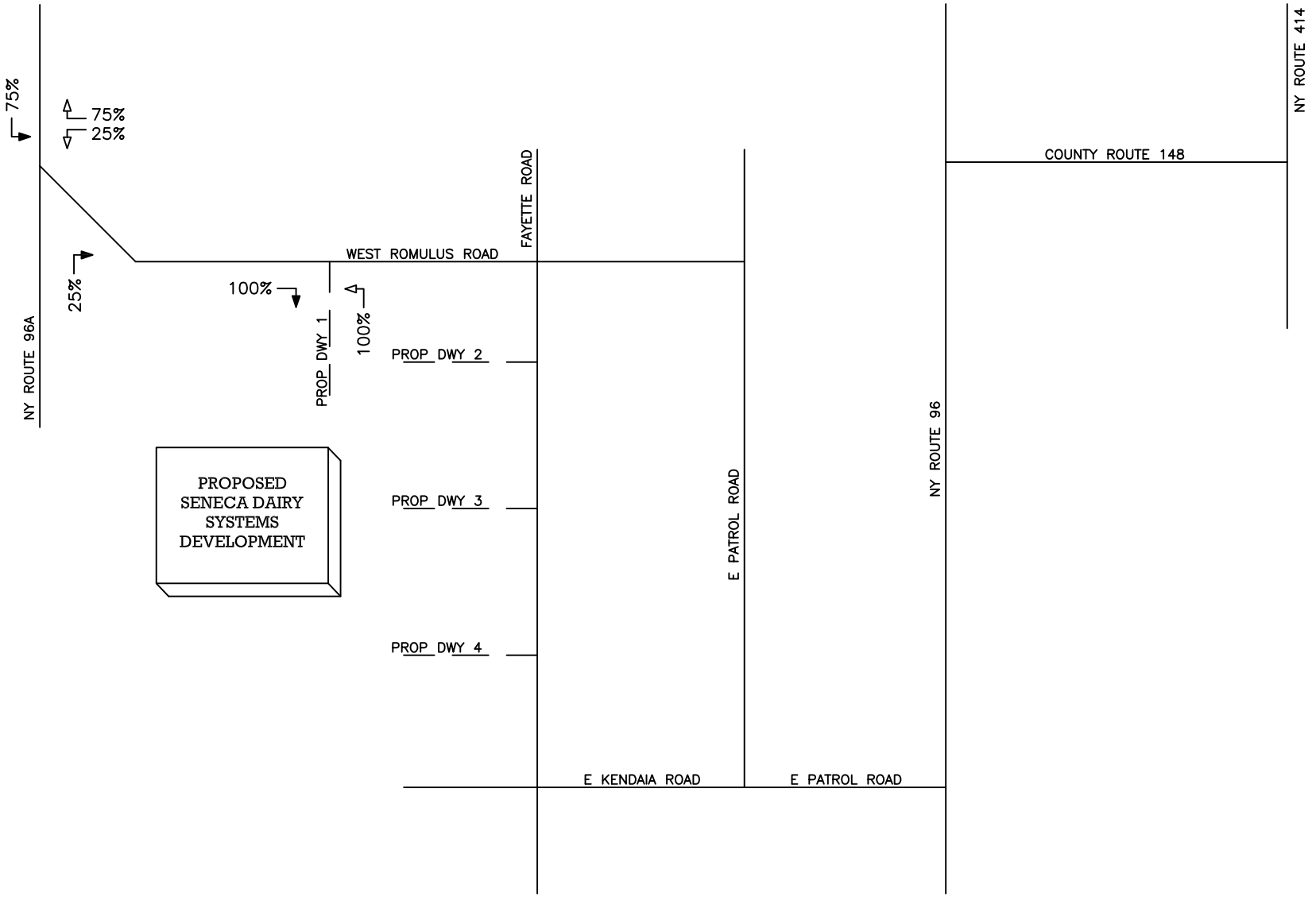
FIGURE 5A

TRIP DISTRIBUTION - PASSENGER VEHICLES

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT,
TOWN OF ROMULUS, NY

KEY

- - - PROPOSED DWY
00(00) = AM(PM)
→ = ENTERING TRIPS
→ = EXITING TRIPS



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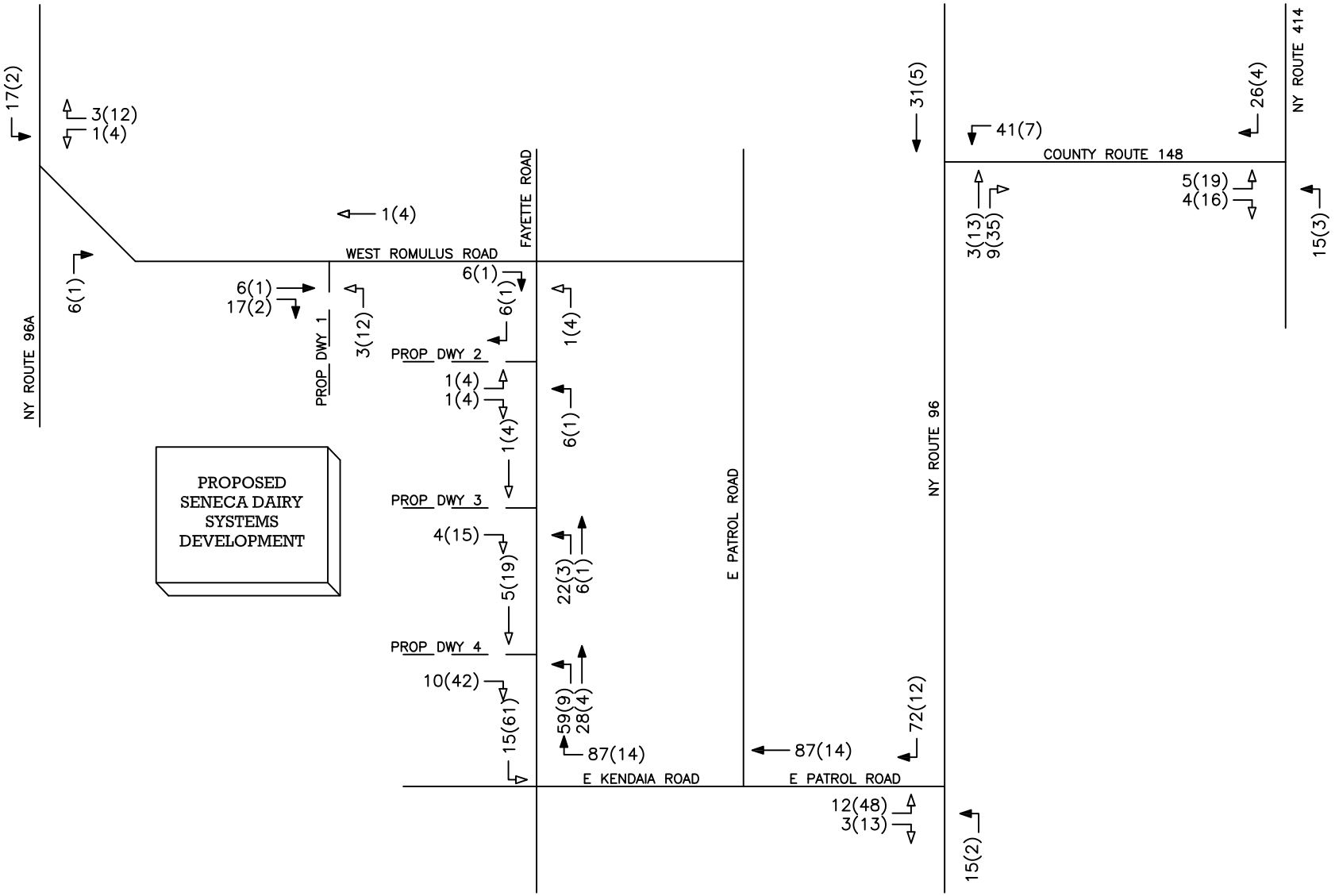
FIGURE 5B

TRIP DISTRIBUTION - TRUCKS

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT,
TOWN OF ROMULUS, NY

KEY

— — — PROPOSED DWY
00(00) = AM(PM)
→ = ENTERING TRIPS
→ = EXITING TRIPS



PROJECT NO: 39035

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FIGURE 6A

SITE GENERATED TRIPS -
PASSENGER VEHICLES

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT,
TOWN OF ROMULUS, NY

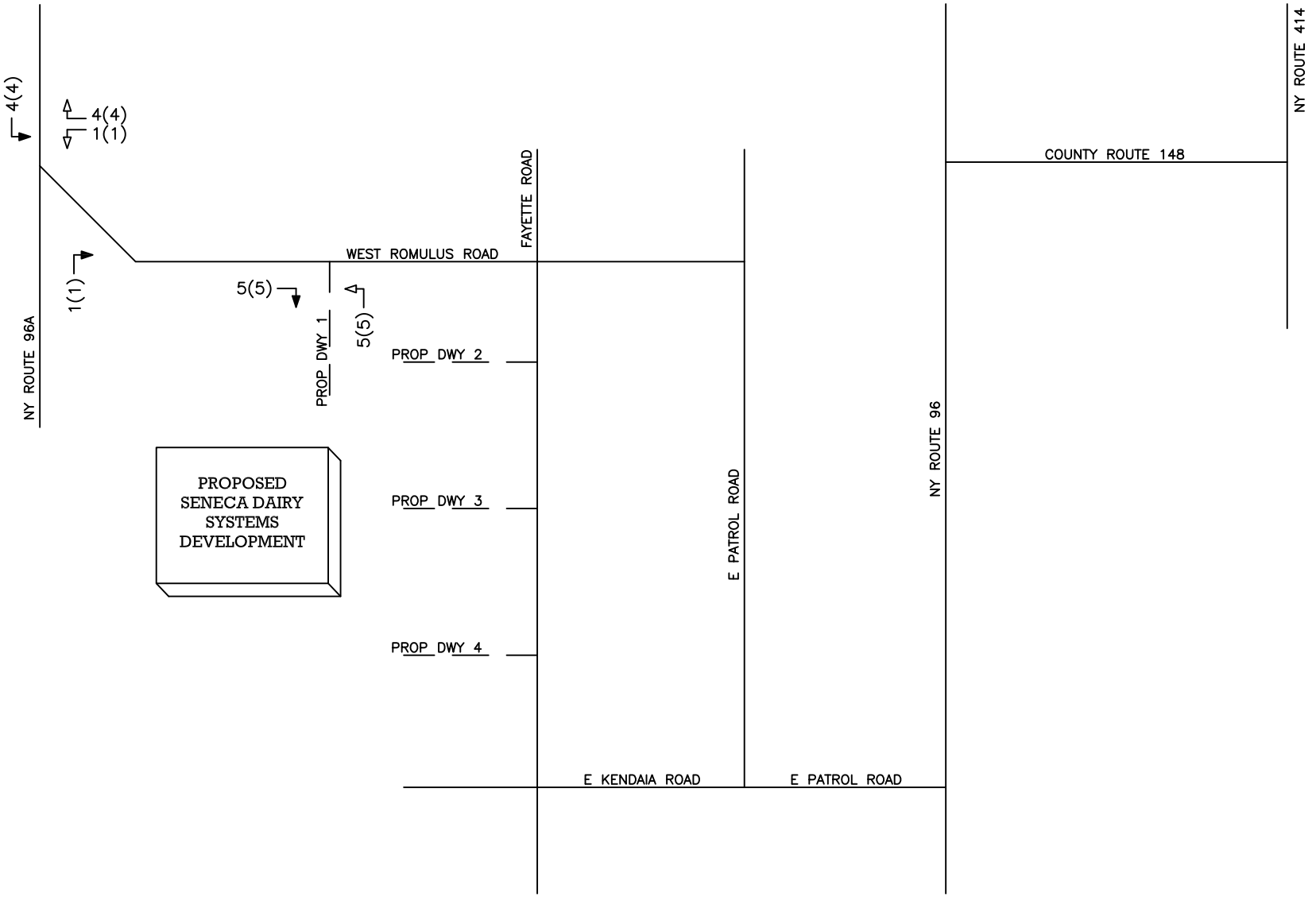
KEY

— — — PROPOSED DWY

00(00) = AM(PM)

→ = ENTERING TRIPS

→ = EXITING TRIPS



PROJECT NO: 39035

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FIGURE 6B

SITE GENERATED TRIPS -
TRUCKS

PROPOSED SENECA DAIRY SYSTEMS DEVELOPMENT,
TOWN OF ROMULUS, NY

KEY

— — — PROPOSED DWY
00(00) = AM(PM)
→ = ENTERING TRIPS
→ = EXITING TRIPS

Project Information	
Project Name:	Seneca Dairy Systems
No:	38035
Date:	6/4/2019
City:	Romulus
State/Province:	New York
Zip/Postal Code:	
Country:	
Client Name:	Seneca Dairy Systems LLC
Analyst's Name:	SRF & Associates
Edition:	ITE-TGM 10th Edition

Land Use	Size	Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 7 and 9 a.m.		Weekday, Peak Hour of Adjacent Street Traffic, One Hour Between 4 and 6 p.m.	
		Entry	Exit	Entry	Exit
150 - Warehousing	47,000 SF	24	7	9	24
Mill/Weld Shop/Galv. Plant (110 - General Light Industrual)	168,600 SF	58	8	7	46
710 - General Office Building	6,000 SF	28	4	1	7
Total Trips		110	19	17	77

K. Impact on Critical Environmental Areas

There are no designated Critical Environmental Areas as described in Subdivision 6 NYCRR 617.14(g) on the Parcel or in proximity to the Project or Project area. Accordingly, the Project will not have any significant adverse impacts upon Critical Environmental Areas.

L. Impact on Transportation

The main entrance to the Site is located off of West Romulus Road which runs east/west between Route 96A and Route 96, both major highways designed to accommodate large volumes of traffic. West Romulus Road, which has been closed for the last several years, will be repaired and maintained as the main access route to the Site. The main Site access will be off of Route 96A to the west and generally all heavy trucks will be routed to enter from Route 96A. SDS is also investigating the possibility of accessing the Site via the former main Depot entrance off of State Route 96 and small amounts of traffic may utilize this entrance. Nonetheless, the majority of traffic will be limited to state highways (Routes 96 or 414 if coming from the south, Routes 96, 96A or 414 if coming from the north, and Route 5/U.S. 20 if coming from the east or west). All of these state highways are adequate to handle the modest level of truck traffic that will service the Project, therefore no roadway modifications or improvements (beyond repairs to West Romulus Road) are needed for the Project.

In terms of anticipated levels of traffic, peak traffic will occur Monday through Friday between 5:30 AM and 6:30 PM, the majority of which will be employees arriving and departing from work. Employment levels associated with Phase 1 will be approximately 66 jobs through the second year of operation of the Project. Eventually, over the ten year build-out, employment levels are expected to peak at approximately 125 employees the majority of which will work a

shift from 6:30 AM to 4:30 PM, and incidental office staff will stay until 5:00 PM. Most employee traffic occurs outside the "normal" commuter peak hours. Additionally, SDS encourages employee carpooling, and a large population of current employees utilize ride sharing, and certain divisions will work at different times to reduce the amount of traffic to the Site. Nonetheless, these employment levels represent a very small portion of the jobs and level of traffic that the Depot historically experienced.

In addition to employee-related vehicle trips, there will be approximately 3-5 semi-trailers and 4-5 small flatbed trailers making deliveries to the Site each day, 1 scrap metal truck delivery per week, and incidental small package deliveries each day (USPS, UPS and FedEx). Generally, the traffic generated by the delivery trucks would be spread out over the course of a day, in a manner that can easily be accommodated by the existing roadway network. These levels are consistent with traffic levels currently serving other areas at the Depot and no new infrastructure is necessary to service the Project. Accordingly, the Project will not have any significant adverse impacts upon transportation or the transportation network.

M. Impact on Energy and Utilities

The development of the Project will have minor impacts to energy and utilities.

1. Water

The Project will create a new demand for approximately 2,000 gallons of water per day for domestic usage to serve its employees and in manufacturing operations. Part of the daily water requirements will be collected rain water and water used in manufacturing operations will be recirculated and reused where practicable. There are currently existing water lines that serve the Site. These lines connect to the existing Seneca County Water District. Neither expansion of the water district nor extension within the water district is needed to service the Project.

EXHIBIT C

Instructions for Completing Part 1

Part 1 is to be completed by the applicant or project sponsor. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification.

Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information; indicate whether missing information does not exist, or is not reasonably available to the sponsor; and, when possible, generally describe work or studies which would be necessary to update or fully develop that information.

Applicants/sponsors must complete all items in Sections A & B. In Sections C, D & E, most items contain an initial question that must be answered either "Yes" or "No". If the answer to the initial question is "Yes", complete the sub-questions that follow. If the answer to the initial question is "No", proceed to the next question. Section F allows the project sponsor to identify and attach any additional information. Section G requires the name and signature of the applicant or project sponsor to verify that the information contained in Part 1is accurate and complete.

A. Project and Applicant/Sponsor Information.

Name of Action or Project: Seneca Dairy Systems Agricultural Manufacturing Facility		
Project Location (describe, and attach a general location map): Southwest corner of West Romulus Road and Fayette Road, on the former Seneca Army Depot, in the Town of Romulus, New York, 14588		
Brief Description of Proposed Action (include purpose or need): Seneca Dairy Systems LLC (" SDS ") proposes to redevelop a portion of an approximately 75 acre parcel of land bounded on the north by West Romulus Road (" Parcel ") located on the former Seneca Army Depot (" SEDA " or " Depot ") in the Town of Romulus (" Town "), in Seneca County, New York. The redevelopment entails revitalizing a portion of the Parcel by constructing and operating the Seneca Dairy Systems Agricultural Manufacturing Facility (" Project "), a state-of-the-art galvanizing mill and related operations to allow SDS to expand existing operations and meet growing demand for the company ' s products. The Project will result in the development of approximately 18 acres of the Parcel and will be sited at the southwest corner of West Romulus Road and Fayette Road (" Site "). The Project will be completed in multiple phases over approximately ten years.		
Name of Applicant/Sponsor: Earl Martin	Telephone: 315 246 1515 E-Mail: emartin@senecadairysystems.com	
Address: 3236 Hoster Rd		
City/PO: Seneca Falls	State: New York	Zip Code: 13148
Project Contact (if not same as sponsor; give name and title/role):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:
Property Owner (if not same as sponsor):	Telephone: E-Mail:	
Address:		
City/PO:	State:	Zip Code:

B. Government Approvals

B. Government Approvals, Funding, or Sponsorship. ("Funding" includes grants, loans, tax relief, and any other forms of financial assistance.)

Government Entity	If Yes: Identify Agency and Approval(s) Required	Application Date (Actual or projected)
a. City Counsel, Town Board, or Village Board of Trustees ☑Yes ☐No	Romulus Town Board Rezoning	June 2019
b. City, Town or Village Planning Board or Commission ☑Yes ☐No	Romulus Planning Board Special Use Permit	June 2019
c. City, Town or Village Zoning Board of Appeals ☑Yes ☐No	Romulus ZBA Possible Area Variance	TBD
d. Other local agencies ☐Yes ☑No		
e. County agencies ☑Yes ☐No	Seneca County Water and Sewer District Approvals	TBD
f. Regional agencies ☑Yes ☐No	SENIDA, ESD	TBD
g. State agencies ☑Yes ☐No	NYSDEC Air Permit, Stream Disturbance Permit for possible creek bank work, SPDES, Sewer	TBD
h. Federal agencies ☑Yes ☐No	USACOE, CDBG	TBD

i. Coastal Resources.

i. Is the project site within a Coastal Area, or the waterfront area of a Designated Inland Waterway? ☐Yes ☑No

ii. Is the project site located in a community with an approved Local Waterfront Revitalization Program? ☐Yes ☑No

iii. Is the project site within a Coastal Erosion Hazard Area? ☐Yes ☑No

C. Planning and Zoning

C.1. Planning and zoning actions.

Will administrative or legislative adoption, or amendment of a plan, local law, ordinance, rule or regulation be the only approval(s) which must be granted to enable the proposed action to proceed? ☐Yes ☑No

- **If Yes,** complete sections C, F and G.
- **If No,** proceed to question C.2 and complete all remaining sections and questions in Part 1

C.2. Adopted land use plans.

a. Do any municipally- adopted (city, town, village or county) comprehensive land use plan(s) include the site where the proposed action would be located? ☑Yes ☐No

If Yes, does the comprehensive plan include specific recommendations for the site where the proposed action would be located? ☑Yes ☐No

b. Is the site of the proposed action within any local or regional special planning district (for example: Greenway; Brownfield Opportunity Area (BOA); designated State or Federal heritage area; watershed management plan; or other?) ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

c. Is the proposed action located wholly or partially within an area listed in an adopted municipal open space plan, or an adopted municipal farmland protection plan? ☐Yes ☑No

If Yes, identify the plan(s):

_____

_____

_____

C.3. Zoning

a. Is the site of the proposed action located in a municipality with an adopted zoning law or ordinance. ☑ Yes ☐ No

If Yes, what is the zoning classification(s) including any applicable overlay district?

The Parcel is within the following Town of Romulus Zoning Ordinance Zoning Districts: A-Agriculture; I/W-Industrial/Warehousing; WITE- Warehouse, Industrial, Transportation, Energy.

b. Is the use permitted or allowed by a special or conditional use permit? ☐ Yes ☑ No

c. Is a zoning change requested as part of the proposed action? ☑ Yes ☐ No

If Yes,

i. What is the proposed new zoning for the site? Request rezoning of the Parcel to WITE to allow manufacturing & warehousing by special permit

C.4. Existing community services.

a. In what school district is the project site located? Romulus Central School District

b. What police or other public protection forces serve the project site?

Area is supported by the Seneca County Sheriffs Department along with the NYS Police.

c. Which fire protection and emergency medical services serve the project site?

Romulus Fire Department and South Seneca Ambulance. Varick Fire Department and Ovid Fire Department provide Mutual Aide Assistance

d. What parks serve the project site?

Sampson State Park.

D. Project Details

D.1. Proposed and Potential Development

a. What is the general nature of the proposed action (e.g., residential, industrial, commercial, recreational; if mixed, include all components)? Agricultural Manufacturing.

b. a. Total acreage of the site of the proposed action? 74.51 acres

b. Total acreage to be physically disturbed? 19 acres

c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor? 6800 acres

c. Is the proposed action an expansion of an existing project or use? ☐ Yes ☑ No

i. If Yes, what is the approximate percentage of the proposed expansion and identify the units (e.g., acres, miles, housing units, square feet)? % _____ Units: _____

d. Is the proposed action a subdivision, or does it include a subdivision? ☐ Yes ☑ No

If Yes,

i. Purpose or type of subdivision? (e.g., residential, industrial, commercial; if mixed, specify types)

ii. Is a cluster/conservation layout proposed? ☐ Yes ☐ No

iii. Number of lots proposed? _____

iv. Minimum and maximum proposed lot sizes? Minimum _____ Maximum _____

e. Will the proposed action be constructed in multiple phases? ☑ Yes ☐ No

i. If No, anticipated period of construction: _____ months

ii. If Yes:

- Total number of phases anticipated 3
- Anticipated commencement date of phase 1 (including demolition) Fall month 2019 year
- Anticipated completion date of final phase DEC month 2030 year
- Generally describe connections or relationships among phases, including any contingencies where progress of one phase may determine timing or duration of future phases:

Refer to the attached detailed Project description. Generally, all phases of the Project are anticipated to be complete within ten years from commencement of the Project.

f. Does the project include new residential uses? ☐ Yes ☑ No

If Yes, show numbers of units proposed.

	One Family	Two Family	Three Family	Multiple Family (four or more)
Initial Phase				
At completion of all phases				

g. Does the proposed action include new non-residential construction (including expansions)? ☑ Yes ☐ No

If Yes,

i. Total number of structures 1

ii. Dimensions (in feet) of largest proposed structure: 26' height; 200' width; and 1000' length

iii. Approximate extent of building space to be heated or cooled: 283,000 square feet

h. Does the proposed action include construction or other activities that will result in the impoundment of any liquids, such as creation of a water supply, reservoir, pond, lake, waste lagoon or other storage? ☑ Yes ☐ No

If Yes,

i. Purpose of the impoundment: Storm Water run off.

ii. If a water impoundment, the principal source of the water: ☐ Ground water ☐ Surface water streams ☑ Other specify: Construction site run off and rainwater collection.

iii. If other than water, identify the type of impounded/contained liquids and their source.

iv. Approximate size of the proposed impoundment. Volume: 1.0 million gallons; surface area: .5 acres

v. Dimensions of the proposed dam or impounding structure: 10' height; 1500' length

vi. Construction method/materials for the proposed dam or impounding structure (e.g., earth fill, rock, wood, concrete): Partially clay lined banks with the main body below grade. There will be stone check dams, stone lined basins and grass wales

D.2. Project Operations

a. Does the proposed action include any excavation, mining, or dredging, during construction, operations, or both? ☑ Yes ☐ No
(Not including general site preparation, grading or installation of utilities or foundations where all excavated materials will remain onsite)

If Yes:

i .What is the purpose of the excavation or dredging? Excavation for Stormwater management features and foundations

ii. How much material (including rock, earth, sediments, etc.) is proposed to be removed from the site?

- Volume (specify tons or cubic yards): 0
- Over what duration of time?

iii. Describe nature and characteristics of materials to be excavated or dredged, and plans to use, manage or dispose of them. Excavated materials will be used for on-site grading

iv. Will there be onsite dewatering or processing of excavated materials? ☐ Yes ☑ No
If yes, describe.

v. What is the total area to be dredged or excavated? 19 acres

vi. What is the maximum area to be worked at any one time? 5 acres

vii. What would be the maximum depth of excavation or dredging? 10 feet

viii. Will the excavation require blasting? ☐ Yes ☑ No

ix. Summarize site reclamation goals and plan: Excavated materials will be used for site grading.

b. Would the proposed action cause or result in alteration of, increase or decrease in size of, or encroachment into any existing wetland, waterbody, shoreline, beach or adjacent area? ☑ Yes ☐ No

If Yes:

i. Identify the wetland or waterbody which would be affected (by name, water index number, wetland map number or geographic description): The stormwater management system will include a retention pond that will discharge to Reeder Creek via a grass lined swale

ii. Describe how the proposed action would affect that waterbody or wetland, e.g. excavation, fill, placement of structures, or alteration of channels, banks and shorelines. Indicate extent of activities, alterations and additions in square feet or acres:
The site currently drains naturally to Reeder Creek. A series of Infiltration Basins and Stormwater Retention Pond will be used to collect and dispose of stormwater runoff from the developed site. The discharge from the developed site will be less than the existing condition. Minor bank work on Reeder Creek will be required for the swale outlet. This area of Reeder Creek was previously reshaped (straightened) by the Army. Based on these facts there would be no adverse affects on Reeder Creek.

iii. Will the proposed action cause or result in disturbance to bottom sediments? ☐ Yes ☑ No
If Yes, describe: _____

iv. Will the proposed action cause or result in the destruction or removal of aquatic vegetation? ☐ Yes ☑ No
If Yes:

- acres of aquatic vegetation proposed to be removed: _____
- expected acreage of aquatic vegetation remaining after project completion: _____
- purpose of proposed removal (e.g. beach clearing, invasive species control, boat access): _____
- proposed method of plant removal: _____
- if chemical/herbicide treatment will be used, specify product(s): _____

v. Describe any proposed reclamation/mitigation following disturbance:
Vegetative cover will be reestablished upon final grading of the swale. If necessary temporary ground cover will be established prior to final grading.

c. Will the proposed action use, or create a new demand for water? ☑ Yes ☐ No
If Yes:

i. Total anticipated water usage/demand per day: 2000 gallons/day

ii. Will the proposed action obtain water from an existing public water supply? ☑ Yes ☐ No
If Yes:

- Name of district or service area: Seneca County Water District 1. Part of our water requirements will be collected rain water.
- Does the existing public water supply have capacity to serve the proposal? ☑ Yes ☐ No
- Is the project site in the existing district? ☑ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☑ No
- Do existing lines serve the project site? ☑ Yes ☐ No

iii. Will line extension within an existing district be necessary to supply the project? ☐ Yes ☑ No
If Yes:

- Describe extensions or capacity expansions proposed to serve this project: _____
- Source(s) of supply for the district: Water comes from the Village of Waterloo Water Treatment Plant which is supplied by Seneca Lake

iv. Is a new water supply district or service area proposed to be formed to serve the project site? ☐ Yes ☑ No
If, Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- Proposed source(s) of supply for new district: _____

v. If a public water supply will not be used, describe plans to provide water supply for the project: _____

vi. If water supply will be from wells (public or private), what is the maximum pumping capacity: _____ gallons/minute.

d. Will the proposed action generate liquid wastes? ☑ Yes ☐ No
If Yes:

i. Total anticipated liquid waste generation per day: 1500 gallons/day

ii. Nature of liquid wastes to be generated (e.g., sanitary wastewater, industrial; if combination, describe all components and approximate volumes or proportions of each):
Sanitary wastewater/sewage. This facility will not discharge any industrial wastewater streams to the sanitary sewer system.

iii. Will the proposed action use any existing public wastewater treatment facilities? ☑ Yes ☐ No
If Yes:

- Name of wastewater treatment plant to be used: Romulus/Five Points Wastewater treatment plant
- Name of district: Sewer District 2
- Does the existing wastewater treatment plant have capacity to serve the project? ☑ Yes ☐ No
- Is the project site in the existing district? ☑ Yes ☐ No
- Is expansion of the district needed? ☐ Yes ☑ No

- Do existing sewer lines serve the project site? ☑ Yes ☐ No
- Will a line extension within an existing district be necessary to serve the project? ☐ Yes ☑ No

If Yes:

- Describe extensions or capacity expansions proposed to serve this project: A sanitary sewer lateral will be required from the Project Site to the existing Sanitary Sewer System

iv. Will a new wastewater (sewage) treatment district be formed to serve the project site? ☐ Yes ☑ No

If Yes:

- Applicant/sponsor for new district: _____
- Date application submitted or anticipated: _____
- What is the receiving water for the wastewater discharge? _____

v. If public facilities will not be used, describe plans to provide wastewater treatment for the project, including specifying proposed receiving water (name and classification if surface discharge or describe subsurface disposal plans):

_____

vi. Describe any plans or designs to capture, recycle or reuse liquid waste: _____

e. Will the proposed action disturb more than one acre and create stormwater runoff, either from new point sources (i.e. ditches, pipes, swales, curbs, gutters or other concentrated flows of stormwater) or non-point source (i.e. sheet flow) during construction or post construction? ☑ Yes ☐ No

If Yes:

i. How much impervious surface will the project create in relation to total size of project parcel?

_____ Square feet or 17.2 acres (impervious surface)

_____ Square feet or 75 acres (parcel size)

ii. Describe types of new point sources: Stormwater runoff from the building roof(s) and parking/paved areas

iii. Where will the stormwater runoff be directed (i.e. on-site stormwater management facility/structures, adjacent properties, groundwater, on-site surface water or off-site surface waters)?

Storm water discharges will be directed to on-site infiltration basins (IBs). The IBs will flow through Rip Rap check dams and into a retention pond (RP) The RP will have a controled outlet which will release the water into grass swale that will flow into Reeder Creek watershed area. Refer to Attachment

- If to surface waters, identify receiving water bodies or wetlands: The on-site infiltration basin and stormwater pond will discharge to Reeder Creek. Post development discharge rates will be below current discharge rates.
- Will stormwater runoff flow to adjacent properties? ☐ Yes ☑ No

iv. Does the proposed plan minimize impervious surfaces, use pervious materials or collect and re-use stormwater? ☐ Yes ☑ No

f. Does the proposed action include, or will it use on-site, one or more sources of air emissions, including fuel combustion, waste incineration, or other processes or operations? ☑ Yes ☐ No

If Yes, identify:

i. Mobile sources during project operations (e.g., heavy equipment, fleet or delivery vehicles)
Material handling equipment, delivery vehicles, and during construction of the facility, heavy equipment.

ii. Stationary sources during construction (e.g., power generation, structural heating, batch plant, crushers)

iii. Stationary sources during operations (e.g., process emissions, large boilers, electric generation)
Process emissions and gas furnaces for facility heating.

g. Will any air emission sources named in D.2.f (above), require a NY State Air Registration, Air Facility Permit, or Federal Clean Air Act Title IV or Title V Permit? ☑ Yes ☐ No

If Yes:

i. Is the project site located in an Air quality non-attainment area? (Area routinely or periodically fails to meet ambient air quality standards for all or some parts of the year) ☐ Yes ☑ No

ii. In addition to emissions as calculated in the application, the project will generate:

- 0 Tons/year (short tons) of Carbon Dioxide (CO_2)
- 0 Tons/year (short tons) of Nitrous Oxide (N_2O)
- 0 Tons/year (short tons) of Perfluorocarbons (PFCs)
- 0 Tons/year (short tons) of Sulfur Hexafluoride (SF_6)
- 0 Tons/year (short tons) of Carbon Dioxide equivalent of Hydroflourocarbons (HFCs)
- 5 Tons/year (short tons) of Hazardous Air Pollutants (HAPs)

h. Will the proposed action generate or emit methane (including, but not limited to, sewage treatment plants, landfills, composting facilities)? ☐Yes ☑No

If Yes:

i. Estimate methane generation in tons/year (metric): _____

ii. Describe any methane capture, control or elimination measures included in project design (e.g., combustion to generate heat or electricity, flaring): _____

_____

i. Will the proposed action result in the release of air pollutants from open-air operations or processes, such as quarry or landfill operations? ☐Yes ☑No

If Yes: Describe operations and nature of emissions (e.g., diesel exhaust, rock particulates/dust):

_____

_____

j. Will the proposed action result in a substantial increase in traffic above present levels or generate substantial new demand for transportation facilities or services? See Traffic Study ☐Yes ☑No

If Yes:

i. When is the peak traffic expected (Check all that apply): ☐ Morning ☐ Evening ☐Weekend ☐ Randomly between hours of _____ to _____.

ii. For commercial activities only, projected number of truck trips/day and type (e.g., semi trailers and dump trucks): _____

_____

iii. Parking spaces: Existing _____ Proposed _____ Net increase/decrease _____

iv. Does the proposed action include any shared use parking? ☐Yes ☐No

v. If the proposed action includes any modification of existing roads, creation of new roads or change in existing access, describe:

_____

vi. Are public/private transportation service(s) or facilities available within ½ mile of the proposed site? ☐Yes ☐No

vii Will the proposed action include access to public transportation or accommodations for use of hybrid, electric or other alternative fueled vehicles? ☐Yes ☐No

viii. Will the proposed action include plans for pedestrian or bicycle accommodations for connections to existing pedestrian or bicycle routes? ☐Yes ☐No

k. Will the proposed action (for commercial or industrial projects only) generate new or additional demand for energy? ☑Yes ☐No

If Yes:

i. Estimate annual electricity demand during operation of the proposed action: _____

850,000 kw/h per year

_____

ii. Anticipated sources/suppliers of electricity for the project (e.g., on-site combustion, on-site renewable, via grid/local utility, or other):

NYSEG grid power

_____

iii. Will the proposed action require a new, or an upgrade, to an existing substation? ☑Yes ☐No

l. Hours of operation. Answer all items which apply.

i. During Construction:

- Monday - Friday: 7am - 9pm
- Saturday: 7am - 11:30am
- Sunday: _____
- Holidays: _____

ii. During Operations:

- Monday - Friday: 6:30am - 5:30pm
- Saturday: _____
- Sunday: _____
- Holidays: _____

m. Will the proposed action produce noise that will exceed existing ambient noise levels during construction, operation, or both? ☑ Yes ☐ No

If yes:

i. Provide details including sources, time of day and duration:

Excavating the site and erecting the buildings will create slight increases in noise Monday - Friday from 7am - 5pm. Once operational, common noises will include vehicle traveling to/from the site, loading/unloading vehicles, and noises from within the building. Operating Hours M-F 6:30am-4:30pm

ii. Will the proposed action remove existing natural barriers that could act as a noise barrier or screen? ☐ Yes ☑ No

Describe: The site is located a significant distance from the nearest public access point and is covered with forest & other sound deadening growth

n. Will the proposed action have outdoor lighting? ☑ Yes ☐ No

If yes:

i. Describe source(s), location(s), height of fixture(s), direction/aim, and proximity to nearest occupied structures:

Light at doorways and building perimeter lights. All lights will be LED dark sky compliant and will not cast light past property lines. Additionally trees and other shrubbery will serve as barriers for additional screening of on-site lighting.

ii. Will proposed action remove existing natural barriers that could act as a light barrier or screen? ☐ Yes ☑ No

Describe: _____

o. Does the proposed action have the potential to produce odors for more than one hour per day? ☐ Yes ☑ No

If Yes, describe possible sources, potential frequency and duration of odor emissions, and proximity to nearest occupied structures: _____

p. Will the proposed action include any bulk storage of petroleum (combined capacity of over 1,100 gallons) or chemical products 185 gallons in above ground storage or any amount in underground storage? ☐ Yes ☑ No

If Yes:

i. Product(s) to be stored _____

ii. Volume(s) _____ per unit time _____ (e.g., month, year)

iii. Generally, describe the proposed storage facilities: _____

q. Will the proposed action (commercial, industrial and recreational projects only) use pesticides (i.e., herbicides, insecticides) during construction or operation? ☐ Yes ☑ No

If Yes:

i. Describe proposed treatment(s):

ii. Will the proposed action use Integrated Pest Management Practices? ☐ Yes ☑ No

r. Will the proposed action (commercial or industrial projects only) involve or require the management or disposal of solid waste (excluding hazardous materials)? ☑ Yes ☐ No

If Yes:

i. Describe any solid waste(s) to be generated during construction or operation of the facility:

- Construction: 10 tons per Year (unit of time)
- Operation : 20 tons per Year (unit of time)

ii. Describe any proposals for on-site minimization, recycling or reuse of materials to avoid disposal as solid waste:

- Construction: All construction debris will be recycled to the max extent feasible.
- Operation: All solid waste material will be placed into dumpsters and sent to recycling centers where feasible.

iii. Proposed disposal methods/facilities for solid waste generated on-site:

- Construction: All construction debris will be recycled to the max extent feasible. Items that can not be recycled will be disposed of at an approved solid waste landfill facility.
- Operation: All solid waste material will be placed into dumpsters and sent to recycling centers where feasible. Items that can not be recycled will be disposed of at an approved solid waste landfill facility.

s. Does the proposed action include construction or modification of a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Type of management or handling of waste proposed for the site (e.g., recycling or transfer station, composting, landfill, or other disposal activities): _____

ii. Anticipated rate of disposal/processing:

- _____ Tons/month, if transfer or other non-combustion/thermal treatment, or
- _____ Tons/hour, if combustion or thermal treatment

iii. If landfill, anticipated site life: _____ years

t. Will the proposed action at the site involve the commercial generation, treatment, storage, or disposal of hazardous waste? ☐ Yes ☑ No

If Yes:

i. Name(s) of all hazardous wastes or constituents to be generated, handled or managed at facility: _____

ii. Generally describe processes or activities involving hazardous wastes or constituents: _____

iii. Specify amount to be handled or generated _____ tons/month

iv. Describe any proposals for on-site minimization, recycling or reuse of hazardous constituents: _____

v. Will any hazardous wastes be disposed at an existing offsite hazardous waste facility? ☐ Yes ☐ No

If Yes: provide name and location of facility: _____

If No: describe proposed management of any hazardous wastes which will not be sent to a hazardous waste facility:

E. Site and Setting of Proposed Action

E.1. Land uses on and surrounding the project site

a. Existing land uses.

i. Check all uses that occur on, adjoining and near the project site.

☐ Urban ☑ Industrial ☑ Commercial ☐ Residential (suburban) ☑ Rural (non-farm)
☑ Forest ☑ Agriculture ☐ Aquatic ☐ Other (specify): _____

ii. If mix of uses, generally describe:

This site is in close proximity to significant amounts of forests and has some agricultural land on part of the site. Most of the area is rural with nearby Industrial and commercial zoned property.

b. Land uses and covertypes on the project site.

Land use or Covertype	Current Acreage	Acreage After Project Completion	Change (Acres +/-)
• Roads, buildings, and other paved or impervious surfaces	8.5	23.25	+16.75
• Forested	18	18	0
• Meadows, grasslands or brushlands (non-agricultural, including abandoned agricultural)	35.22	24.47	-10.75
• Agricultural (includes active orchards, field, greenhouse etc.)	11	5	-6
• Surface water features (lakes, ponds, streams, rivers, etc.)	.79	.79	0
• Wetlands (freshwater or tidal)	1.1	1.1	0
• Non-vegetated (bare rock, earth or fill)	1.9	1.9	0
• Other Describe: _____			

c. Is the project site presently used by members of the community for public recreation? ☐ Yes ☑ No

i. If Yes: explain: This is a secured area and is not open to the public

d. Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site? ☐ Yes ☑ No

If Yes,

i. Identify Facilities:

e. Does the project site contain an existing dam? ☐ Yes ☑ No

If Yes:

i. Dimensions of the dam and impoundment:

- Dam height: _____ feet
- Dam length: _____ feet
- Surface area: _____ acres
- Volume impounded: _____ gallons OR acre-feet

ii. Dam's existing hazard classification: _____

iii. Provide date and summarize results of last inspection:

f. Has the project site ever been used as a municipal, commercial or industrial solid waste management facility, or does the project site adjoin property which is now, or was at one time, used as a solid waste management facility? ☐ Yes ☑ No

If Yes:

i. Has the facility been formally closed? ☐ Yes ☐ No

- If yes, cite sources/documentation: _____

ii. Describe the location of the project site relative to the boundaries of the solid waste management facility:

iii. Describe any development constraints due to the prior solid waste activities: _____

g. Have hazardous wastes been generated, treated and/or disposed of at the site, or does the project site adjoin property which is now or was at one time used to commercially treat, store and/or dispose of hazardous waste? ☑ Yes ☐ No

If Yes:

i. Describe waste(s) handled and waste management activities, including approximate time when activities occurred:

While SEAD 66 is located to the East of Fayette Road and the Project Site, and purportedly stored certain chemicals, we have not specifically identified any hazardous materials on the Parcel.

h. Potential contamination history. Has there been a reported spill at the proposed project site, or have any remedial actions been conducted at or adjacent to the proposed site? ☑ Yes ☐ No

If Yes:

i. Is any portion of the site listed on the NYSDEC Spills Incidents database or Environmental Site Remediation database? Check all that apply: ☑ Yes ☐ No

☐ Yes – Spills Incidents database — Provide DEC ID number(s): _____

☑ Yes – Environmental Site Remediation database — Provide DEC ID number(s): 850006 See attached Project description

☐ Neither database

ii. If site has been subject of RCRA corrective activities, describe control measures:

An environmental easement is in place near the Site and restricts access to groundwater and other land uses until remedial actions have been taken. The restrictions apply only to that portion of the Parcel east of Fayette Road and do not apply to the Site. See attached detailed Project description.

iii. Is the project within 2000 feet of any site in the NYSDEC Environmental Site Remediation database? ☑ Yes ☐ No

If yes, provide DEC ID number(s): 850006 Entire Depot property is in database. Also see attached Project description.

iv. If yes to (i), (ii) or (iii) above, describe current status of site(s):

The US Army has completed remedial actions on that portion of the Parcel east of Fayette Road in SEAD 66 within the Depot. The Site is not subject to any environmental easements/restrictions. Please see attached Project description.

v. Is the project site subject to an institutional control limiting property uses? ☐ Yes ☑ No

- If yes, DEC site ID number: _____
- Describe the type of institutional control (e.g., deed restriction or easement): _____
- Describe any use limitations: _____
- Describe any engineering controls: _____
- Will the project affect the institutional or engineering controls in place? ☐ Yes ☐ No
- Explain: _____

E.2. Natural Resources On or Near Project Site

a. What is the average depth to bedrock on the project site? 6 feet

b. Are there bedrock outcroppings on the project site? ☐ Yes ☑ No
If Yes, what proportion of the site is comprised of bedrock outcroppings? _____%

c. Predominant soil type(s) present on project site:

Romulus Silty Clay Loam	12.47%
Darien Silt Loam 0-3% slope	80.20%
Angola Silt Loam 0-3% slope	7.32%

d. What is the average depth to the water table on the project site? Average: 6' 6" feet

e. Drainage status of project site soils:

☑ Well Drained:	40% of site
☑ Moderately Well Drained:	38% of site
☑ Poorly Drained	22% of site

f. Approximate proportion of proposed action site with slopes:

☑ 0-10%:	100 % of site
☐ 10-15%:	_____% of site
☐ 15% or greater:	_____% of site

g. Are there any unique geologic features on the project site? ☐ Yes ☑ No
If Yes, describe: _____

h. Surface water features.

i. Does any portion of the project site contain wetlands or other waterbodies (including streams, rivers, ponds or lakes)? ☑ Yes ☐ No

ii. Do any wetlands or other waterbodies adjoin the project site? ☑ Yes ☐ No

If Yes to either *i* or *ii*, continue. If No, skip to E.2.i.

iii. Are any of the wetlands or waterbodies within or adjoining the project site regulated by any federal, state or local agency? ☑ Yes ☐ No

iv. For each identified regulated wetland and waterbody on the project site, provide the following information:

- Streams: Name Reeder Creek Classification C
- Lakes or Ponds: Name _____ Classification _____
- Wetlands: Name Finger Lakes Airport construction project offset Approximate Size 1.1 Acres
- Wetland No. (if regulated by DEC) RO20, OV9

v. Are any of the above water bodies listed in the most recent compilation of NYS water quality-impaired waterbodies? ☑ Yes ☐ No

If yes, name of impaired water body/bodies and basis for listing as impaired: _____
Reeder Creek is listed as an impaired water body. See Exhibit J

i. Is the project site in a designated Floodway? ☐ Yes ☑ No

j. Is the project site in the 100-year Floodplain? ☐ Yes ☑ No

k. Is the project site in the 500-year Floodplain? ☐ Yes ☑ No

l. Is the project site located over, or immediately adjoining, a primary, principal or sole source aquifer? ☐ Yes ☑ No
If Yes:

i. Name of aquifer: _____

m. Identify the predominant wildlife species that occupy or use the project site:
See attached Project description
Appendix H for Flora & Fauna Report

n. Does the project site contain a designated significant natural community? ☐ Yes ☑ No
If Yes:
i. Describe the habitat/community (composition, function, and basis for designation): _____
ii. Source(s) of description or evaluation: _____
iii. Extent of community/habitat:
- Currently: _____ acres
- Following completion of project as proposed: _____ acres
- Gain or loss (indicate + or -): _____ acres

o. Does project site contain any species of plant or animal that is listed by the federal government or NYS as endangered or threatened, or does it contain any areas identified as habitat for an endangered or threatened species? ☐ Yes ☑ No

If Yes:
i. Species and listing (endangered or threatened):
See attached Project description, Appendix H for Flora & Fauna Report

p. Does the project site contain any species of plant or animal that is listed by NYS as rare, or as a species of special concern? ☐ Yes ☑ No

If Yes:
i. Species and listing:
See attached Project description, Appendix H for Flora & Fauna Report

q. Is the project site or adjoining area currently used for hunting, trapping, fishing or shell fishing? ☐ Yes ☑ No
If yes, give a brief description of how the proposed action may affect that use: _____

E.3. Designated Public Resources On or Near Project Site

a. Is the project site, or any portion of it, located in a designated agricultural district certified pursuant to Agriculture and Markets Law, Article 25-AA, Section 303 and 304? ☐ Yes ☑ No
If Yes, provide county plus district name/number: _____

b. Are agricultural lands consisting of highly productive soils present? ☐ Yes ☑ No
i. If Yes: acreage(s) on project site? _____
ii. Source(s) of soil rating(s): _____

c. Does the project site contain all or part of, or is it substantially contiguous to, a registered National Natural Landmark? ☐ Yes ☑ No
If Yes:
i. Nature of the natural landmark: ☐ Biological Community ☐ Geological Feature
ii. Provide brief description of landmark, including values behind designation and approximate size/extent: _____

d. Is the project site located in or does it adjoin a state listed Critical Environmental Area? ☐ Yes ☑ No
If Yes:
i. CEA name: _____
ii. Basis for designation: _____
iii. Designating agency and date: _____

e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

f. Is the project site, or any portion of it, located in or adjacent to an area designated as sensitive for archaeological sites on the NY State Historic Preservation Office (SHPO) archaeological site inventory? ☑ Yes ☐ No

g. Have additional archaeological or historic site(s) or resources been identified on the project site? ☐ Yes ☑ No

If Yes:

i. Describe possible resource(s): _____

ii. Basis for identification: _____

h. Is the project site within fives miles of any officially designated and publicly accessible federal, state, or local scenic or aesthetic resource? ☑ Yes ☐ No

If Yes:

i. Identify resource: Sampson State Park, Keuka Lake Scenic Byway and Dean's Cove

ii. Nature of, or basis for, designation (e.g., established highway overlook, state or local park, state historic trail or scenic byway, etc.): Sampson State park was previously a Naval Base and was repurposed as a State Park.

iii. Distance between project and resource: 2.2 miles.

i. Is the project site located within a designated river corridor under the Wild, Scenic and Recreational Rivers Program 6 NYCRR 666? ☐ Yes ☑ No

If Yes:

i. Identify the name of the river and its designation: _____

ii. Is the activity consistent with development restrictions contained in 6NYCRR Part 666? ☐ Yes ☐ No

F. Additional Information

Attach any additional information which may be needed to clarify your project.

If you have identified any adverse impacts which could be associated with your proposal, please describe those impacts plus any measures which you propose to avoid or minimize them.

G. Verification

I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Earl Martin Date 7/2/2019

Signature Jason T. McCormick, PE Title NYS Licensed P.E. retained by Mr. Martin

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e. Does the project site contain, or is it substantially contiguous to, a building, archaeological site, or district which is listed on the National or State Register of Historic Places, or that has been determined by the Commissioner of the NYS Office of Parks, Recreation and Historic Preservation to be eligible for listing on the State Register of Historic Places? ☐ Yes ☑ No

If Yes:

i. Nature of historic/archaeological resource: ☐ Archaeological Site ☐ Historic Building or District

ii. Name: _____

iii. Brief description of attributes on which listing is based:

_____

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If Yes:

i. Describe possible resource(s): _____

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I certify that the information provided is true to the best of my knowledge.

Applicant/Sponsor Name Earl Martin Date 7/2/2019

Signature Jason T. McCormick, PE Title NYS Licensed P.E. retained by Mr. Martin

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EXHIBIT D

Seneca Dairy Systems LLC - Agricultural Manufacturing Facility Project
Revised List of Interested and Involved Agencies

The following is a list of potentially involved agencies:

1. Seneca County Industrial Development Agency
   1 DiPronio Drive
   Waterloo, New York 13165
   (315) 539-1725

2. New York State Homes & Community Renewal
   38-40 State Street, Hampton Plaza, 4th Floor South
   Albany, New York 12207
   (866) 275-3427

3. New York State Department of Environmental Conservation
   Region 8
   6274 E. Avon-Lima Road
   Avon, New York 14414-9519
   (585) 226-2466

4. Town of Romulus Planning Board
   1435 Prospect Street
   P.O. Box 177
   Willard, New York 14588
   (607) 869-9326

5. Town of Romulus Town Board
   1435 Prospect Street
   P.O. Box 177
   Willard, New York 14588
   (607) 869-9326

6. Town of Romulus Zoning Board of Appeals
   1435 Prospect Street
   P.O. Box 177
   Willard, New York 14588
   (607) 869-9326

7. Empire State Development
   Finger Lakes Region
   400 Andrews Street, Suite 300
   Rochester, New York 14604
   (585) 399-7050

8. United States Army Corps of Engineers
   c/o Randy Battaglia
   BRAC Environmental Coordinator
   Seneca Army Depot Activity
   5786 State Route 96
   Romulus, New York 14541

9. New York State Department of Transportation
   Region 3
   State Office Building
   333 E. Washington Street
   Syracuse, New York 13202
   (315) 428-4351

10. New York State Department of Transportation
    Cayuga/Seneca Residency
    c/o Christopher Covert, P.E.
    78 East River Street
    Waterloo, New York 13165
    (315) 539-3112

11. Seneca County Planning Board
    c/o Harriet A. Haynes, Senior Planner
    Seneca County Department of Planning and Community Development
    1 DiPronio Drive
    Waterloo, New York 13165
    (315) 539-1730

12. Seneca County Board of Supervisors
    c/o Margaret Li, Clerk to the Board
    1 DiPronio Drive
    Waterloo, New York 13165
    (315) 539-1700

13. Seneca County Public Works
    Seneca County Water District No. 1
    Seneca County Sewer District No. 2
    c/o Samuel R. Priem, P.E., Public Works Commissioner
    1 DiPronio Drive
    Waterloo, New York 13165
    (315) 539-1634

14. Seneca County Office of Emergency Management
    c/o Melissa Taylor, Director
    1 DiPronio Drive
    Waterloo, New York 13165
    (315) 539-1756

15. Village of Ovid Fire Department
    c/o William J. Palmer, Sr., Chief
    P.O. Box 33
    Ovid, New York 14521
    (607) 869-5560

16. Romulus Volunteer Fire Dept., Inc.
    c/o Robert Steele, Chief
    2010 Cayuga Street
    Romulus, New York 14541
    (607) 869-5282

17. Varick Volunteer Fire Co., Inc.
    c/o Jeff Case, Chief
    4682 Route 96-A
    Geneva, New York 14456
    (315) 585-9535

18. Romulus Central School
    c/o Marty Rotz, Superintendent
    5705 Route 96
    Romulus, New York 14541

19. Town of Varick
    c/o Bob Hayssen, Supervisor
    4782 Route 96
    Romulus, New York 14541

EXHIBIT E



SITE PLAN

SCALE: 1" = 100'-0"

0' 50' 100' 200'

WARNING

IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, OTHER THAN WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

DRAWN BY: JTM
PROJ. ENGR.: JTM
PROJ. MNGR.: JTM
CHECKED BY: JTM

NO.	DATE	DESCRIPTION
1	06/28/19	REVISED PER FISHER COMMENTS JUNE 18, 2019
0	04/12/19	FOR APPROVAL

REVISIONS

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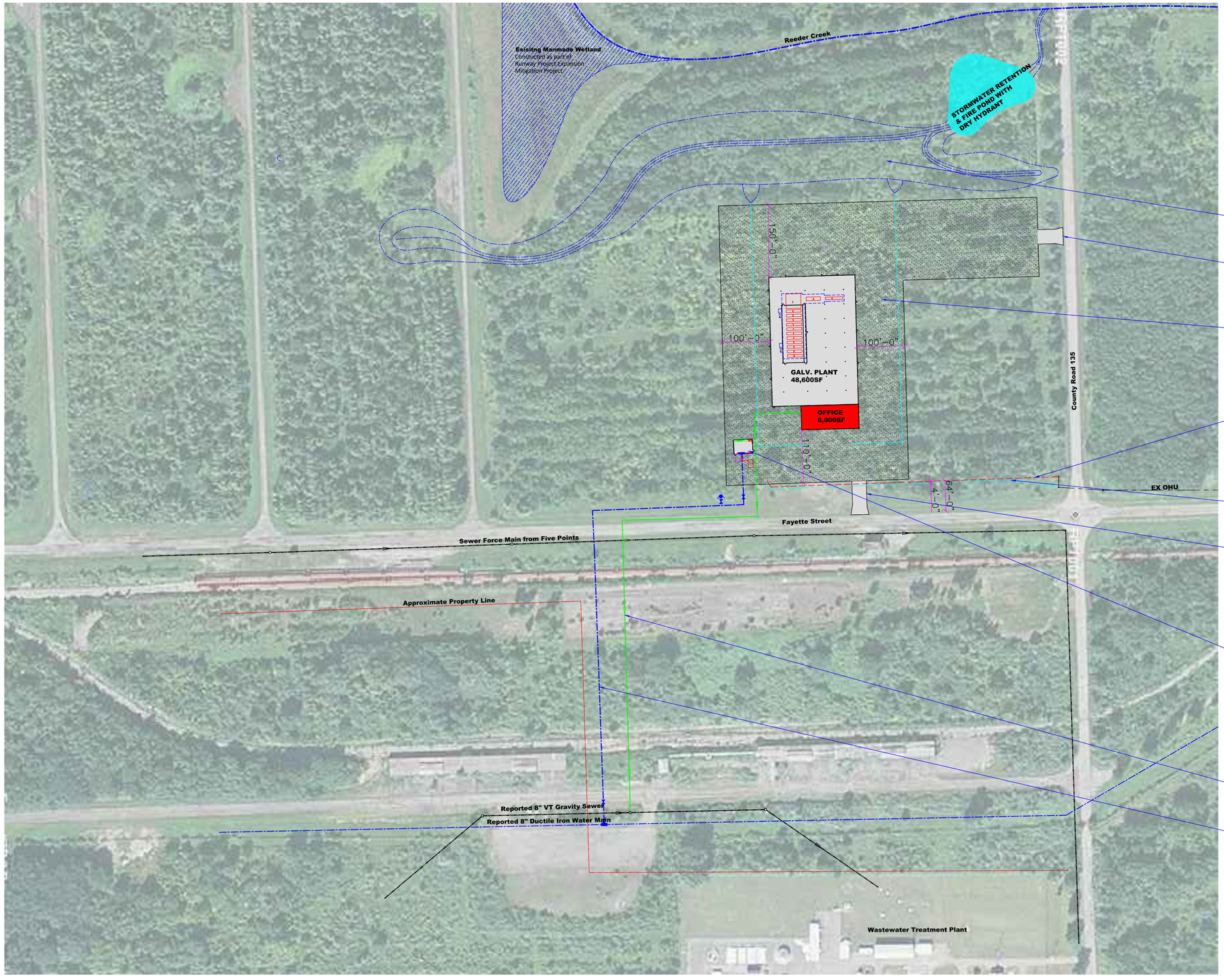
McCormick Engineering P.C.
294 Skuse Road
Geneva, New York 14456
(585) 721-7219

JOB No. 18-119

Seneca Dairy Systems Manufacturering Facility
Former Seneca Army Depot
(T) ROMULUS, SENECA CO., NEW YORK

EXSTING SITE SKETCH WITH EXISTING GRADING

Scale: AS NOTED
Date: 04/19
DWG. C-0.0



PHASE 1 SUMMARY

1. CONSTRUCTIN OF STORMWATER MANAGEMENT SYSTEM (POND AND INFILTRATION TRENCH WITH RIPRAP CHECK DAMS

2. CONSTRUCTION OF UTILITIES (WATER, SEWER, GAS, ELECTRIC, FIBER OPTICS)

3. CONSTRUCTION OF PAVED AND GRAVEL AREAS FOR PARKING AND SITE TRAFFIC (APPROXIMATELY 215,500 SF)

4. CONSTRUCTION OF GALVANIZING PLANT (48,600 SF)

6. CONSTRUCTION OF OFFICES (6,000 SF)

INFILTRATION BASINS WITH RIP RAP CHECK DAMS

ACCESS DRIVEWAY 1
CONCRETE

YARD AREA (SITE TRAFFIC AND PARKING)
INITIALLY COMPACTED GRAVEL ULTIMATELY THE YARD WILL BE PAVED WITH CONCRETE

UNDERGROUND UTILITY
ELCTRIC

UNDERGROUND UTILITY
FIBER OPTICS

ACCESS DRIVEWAY 2
CONCRETE

UTILITY BUILDING (EXISTING)
40'X30'

LOW PRESSURE SEWER SYSTEM

WATER MAIN

SITE PLAN

SCALE: 1" = 100'-0"

0' 50' 100' 200'

WARNING

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DRAWN BY: JTM
PROJ. ENGR.: JTM
PROJ. MNGR.: JTM
CHECKED BY: JTM

NO.	DATE	DESCRIPTION
0	04/12/19	FOR APPROVAL

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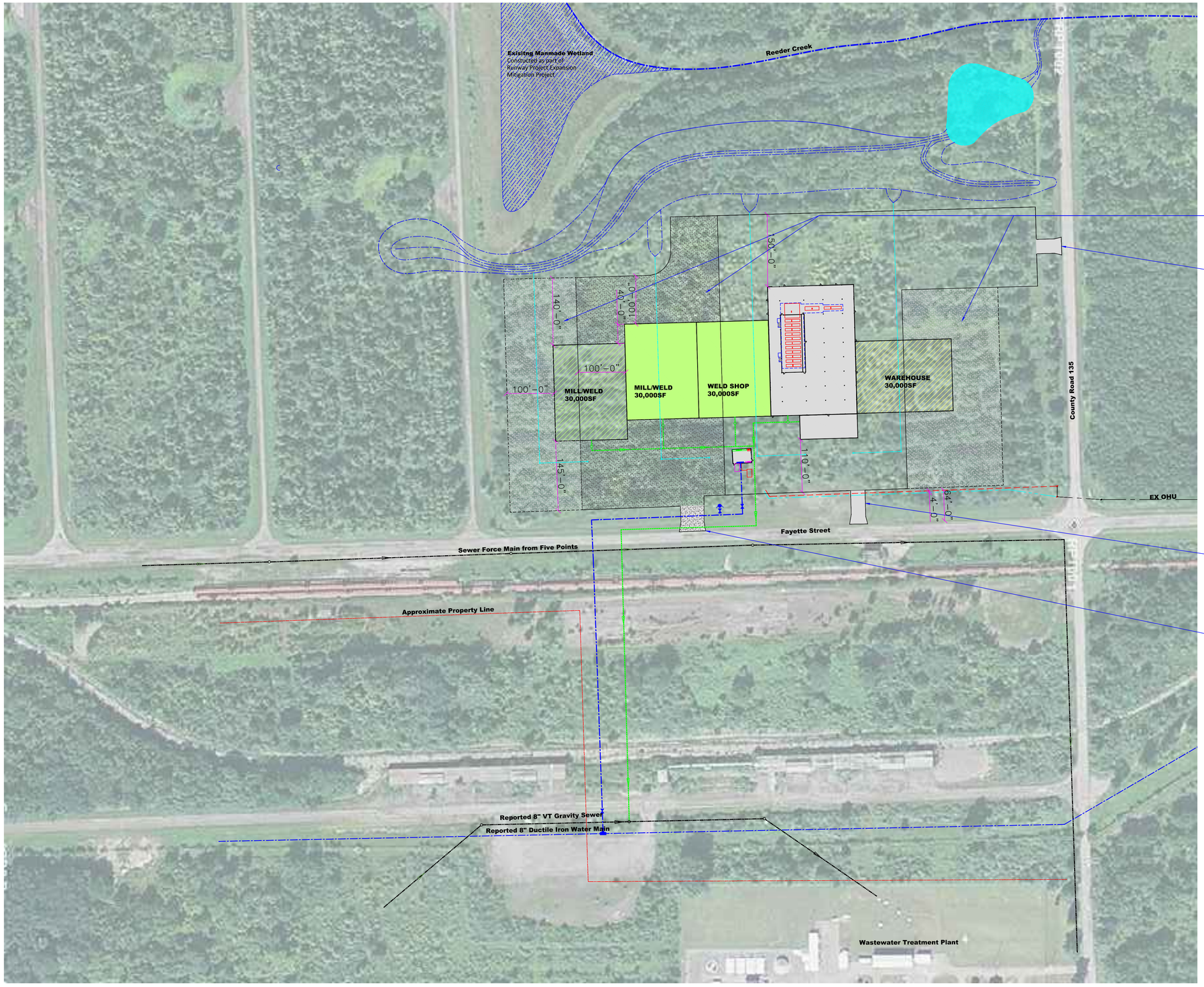
McCormick Engineering P.C.
294 Skuse Road
Geneva, New York 14456
(585) 721-7219

JOB No. 18-119

Seneca Dairy Systems Manufacturering Facility
Former Seneca Army Depot
(T) ROMULUS, SENECA CO., NEW YORK

SITE SKETCH
PHASE 1

Scale: AS NOTED
Date: 04/19
DWG. C-1.0



PHASE 2 SUMMARY

1. CONSTRUCTION OF PAVED AND GRAVEL AREAS FOR PARKING AND SITE TRAFFIC (APPROXIMATELY 170,000 SF)

2. CONSTRUCTION OF 90,000 SF ADDITION CONSISTING OF TWO 30,000 SF MILL/ WELD FACILITIES AND EITHER A 30,000 SF WAREHOUSE AREA OR AN ADDITIONAL 30,000 SF MIL/WELD FACILITY

3. ADDITIONAL UTILITY CONSTRUCTION AS NECESSARY

**ADDITIONAL YARD AREA (SITE TRAFFIC AND PARKING)
INITIALLY COMPACTED GRAVEL ULTIMATELY THE YARD WILL BE PAVED WITH CONCRETE**

**ACCESS DRIVEWAY 1
CONCRETE**

**ACCESS DRIVEWAY 2
CONCRETE**

**ACCESS DRIVEWAY 3
CONCRETE**

SITE PLAN

SCALE: 1" = 100'-0"

0' 50' 100' 200'

WARNING

IT IS A VIOLATION OF SECTION 7209, SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW FOR ANY PERSON, OTHER THAN WHOSE SEAL APPEARS ON THIS DRAWING, TO ALTER IN ANY WAY AN ITEM ON THIS DRAWING. IF AN ITEM IS ALTERED, THE ALTERING ENGINEER SHALL AFFIX TO THE ITEM HIS SEAL AND THE NOTATION "ALTERED BY" FOLLOWED BY HIS SIGNATURE AND THE DATE OF SUCH ALTERATION, AND A SPECIFIC DESCRIPTION OF THE ALTERATION.

DRAWN BY: JTM
PROJ. ENGR.: JTM
PROJ. MNGR.: JTM
CHECKED BY: JTM

NO.	DATE	DESCRIPTION
0	04/12/19	FOR APPROVAL

REVISIONS

Dig Safely. New York Call 811 before you dig

STATE OF NEW YORK JASON THOMAS McCORMICK 076842 LICENSED PROFESSIONAL ENGINEER

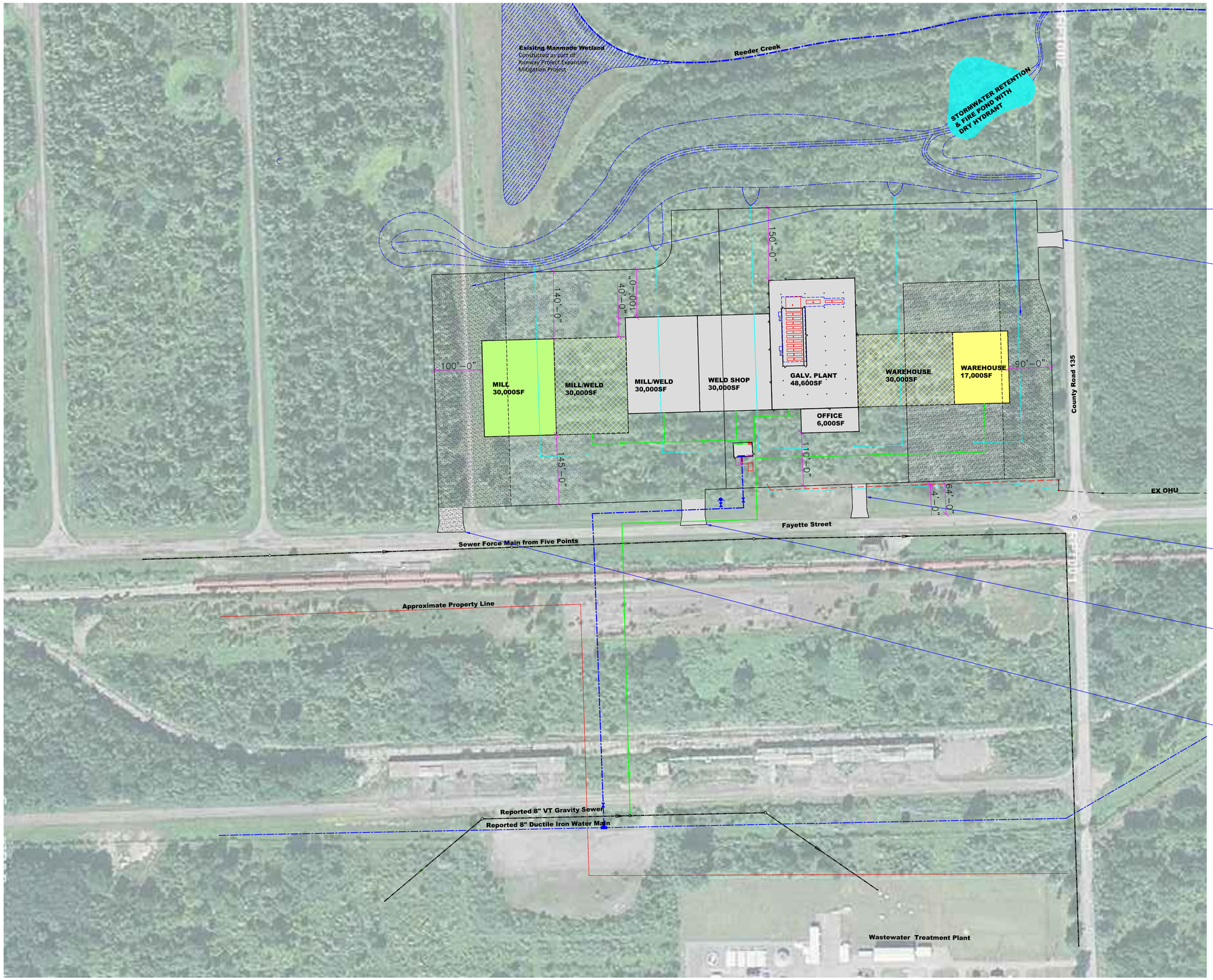
McCormick Engineering P.C.
294 Skuse Road
Geneva, New York 14456
(585) 721-7219

JOB No. 18-119

Seneca Dairy Systems Manufacturering Facility
Former Seneca Army Depot
(T) ROMULUS, SENECA CO., NEW YORK

SITE SKETCH
PHASE 2

Scale: AS NOTED | Date: 04/19 | DWG. C-2.0



PHASE 3 SUMMARY

1. CONSTRUCTION OF PAVED AND GRAVEL AREAS FOR PARKING AND SITE TRAFFIC (APPROXIMATELY 138,500 SF)

2. CONSTRUCTION OF 77,000 SF ADDITION CONSISTING OF A 30,000 SF MILL/ WELD FACILITY, 17,000 SF WAREHOUSE AND EITHER A ADDITIONAL 30,000 SF WAREHOUSE OR AN ADDITIONAL 30,000 SF MIL/WELD FACILITY (BASED ON PHASE 2 CONSTRUCTION)

3. ADDITIONAL UTILITY CONSTRUCTION AS NECESSARY

ADDITIONAL YARD AREA (SITE TRAFFIC AND PARKING) INITIALLY COMPACTED GRAVEL ULTIMATELY THE YARD WILL BE PAVED WITH CONCRETE

ACCESS DRIVEWAY 1 CONCRETE

ACCESS DRIVEWAY 2 CONCRETE

ACCESS DRIVEWAY 3 CONCRETE

ACCESS DRIVEWAY 4 CONCRETE

SITE PLAN
SCALE: 1" = 100'-0"

0' 50' 100' 200'

WARNING

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DRAWN BY: JTM
PROJ. ENGR.: JTM
PROJ. MNGR.: JTM
CHECKED BY: JTM

NO.	DATE	DESCRIPTION
0	04/12/19	FOR APPROVAL

REVISIONS

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STATE OF NEW YORK · JASON THOMAS McCORMICK · 076842 · LICENSED PROFESSIONAL ENGINEER

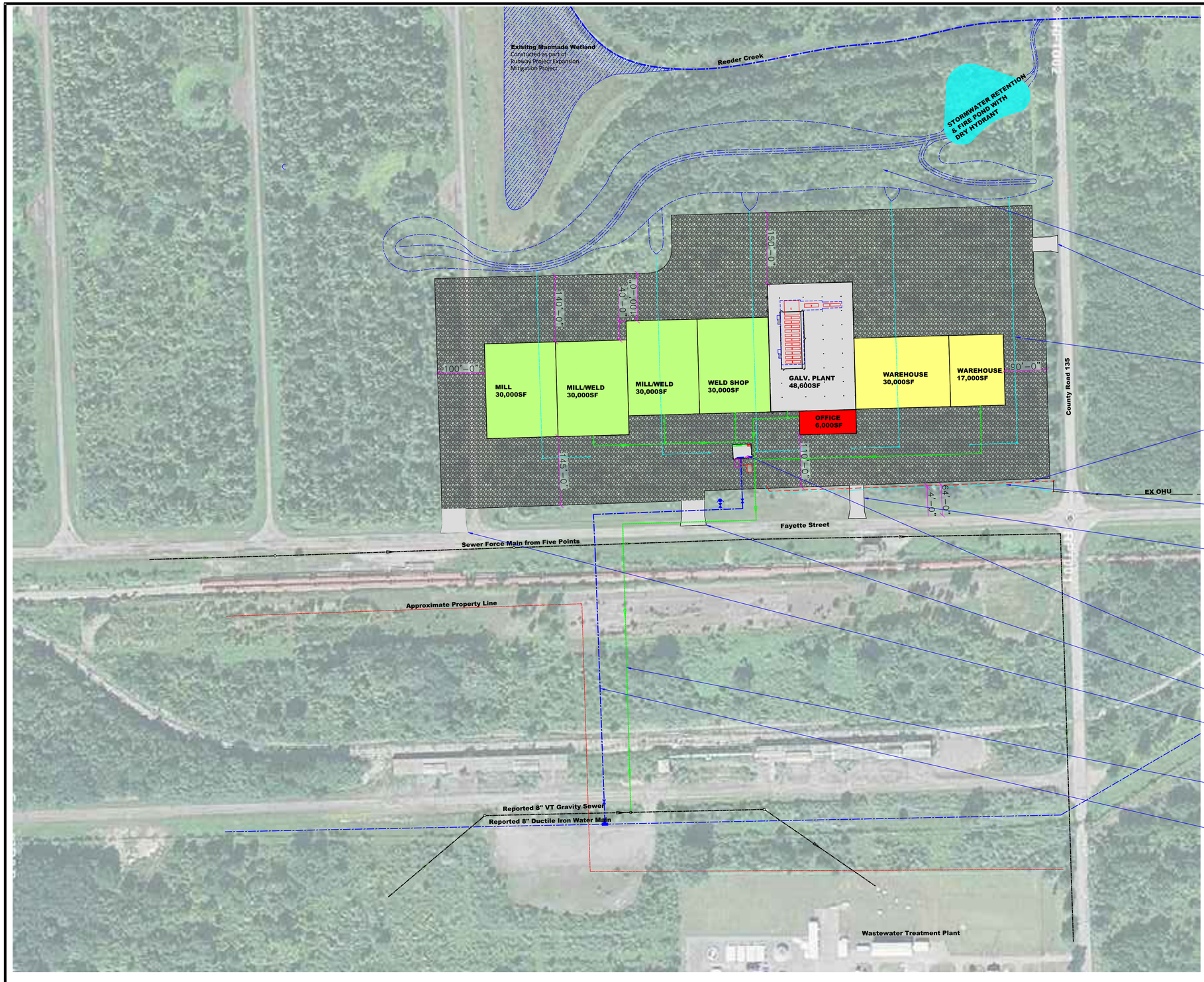
McCormick Engineering P.C.
294 Skuse Road
Geneva, New York 14456
(585) 721-7219

JOB No. 18-119

Seneca Dairy Systems Manufacturering Facility
Former Seneca Army Depot
(T) ROMULUS, SENECA CO., NEW YORK

SITE SKETCH
PHASE 3

Scale: AS NOTED
Date: 04/19
DWG. C-3.0



SITE PLAN

SCALE: 1" = 100'-0"

0' 50' 100' 200'

PROJECT SUMMARY

1. UTILITY BUILDING (EXISTING) (1,200 SF)
2. GALVANIZING PLANT (48,600 SF)
3. OFFICES (6,000 SF)
4. MILL/ WELD FACILITIES (120,000 SF)
5. WAREHOUSE AREA (47,000 SF)
6. PAVED (CONCRETE) AND GRAVEL AREAS FOR PARKING AND SITE TRAFFIC (APPROXIMATELY 524,000 SF)
7. STORMWATER MANAGEMENT SYSTEM (POND AND INFILTRATION BASIN WITH RIPRAP CHECK DAMS, ETC.)
8. SITE UTILITIES (WATER, SEWER, GAS, ELECTRIC, FIBER OPTICS)

- INFILTRATION BASINS WITH RIP RAP CHECK DAMS
- ACCESS DRIVEWAY 1 CONCRETE
- YARD AREA (SITE TRAFFIC AND PARKING) PAVED WITH CONCRETE
- UNDERGROUND UTILITY ELCTRIC
- UNDERGROUND UTILITY FIBER OPTICS
- ACCESS DRIVEWAY 2 CONCRETE
- UTILITY BUILDING (EXISTING) 40'X30'
- ACCESS DRIVEWAY 3 CONCRETE
- ACCESS DRIVEWAY 4 CONCRETE
- LOW PRESSURE SEWER SYSTEM
- WATER MAIN

WARNING

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DRAWN BY: JTM
PROJ. ENGR.: JTM
PROJ. MNGR.: JTM
CHECKED BY: JTM

NO.	DATE	DESCRIPTION
0	04/12/19	FOR APPROVAL

REVISIONS

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STATE OF NEW YORK · JASON THOMAS McCORMICK · 076842 · LICENSED PROFESSIONAL ENGINEER

McCormick Engineering P.C.
294 Skuse Road
Geneva, New York 14456
(585) 721-7219

JOB No. 18-119

Seneca Dairy Systems Manufacturering Facility
Former Seneca Army Depot
(T) ROMULUS, SENECA CO., NEW YORK

SITE SKETCH
COMPLETED PROJECT

Scale: AS NOTED | Date: 04/19 | DWG. C-4.0

EXHIBIT F

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Fish and Wildlife, New York Natural Heritage Program
625 Broadway, Fifth Floor, Albany, NY 12233-4757
P: (518) 402-8935 | F: (518) 402-8925
www.dec.ny.gov

May 15, 2019

Keith Tidball
S.C.I. - Links Consulting
3208 State Route 89
Seneca Falls, NY 13148

Re: Farm Equipment Manufacturing Plant
County: Seneca Town/City: Romulus

Dear Mr. Tidball:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to the above project.

Enclosed is a report of rare or state-listed animals and plants, and significant natural communities that our database indicates occur at or in the vicinity of the project site.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our database. We cannot provide a definitive statement as to the presence or absence of all rare or state-listed species or significant natural communities. Depending on the nature of the project and the conditions at the project site, further information from on-site surveys or other sources may be required to fully assess impacts on biological resources.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the NYS DEC Region 8 Office, Division of Environmental Permits, dep.r8@dec.ny.gov, (585) 226-5400.

Sincerely,

Nicholas Conrad
Information Resources Coordinator
New York Natural Heritage Program

474

The following state-listed animals have been documented at or in the vicinity of the project site.

The following list includes animals that are listed by NYS as Endangered, Threatened, or Special Concern; and/or that are federally listed or are candidates for federal listing.

For information about any permit considerations for the project, contact the NYSDEC Region 8 Office, Division of Environmental Permits, dep.r8@dec.ny.gov, (585) 226-5400.

The following species have been documented at the project site, or within one mile.

COMMON NAME	*SCIENTIFIC NAME*	*NY STATE LISTING*	*FEDERAL LISTING*	
Short-eared Owl *Wintering*	*Asio flammeus*	Endangered		11101
Bald Eagle *Nesting*	*Haliaeetus leucocephalus*	Threatened		12966

This report only includes records from the NY Natural Heritage database.

If any rare plants or animals are documented during site visits, we request that information on the observations be provided to the New York Natural Heritage Program so that we may update our database.

Information about many of the listed animals in New York, including habitat, biology, identification, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.guides.nynhp.org, and from NYSDEC at www.dec.ny.gov/animals/7494.html.

EXHIBIT G

Phillips Lytle LLP

Memorandum

To: Robert Call, DEC Region 8

From: Lindsey E. Haubenreich

Date: June 10, 2019

Re: Seneca Dairy Systems
Notes from June 4, 2019 Meeting with the DEC

---

1. Wildlife: Wildlife staff could not attend the meeting but does not anticipate issues with the Seneca Dairy Systems ("SDS") Project as it relates to wildlife.

2. Wetlands/streams/natural resources: Staff said they did not have any preliminary issues with natural resources on the Project site.

3. Water:
   - SDS is currently having its steel galvanized at several locations including, Oaks Corners, New York; Elderly; Utica Hubbel; and VNS in New Jersey and Pennsylvania.
   - SDS's processing facility will not have any drains. In addition, the entire floor of the processing facility will be lined with a urethane rubber spray to prevent the escape of any materials.
   - Staff requested that we put in writing the following: (1) that there are no drains in the process facility; (2) no industrial waste or materials will be discharged to the sanitary sewers; and (3) if/when waste is generated or tanks are pumped out, all materials will be properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste.

- Floor washings are considered a waste and must be treated, handled, and disposed of accordingly. The system is designed with delays to prevent drips from hitting the floor. However, if drips occur, they will be collected and properly disposed of off-site.
- In the event the facility utilizes water treatment for its industrial waste/as an alternative to the acid purification system, if water treatment is involved, all waste will be subject to new source categories, and staff requested to be copied on any BMR filings submitted to the EPA.

4. Air:
   - SDS distributed its air report.
   - The processing facility has two emissions points: (1) one at the scrubber leading outside the facility; and (2) one at the boiler's exhaust.
   - The numbers provided in the report are stack concentrations, not off-site receptor levels.
   - At full buildout, the facility will have a maximum capacity to process 20,000 pounds of steel per hour. However, the facility will be well under this number and is not likely to ever achieve this capacity based on demand and other economic factors (e.g., the cost to replace tanks and other equipment).
   - The air report is based on actual emissions not potential to emit emissions. Staff requested potential to emit emissions calculations.
   - Youtube videos that show the type of proposed facility equipment was discussed. Staff requested that we email them links.

5. Sewer Moratorium
   - There is a current sewer moratorium in Seneca County that could impact SDS if the issues are not resolved by the time SDS is operational. DEC staff stated that they have issued NOVs that include directives for how the County can move forward. DEC was just not able to approve the current plans. DEC understands the sewer system is needed so they have been working diligently

to provide timely comments/feedback. DEC staff also stated that once the sewer moratorium is lifted, and to the extent needed, SDS could obtain a Significant Industrial User Permit to discharge its industrial waste into the sewer system.

6. Construction SPDES
   - Staff said that because construction activities will involve soil disturbance of one or more acres, a Construction SPDES will be needed.

7. Environmental Justice
   - Staff said that the Project may be in an environmental justice area due to the Project's proximity to Five Points Correctional Facility.

8. Formal Comments
   - SDS requested that DEC provide formal comments to the Environmental Assessment that will include any issues or potential issues with the project as well as identify the anticipated applicable permits/registrations SDS will be required to obtain and whether any environmental justice requirements are applicable.

LEH

NYS DEC REGION 8
ENVIRONMENTAL PERMITS

6274 E AVON-LIMA RD
AVON NY 14414

MEETING SIGN-IN SHEET

Topic:	Location:	Date:
Seneca Dairy Systems	NYSDEC Avon ~~Honeoye~~	6/4/2019 1:00 pm

PLEASE PRINT

NAME	ADDRESS	EMAIL ADDRESS*	PHONE NUMBER
Robert Call	NYSDEC Avon	robert.call@dec.ny.gov	(585) 226-5396
Dudley Loew	DEC	dudley.loew@dec.ny.gov	585 226 5368
Jason McCormick	McCormick Engineering	JTMccormick@aol.com	585-721-7219
Dave Cook	Phillips Lytle	dcook@phillipslytle.com	585-657-6557
Earl Martin	Seneca Dairy Systems	emartin@senecadairy.com	315 246 1515
Lindsey Haubenreich	Phillips Lytle	lhaubenreich@phillipslytle.com	716-504-5789
Pradeep.Tangbari@	R-8 / DOW	@dec.ny.gov	585 226 2466
Stephen D. Smith	LaBella Assoc.	ssmith@labellapc.com	518-903-8395
Zachary Tennies	DEC / DAR	Zachary.tennies@dec.ny.gov	585-226-5418
Yaan Zeng	DEC / DAR	Yaan.Zeng@dec.ny.gov	585-226-5306
Kim Merchant	DEC / DEP	Kimberly.merchant@dec.ny.gov	585-226-5392

*DEC Email addresses (firstname.lastname) @dec.ny.gov

EXHIBIT H

MAY 7 , 2019 COMMENTS FROM MARY ANNE KOWALSKI

From: maryannekowalski@gmail.com
To: Bob Aronson
Cc: Patricia Jones; Kelly Kline
Subject: RE: FOIL Request
Date: Tuesday, May 07, 2019 11:16:47 PM

Bob,

Thanks for all the courtesy.

I reviewed the lead agency form and would suggest that the application be shared with Varick. The north side of Cayuga Street (AKA, county route 135, a county road) is in Varick, and could be used to access the plant. It will certainly be used for emergencies. The people who will have to deal with the traffic and construction should feel they actually have a say. Not necessary, but politically correct.

The traffic estimates in the plan seem very low, and the condition of the roads at the Depot, especially near the sewage plant, could barely manage my Volvo, much less tractor trailers loaded with steel. Traffic and routes are not included in the proposal from SDS. Fischer should be asked to take a close look at volume, condition and capacity. The routes to be used for delivery and emergency need to be specified.

At an earlier meeting, Earl said that trucks could come from 96 A, when County Route 135 was reopened. I have been told that there are no imminent plans to reopen that road, not only because of the condition of the road, but because of safety issues on 96 A.

I look forward to the air reports, but also to the studies about disposal of the hazardous waste, which appears to include liquids containing hydrochloric acid, ammonium chloride, zinc and lead.

All the reports I have read so far indicate that lead is a probable contaminant from the process:

> *Lead is not purposely added to galvanizing baths, rather it is an impurity in zinc. Different types of zinc have different levels of lead. The specified lead maximums for the various types of zinc can be found in ASTM B6.*
>
> *Lead does have the beneficial effect of decreasing the surface tension of zinc, which allows it to flow off the steel easier as it is being removed from the kettle. This creates thinner galvanized coatings that have less runs and drips. Bismuth is sometimes added to galvanizing baths to achieve the same effect as lead has when types of zinc are used that have very low levels of lead.*

I will share any additional comments I have.

Mary Anne Kowalski
315-759-3761

MAY 10, 2019 COMMENTS FROM FISHER ASSOCIATES

SENECA COUNTY IDA

LOCAL VALUES. FORWARD VISION.

May 13, 2019

Mr. Adam S. Walters, Partner
Phillips Lytle LLP
125 Main Street
Buffalo, NY 14203-2887

Transmitted to all recipients via Email

Dear Mr. Walters:

Please find attached for your review a copy of preliminary comments from Fisher Associates regarding the Analysis of Environmental Impacts for the Seneca Dairy Systems Agricultural Manufacturing Facility. As stated in the letter, a full technical review will be forthcoming as the SEQR process moves forward. If you have any comments or questions regarding these materials, please forward them to us by email to r.aronson@senecacountyida.org.

Sincerely,

Robert J. Aronson
Executive Director

c.c. Mr. Earl Martin, Seneca Dairy Systems
Mr. Robert Halpin, Esq.
Mr. Pat Morrell, Esq.
Romulus Planning Board
Romulus Town Board
Romulus ZBA
Seneca County Planning and Community Development
Mr. Mitch Rowe, Seneca County Manager
Ms. Mary Anne Kowalski

FISHER ASSOCIATES

Transportation
Land Development
Energy

May 10, 2019

Robert Aronson
Executive Director
Seneca County IDA
One DiPronio Drive
Waterloo, NY 13165

Re: Seneca Dairy Systems Agricultural Manufacturing Facility
Portion of former Seneca Army Depot, Romulus NY
Preliminary Comments on Applicant's Environmental Impacts Package

Dear Mr. Aronson:

Fisher Associates has completed a preliminary review of the environmental documentation submitted by Seneca Dairy Systems ("Applicant") to the Seneca County Industrial Development Agency ("SCIDA") on May 2, 2019. Comments/questions are summarized below and divided into two categories: Full Environmental Assessment Form ("FEAF"") included as Appendix C and Sections I through III of the Applicant's "Analysis of Environmental Impacts." Where appropriate, the applicable appendix related to summaries provided in Sections 1 through III is referenced.

As we discussed, a number of your preliminary comments concerning Sections I through III have been included below along with Fisher's comments/questions. Also, it is noted that these comments are preliminary and will be followed by a more detailed technical review and comment letter as the SEQRA review process moves forward.

FEAF Comments (Appendix C)

<u>B. Government Approvals, Funding or Sponsorship</u>

B.f.: Should add funding-related approvals that at a minimum includes SCIDA and ESD. Are there other agencies that will have a funding role in the project that should be included? Although likely ministerial, it is presumed that a U.S. Army Corps of Engineers Nationwide Permit would be utilized for the proposed stormwater discharge outfall.

D.2. Project Operations

D.2.a.: What is the volume of excavation necessary to construct the stormwater management system and will the excavated material be reused on site? If the excavated material will not be used on site, this section should be completed.

D.2.d.iii.: Will the proposed sanitary sewer lateral require approval(s) from the County Health Department or other entities/agencies?

D.2.e.iv.: Checked "yes" but project does not appear to minimize impervious surfaces (majority of the 18 acres will be converted to impervious surfaces), use pervious materials or collect/reuse stormwater. Should check "no" to this question.

D.2.j.: The project appears to exceed the square footage threshold for the proposed use (light industrial warehousing and/or manufacturing plant) established in NYSDEC guidance and therefore could exceed 100 peak hour trips. Therefore, the answer to this question regarding whether the project will have a "substantial increase in traffic above present levels" should be "yes."

D.2.k.: Confirm that an upgrade of the substation is not necessary to accommodate the project. Discussion at Romulus Planning Board meeting indicated electrical infrastructure may not be adequate to accommodate project's full buildout. A description of discussions with NYSEG and improvements necessary to effectuate the project and any correspondence, if available, should be provided.

D.2.m.ii.: States that no increase in current noise levels is expected once construction is complete. However, page 34 in Section III states ambient levels will increase.

D.2.p.: While the project will use various chemicals in its processes, the answer provided to this question regarding bulk storage was checked "no." More detail (see similar comment below) should be provided regarding how, where and in what quantities chemicals will be stored at the facility.

D.2.t.: While the project will use various chemicals in its galvanizing process and spent solutions will be generated, collected and reused/recycled or transported off site (no discharges to the sewer system) according to the information provided, confirmation that these wastes will not meet the criteria for listed or characteristic hazardous waste should be provided. If hazardous wastes will be generated, additional detail regarding the types and quantities should be provided and confirmation that the Applicant will comply with state/federal hazardous waste generator requirements.

E.3 Designated Public Resources On or Near the Project Site

E.3.f.: The project site is located in an archeologically sensitive area and therefore the answer to this question should be "yes."

Sections 1-3 Project Description/Site Description/Analysis of Environmental Impacts (and Appendices)

1. Page 2 mentions that SDS is already galvanizing at Hoster Road. This statement is inaccurate.

2. Page 3 mentions conveyance of 25 acres to the county – the actual is closer to 12 acres.

3. Page 5 mentions Phase 2 will begin within four years of stabilization of Phase 1. To line up with the SCIDA, CDBG and ESD applications, this should be revised to state that Phase 2 will be constructed in year 3 and be in full swing within the first five years.

4. On page 19 the acronym ASC is used. We assume this should be "AOC."

5. Page 23 mentions four years between each proposed phase – same comment as #3 above.

6. Page 26 references the wetland survey conducted for the site and Appendix F includes the Wetland Survey report. Wetland data sheets/forms documenting the wetland field investigation should be provided.

7. Page 29 states the site does not have prime farmland soils. Although the site is not used for active agriculture, the USDA Soil Survey indicates the predominant soil group for the site is "prime farmland if drained."

8. Page 30 provides a discussion regarding historic and archeological resources. As noted in the FEAF comments, the site is located in an area of archeological sensitivity according to the State's Cultural Resources Information System (CRIS).

9. Page 31 provides a discussion on potential transportation-related impacts. However, as indicated in the FEAF comments, the NYSDEC's 100-trip threshold may be exceeded which could warrant preparation of a traffic analysis. Fisher's Sr. Transportation Engineer is reviewing this

section and we will provide further information regarding the level of analysis necessary to assess potential transportation-related impacts.

10. Pages 32 and 33 provide a discussion on potential energy and utilities impacts. Any correspondence or other documentation from water, sewer, electric and natural gas utility providers indicating that adequate capacity exists to serve the project at full buildout should be provided.

11. On page 33, it is mentioned that approximately 66 jobs are associated with Phase 1. Our understanding is 66 jobs will be created upon completion of Phase 2.

12. On pages 33 and 34 regarding noise and light, should there be mention of the farm homesteads planned? These are mentioned earlier in the document although it is understood that the homesteads are not part of the Applicant's proposed project.

13. Page 36 indicates that there are no plans for large volumes of bulk chemicals and that limited amounts of such chemicals will be maintained on-site for operations. The approximate types and quantities of hazardous chemicals to be stored on-site at one time and the method of storage should be described.

14. Page 36 indicates that no hazardous waste will be generated by project operations as all hazardous materials are purified and/or recycled. Clarification regarding whether any of the wastes generated from operations/processes will need to be classified as hazardous waste regardless of whether such wastes will be recycled or reused should be provided.

Please let me know if you have any questions or have additional comments.

Sincerely,
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.

Frank J. Armento, AICP CEP
Planning Group Manager

From: maryannekowalski@gmail.com
To: Bob Aronson
Cc: Patricia Jones; Kelly Kline
Subject: RE: FOIL Request
Date: Tuesday, May 07, 2019 11:16:47 PM

Bob,

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>
> *Lead does have the beneficial effect of decreasing the surface tension of zinc, which allows it to flow off the steel easier as it is being removed from the kettle. This creates thinner galvanized coatings that have less runs and drips. Bismuth is sometimes added to galvanizing baths to achieve the same effect as lead has when types of zinc are used that have very low levels of lead.*

I will share any additional comments I have.

Mary Anne Kowalski
315-759-3761

MAY 21, 2019 COMMENTS FROM FISHER ASSOCIATES

FISHER ASSOCIATES

Transportation
Land Development
Energy

May 21, 2019

Robert Aronson
Executive Director
Seneca County IDA
One DiPronio Drive
Waterloo, NY 13165

Re: Seneca Dairy Systems Agricultural Manufacturing Facility
Portion of former Seneca Army Depot, Romulus NY
Comments on Applicant's Transportation Impacts Narrative

Dear Mr. Aronson:

As a follow up to Fisher Associates' preliminary comments summarized in a letter dated May 10, 2019, this letter provides comments on Section L (Impact on Transportation) of Seneca Dairy Systems' ("Applicant") application to the Seneca County Industrial Development Agency on May 2, 2019.

Based on the narrative presented in Section L of the application, Fisher's Senior Transportation Engineer has indicated that more information is needed to ascertain potential impacts to the transportation network. At a minimum, a Trip Generation and Distribution Analysis should be completed by the Applicant's transportation engineer to determine if a full Traffic Impact Study is warranted for the proposed project.

The analysis should include the following:

- Existing traffic volume information
  - Show existing available traffic volume information for the area roadways and the year(s) of the traffic counts. No new data collection is needed.

- Trip Generation Analysis
  - This analysis should include employee traffic and truck traffic and the typical weekday AM and PM peak hours. The application indicates that the majority of traffic will occur outside the typical commuter peak hours. However, to be conservative, it should be assumed that all trips will occur during the typical commuter peak hours.
  - This analysis should utilize the ITE Trip Generation Manual, latest edition, unless there is information available from similar facilities that would reliably replace the ITE data.

- Trip Distribution Analysis
    - This analysis should include the origins and destinations of vehicles using the project site. At a minimum, the distribution analysis should show how many vehicles will be using each proposed driveway and traffic should be distributed out to the state highway network (NYS Routes 96, 96A and 414).

Please let me know if you have any questions.

Sincerely,
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.



Frank J. Armento, AICP CEP
Planning Group Manager

Cc: Timothy R. Faulkner, P.E., Fisher Associates
Adam S. Walters, Esq., Phillips Lytle LLP

JUNE 18, 2019 COMMENTS FROM FISHER ASSOCIATES

FISHER ASSOCIATES

Transportation
Land Development
Energy

June 18, 2019

Robert Aronson
Executive Director
Seneca County IDA
One DiPronio Drive
Waterloo, NY 13165

Re: Seneca Dairy Systems Agricultural Manufacturing Facility
Portion of former Seneca Army Depot, Romulus NY
Technical Comments on Applicant's Environmental Impacts Package

Dear Mr. Aronson:

Fisher Associates has completed its technical review of the environmental documentation submitted by Seneca Dairy Systems ("Applicant") to the Seneca County Industrial Development Agency ("SCIDA") on May 2, 2019. Comments/questions are summarized below and divided into environmental impact categories as presented in the Applicant's "Analysis of Environmental Impacts" which is generally consistent with impact categories from Part 2 of the Full Environmental Assessment Form. In addition, comments on the Conceptual Site Plans provided as Appendix B of the application are also provided.

It is noted that the technical comments summarized herein are in addition to the comments we previously provided in correspondence to the SCIDA dated May 10, 2019 and May 21, 2019. In some instances, those comments have been reiterated under the appropriate environmental impact categories.

Environmental Impact Comments

1. Impact on Land

   a. Physical Resources

   Preliminary Stormwater Report (Appendix G)

      i. The design indicates that the infiltration basins and retention pond can hold and infiltrate a 100-year storm (see page 13). We recommend providing proposed infiltration calculations and a model for the proposed condition. We also recommend providing calculations showing that all the water from each storm event can be infiltrated and the time it would take for infiltration. If this design will be maintained, we recommend including the above requests within your summary on page 1.

ii. The plans (Appendix B) include an outlet control structure and emergency spillway from the infiltration basin to a stormwater retention pond with an approximate volume of 350,000 CF. In addition, the plans show an outlet control structure and emergency spillway from the retention pond to a grassed swale that would eventually discharge to Reeder Creek. If the infiltration basins are designed for 100% infiltration capable of handling a 100-year storm with no discharge, what is the purpose of the additional stormwater control measures including the retention pond, associated outlet control structures and grassed swale? Are these strictly for rare storm events beyond a 100-year storm? Please clarify.

iii. If the outlet control structures and emergency spillways remain as part of the design, we recommend providing design calculations and details.

iv. The plans show 4 infiltration basins, separated by three 2 ft. tall check dams. Altogether, the plans indicate the infiltration basins have an approximate volume of 600,000 CF. Page 11 of the report and the Infiltration Basin Worksheets, however, indicate the volume of the four infiltration basins will total less than 60,000 CF. Please clarify.

v. The GI sheets (Infiltration Basin worksheets) call for the four infiltration basins at 7200 sf each (approx. 28,800 sf total). If the 600,000 CF volume is accurate, the basins would have to be approximately 21 ft deep. The report (p. 6) indicates bedrock is 6' to greater than 10' below existing grade. Please confirm the basin volume/square footage or describe how bedrock will be excavated to construct the basins. Please note that based on the information provided, an NYSDEC Protection of Waters permit may be required due to height and/or volume of water being impounded.

vi. The plans show the storm water retention pond with an approximate volume of 350,000 CF. If the pond remains as part of the design, we recommend providing calculations and details for the pond. It is noted that the proposed pond does not appear to be shown to scale when compared to the adjacent infiltration basins

vii. The plans also show the stormwater retention pond serving as a fire pond and dry hydrant. Please describe how water be maintained in the retention pond if the infiltration basins will provide 100% infiltration for a 100-year storm event.

viii. Within the WQv calculation, Group D soils are shown taking up 20 acres. This is larger than the total 18.5 acres. Please clarify.

ix. For each infiltration basin's pretreatment technique (see Infiltration Basin worksheets), we recommend providing pretreatment calculations (either through GI Worksheets or calculating the capacity of the pretreatment method) and describing what pretreatment technique is being utilized.

x. We recommend a preliminary Notice of Intent (NOI) be included in the report, even though the NOI has not yet been approved by NYSDEC.

xi. As indicated in the General Permit, Part III.B.2.c, we recommend outlining specific drainage areas for both the existing and proposed conditions on a plan sheet. The plan should include flow paths and outfall/emergency outfall locations.

b. Land Use and Zoning

While the proposed project appears to be generally consistent with the Town's Comprehensive Plan and County's Economic Development Plan, it is noted that the Town of Romulus is in the process of updating its comprehensive plan which was adopted in 2001. The Town, as an involved agency, will need to consider the proposed use in the context of its ongoing comprehensive plan update effort, although preliminarily the proposed use appears to be compatible with surrounding land uses, taking advantage of the availability of existing infrastructure (including utilities) and the site's location within the former Seneca Army Depot.

Whether the proposed use meets the definition of "Agricultural Support Business" in the Town's zoning ordinance is open for interpretation, although the rezoning request would seem to be the most appropriate course of action for purposes of land use and zoning compatibility in the context of the former Seneca Army Depot property.

2. Impact on Geological Features

No comments.

3. Impact on Water

See comments under "Impact on Land" above.

a. Wetlands

As indicated in our preliminary comments to the SCIDA, wetland data sheets/forms documenting the wetland field investigation should be provided to support the conclusion that jurisdictional wetlands are not present on the project site.

b. Surface and Groundwater

See comments under "Impact on Land" above.

4. Impact on Flooding

No comments. Confirmed that the project site is located in "Zone C, areas outside the 500-year flood." Comments related to storm water design are provided under "Impact on Land."

5. Impact on Air

The Applicant is coordinating with the New York State Department of Environmental Conservation ("NYSDEC") and has engaged an air resources engineering consultant to complete an air emissions report for the project. Any correspondence with the NYSDEC regarding the scope of the analysis and corresponding permit requirements should be provided. In addition, Fisher will conduct an independent review of that air emissions report upon receipt and provide any comments in subsequent correspondence.

6. Impact on Plants and Animals

No detailed comments on the narrative or Flora and Fauna Survey Report provided in Appendix H. However, any site-specific comments from the NYSDEC regional office and the NYS Natural Heritage Program should be provided to support the conclusions of the survey.

7. Impact on Agricultural Resources

No comments. Confirmed that the project site is not located in an area used for active agriculture nor in a NYS-certified Agricultural District.

8. Impact on Aesthetic Resources

No comments.

9. Impact on Historic and Archeological Resources

As previously indicated in our preliminary comments, the project site is located in an area of archeological sensitivity according to the State's Cultural Resources Information System (CRIS). As such, correspondence from the Office of Parks, Recreation, and Historic Preservation office should be provided documenting its opinion that the project will have No Effect on historic or archeological resources.

10. Impact on Open Space and Recreation

No comments.

11. Impact on Critical Environmental Areas

Confirmed that the project site in not located in a Critical Environmental Area.

12. Impact on Transportation

In a letter to the SCIDA dated May 21, 2019, Fisher Associates requested that the Applicant complete a Trip Generation and Distribution Analysis to determine if a full Traffic Impact Study is warranted for the proposed project. The Applicant has confirmed receipt of the letter and has indicated that he has engaged a traffic engineering consultant to complete the analysis. Fisher will conduct an independent review of that analysis upon receipt and provide any comments in subsequent correspondence.

13. Impact on Energy and Utilities

a. Water

As previously indicated in our preliminary comments, any correspondence or other documentation from the Seneca County Water District indicating that adequate water capacity exists to serve the project at full buildout should be provided.

b. Sewer

As previously indicated in our preliminary comments, any correspondence or other documentation from the sewer district and/or wastewater treatment plant indicating that adequate sewer capacity exists to serve the project at full buildout should be provided.

c. Natural Gas and Electricity

As indicated in our preliminary comments, confirmation that an upgrade of the substation or other electrical infrastructure is not necessary to accommodate the project is requested. Discussion at the Romulus Planning Board meeting indicated electrical infrastructure may not be adequate to accommodate the project's full buildout. A description of discussions with NYSEG and improvements necessary to effectuate the project and any correspondence, if available, should also be provided.

14. Impact on Noise and Light

No comments.

15. Impact on Human Health

The Health and Safety Plan provided in Appendix J of the Application is thorough and includes elements that, if implemented, would help protect on-site workers and/or support personnel who may enter the site.

In addition, the following human health-related comments are provided:

a. Bulk Storage

As previously indicated in our preliminary comments, the Application indicates that there are no plans for large volumes of bulk chemicals and that limited amounts of such chemicals will be maintained on-site for operations. The approximate types and quantities of hazardous chemicals to be stored on-site at one time and the method of storage should be provided. If bulk storage of chemicals is deemed necessary, a description of the facility's compliance with the State Chemical Bulk Storage regulations should be provided.

b. Hazardous Waste

The Application indicates that no hazardous waste will be generated by project operations as all hazardous materials are purified and/or recycled. Clarification regarding whether any of the wastes generated from operations/processes will need to be classified as hazardous waste regardless of whether such wastes will be recycled or reused should be provided. If hazardous wastes will be generated subjecting the facility to the State's Hazardous Waste Management regulations, a description of the facility's compliance with such regulations should be provided.

c. Site Use/Restrictions

A representative from the U.S. Army Corps of Engineers ("USACE") previously indicated that the project site is a "Category 1" site which was environmentally "unaffected" by previous Depot operations. Correspondence from the USACE confirming that the site can be developed for industrial uses and no institutional controls or restrictions will apply is requested.

16. Consistency with Community Plans

See comments under "Impact on Land" above.

17. Consistency with Community Character

See comments under "Impact on Land" above.

Conceptual Site Plan Comments (Appendix B)

1. Since all the storm water eventually flows into Reeder Creek, we recommend the site plans show its location in relation to the proposed improvements.

2. We recommend the proposed property boundary, street names and existing overhead utilities be included on all plans.

3. The proposed sanitary sewer system is called out as being low pressure. Is this a closed pressurized system or a gravity system?

4. The plan depicts a manmade wetland. Please clarify that this is an existing wetland associated with the runway project expansion mitigation project and note accordingly on the plans.

5. We recommend including an existing topographic plan, at a minimum. In addition, a proposed grading plan is not required but is advised.

6. How does storm water on the eastern side of the site flow around the proposed buildings to the west and ultimately to the infiltration basins? We recommend showing the storm water system on the plans (schematic at a minimum).

Please let me know if you have any questions.

Sincerely,
FISHER ASSOCIATES, P.E., L.S., L.A., D.P.C.



Frank J. Armento, AICP CEP
Planning Group Manager

JUNE 20 , 2019 COMMENTS FROM KEN BATTLE

Lindsey E. Haubenreich

From: David L. Cook
Sent: Tuesday, June 25, 2019 10:21 AM
To: 'Ken Battle Services'
Cc: 'Earl Martin'; Lindsey E. Haubenreich
Subject: RE: SDS Zinc Technology

Thank you for your comments.

From: Ken Battle Services [mailto:ken@kenbattleservices.com]
Sent: Tuesday, June 25, 2019 10:00 AM
To: David L. Cook
Cc: 'Earl Martin'; Lindsey E. Haubenreich; Ken Battle
Subject: RE: SDS Zinc Technology

David
Thanks for the response. It is a pity there is not even one US plant even remote from CNY; we could at least research permitting and community response. I suggest you have some of the technology info from Italy available at the July 11 public hearing.

I came to same conclusion about permitting, registration only is likely what is required.
Ken

Ken Battle Services
6101 Poplar Beach
Romulus, NY 14541
Office: 609-268-2353
Cell: 609-969-9229
ken@kenbattleservices.com
www.kenbattle-services.com

From: David L. Cook <DCook@phillipslytle.com>
Sent: Monday, June 24, 2019 5:42 PM
To: Ken Battle Services <ken@kenbattleservices.com>
Cc: Earl Martin <emartin@senecadairysystems.com>; Lindsey E. Haubenreich <LHaubenreich@phillipslytle.com>
Subject: RE: SDS Zinc Technology

Sorry for my delay in responding. I checked with Mr. Martin and there are no galvanizing plants in the US that use the technology of the proposed plant. There are plants in Europe. We have been informed that the plant with it technology would not even require a Title V permit do to the emission levels.

David L. Cook
Partner

Phillips Lytle LLP

28 East Main Street
Suite 1400
Rochester, NY 14614-1935
Phone 585 238 2012
Fax 585 232 3141
DCook@phillipslytle.com
www.phillipslytle.com
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From: Ken Battle Services [mailto:ken@kenbattleservices.com]
Sent: Thursday, June 20, 2019 10:33 AM
To: David L. Cook
Cc: Ken Battle
Subject: SDS Zinc Technology

Mr. Cook

We had a side-bar discussion last evening at the Romulus Town Hall meeting. I was inquiring if there is an existing operating plant using the same zinc plating technology that SDS plans to use in the new Romulus plant. I am willing to travel 50-100 miles to see such a plant and there may be some additional Romulus board members and citizens that would be interested to see such a plant in operation. Obviously, this would require approval and safety considerations by the owner of said plant.

I have read most of the process information on the Italian company's web site and although impressive from an environmental stand point there remain some questions where certain waste streams 'magically disappear'. Please note that I am a degreed chemical engineer with 50 years of industry experience. I will know what questions to ask an owner / operator of this technology.

Please determine if this technology is practiced anywhere in Western NY or Northern PA. Thanks in advance for your help.

Ken

Ken Battle Services
6101 Poplar Beach
Romulus, NY 14541
Office: 609-268-2353
Cell: 609-969-9229
ken@kenbattleservices.com
www.kenbattle-services.com

JUNE 20 , 2019 COMMENTS FROM MARY ANNE KOWALSKI

Lindsey E. Haubenreich

From: Kimberly R. Nason
Sent: Friday, June 21, 2019 10:58 AM
To: Adam S. Walters; David L. Cook
Cc: Lauren Adornetto; Lindsey E. Haubenreich
Subject: FW: Seneca Dairy Systems - Technical Review Letter -Fisher Associates
Attachments: image002-C1.jpg

-----Original Message-----
From: Bob Aronson <r.aronson@senecacountyida.org>
Sent: Friday, June 21, 2019 7:14 AM
To: maryannekowalski@gmail.com
Cc: Kelly Kline <k.kline@senecacountyida.org>; Patricia Jones <p.jones@senecacountyida.org>
Subject: Re: Seneca Dairy Systems - Technical Review Letter -Fisher Associates

Thank you, Mary Anne. I will pass this on. The meeting on July 11 is not a public hearing. It is meant to inform attendees about the project and gather/address questions and/or concerns. Hopefully it will help clarify rumors as you have noted.
Best,
Bob

Bob Aronson
www.SenecaCountyIDA.org
(O) 315.539.1722
(M) 315.577.2037

> On Jun 20, 2019, at 10:32 PM, "maryannekowalski@gmail.com" <maryannekowalski@gmail.com> wrote:
>
> I have several comments on the SEQR and Fisher Associates Review. As I understand the process, I should send comments to you and you will send them on.
>
> First, I understand there will be a public information meeting on July 11 at the Romulus Firehouse. Is this a SEQR public hearing or an informational meeting sponsored by SDS? It seems early, before all the information has been submitted, to have SEQR hearings, but there are a lot of rumors around and it would be good to clarify.
>
> As to Fisher Associates Comments.
>
> Generally, Fisher has identified the information that, I believe, is not addressed adequately in the EAF.
>
> There are a couple of issues that require comment:
>
>
> 1. Impact on Land
>
>
>
> b. Land Use and Zoning
>

>
> While this issue may be resolved when all the missing information is provided, the Romulus Zoning Code, adopted in 2018, might restrict this proposal:
>
> Section 4. Prohibited Uses
> A. All uses that may be noxious or injurious by reason of the production or emission of dust, smoke, odor, air pollutants, noise, gas, fumes, glare, vibration, or because of danger to the general public due to hazards of fire or explosion, are prohibited.
>
>
> 13. Impact on Energy and Utilities
>
>
>
> a. Water
>
>
> As previously indicated in our preliminary comments, any correspondence or other documentation from the Seneca County Water District indicating that adequate water capacity exists to serve the project at full buildout should be provided.
>
> While Seneca County Water District would provide water to the plant, it has no control over capacity. The Village of Waterloo Water District plant produces and provides water to the County District, through a contract with Varick Water District # 2, AKA Seneca Lake Water District. Those are the districts that need to be consulted about capacity, not the County.
>
> I could not find anything in EAF about water demands at full buildout, which the suppliers will need.
>
>
> b. Sewer
>
>
> As previously indicated in our preliminary comments, any correspondence or other documentation from the sewer district and/or wastewater treatment plant indicating that adequate sewer capacity exists to serve the project at full buildout should be provided.
>
>
> · In a NOV dated February 7. 2019 (attached), DEC stated:
>
> Effective immediately - This Department is imposing a Sewer Moratorium until a new approvable Sewer Use Law is adopted and recorded by the Department of State. Please submit a current count of the total number of users connected to the collection system to the WRRF.
>
> The following corrective actions require urgent attention
>
> 2.. Submit a draft updated SUL along with a schedule for adoption. As Seneca County Sewer District 2 is considering allowing connection of potentially Significant Industrial Users, shall have language covering such dischargers to the system. Ensure all communities that are outside of the sewer district and are connected or plan to connect to the existing collection system have adopted a SUL at least as restrictive as the one SCSD1 will adopt.
>

> Please be advised that per 40 CFR 403.8(f)(1)(vi)(A}, All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.
>
> While I believe the SUL is in development, it is not in place and I am not sure of the timetable. And, as far as I know the outside districts are not developing SULs. So there is a moratorium on new connections.
>
>
> · Seneca County has submitted a Professional Engineering Report (PER) to consolidate Sewer District #1 and Sewer District #2. The proposed plant is in Sewer District #2. The PER has not been approved by DEC, and, because of the closure of Hillside, will need to be amended. This consolidation (or not) and its status should be addressed in the consideration of sewer capacity, as well as the capacity of the "new" plant at Willard or existing plant at Five Points to accept the wastewater.
>
> Although not mentioned in the EAF or technical review, the condition of the roads that will be used to access the plant should also be evaluated. I have driven on multiple occasions to the Sewer Plant (next door), and my Volvo barely made it on the interior roads at the Depot. That was 4 years ago, and, I doubt they have been upgraded to handle trucks carrying steel. Similarly, the condition of former County Route 135 needs to be assessed as to its load capacity, as well as the impact of the traffic on the Hamlet of Romulus, whether using County Route 135 or the main Depot entrance.
>
>
>
> If I think of anything else, I will let you know. I am looking forward for more information about the project.
>
>
> Mary Anne Kowalski
> 315-759-3761
>
> From: Kelly Kline [mailto:k.kline@senecacountyida.org]
> Sent: Wednesday, June 19, 2019 9:38 AM
> To: Adam S. Walters <AWalters@phillipslytle.com>
> Cc: Robert Halpin <rhalpin@thehalpinfirm.com>; pjmorrell@verizon.net;
> Henry, Jill <jhenry@co.seneca.ny.us>; hhaynes@co.seneca.ny.us; Earl
> Martin <emartin@senecadairysystems.com>; Mitch Rowe
> <mrowe@co.seneca.ny.us>; Mary Anne Kowalski
> <maryannekowalski@gmail.com>; Bob Aronson
> <r.aronson@senecacountyida.org>; Patricia Jones
> <p.jones@senecacountyida.org>
> Subject: Seneca Dairy Systems - Technical Review Letter -Fisher
> Associates
>
> Mr. Walters:
> Please find the attached letter from Fisher Associates' with their revised comments re: Seneca Dairy Systems' application and the environmental impacts.
>
> Sincerely,
> Kelly
>
>
> Kelly Kline
> Office Manager
> Seneca County IDA

> One DiPronio Drive
> Waterloo, NY 13165
> (315) 539-1725
> (315) 539-4340 fax
> www.senecacountyida.org<http://www.senecacountyida.org/>
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> Letter.IndSPDES.NY0246972.2019-02-07.Preliminary Engineering Report
> Review.pdf>

JULY 2, 2019 COMMENTS FROM KEN BATTLE

Lindsey E. Haubenreich

From: David L. Cook
Sent: Wednesday, July 3, 2019 1:38 PM
To: Lindsey E. Haubenreich
Subject: FW: Questions Re: Seneca Dairy Systems Project

From: ken.battle@romulustown.com <ken.battle@romulustown.com>
Sent: Tuesday, July 2, 2019 10:49 AM
To: David L. Cook <DCook@phillipslytle.com>; romulus@rochester.rr.com; k.kline@senecacountyida.org; 'Earl Martin' <emartin@senecadairysystems.com>
Cc: ken.battle@romulustown.com
Subject: Questions Re: Seneca Dairy Systems Project

All

I have a few questions I would like to propose prior to the July 11 Public Hearing arranged by the SCIDA. Note that I am a chemical engineer with over 50 years operating and designing chemical plants, not metallurgical plants.

I have reviewed the Italian technology web site and I still have a few questions concerning the material balance / potential waste streams. It is understood that the SDS Project will be the first installation of its kind in the US. I believe the project has answers to these questions but I hope they can be answered in public at the July 11 meeting or in an alternate forum if more appropriate. Here are my questions:

1. It is understood that raw steel will arrive at the project site with some quantity of grease/oil on the steel.
    a. The grease/oil will be treated with caustic which will solubilize the grease and oil. However, it is still grease and oil (long chain carbon molecules). What is the final destination of this grease and oil? How is it separated from the caustic?
    b. The strength of the caustic will eventually decrease as indicated by the "makeup" quantity in the project proposal. What happens to the spent caustic?
2. It is understood that raw steel will also arrive at the project site with some quantity rust on the steel.
    a. The rust is removed from the steel with acid. The Italian technology has a very clever system to reclaim the rust from the acid and at the same time regenerate the acid for continued use. The solid iron oxide (rust) will be wet with acid after filtration. Will the solids be washed to remove the acid? If so, what is the washing liquid and its destination?
    b. It is my understanding that the rust material will be tested for various hazardous metal content (chrome, arsenic, etc.) at the ppm level. If below a certain threshold level (please define) the rust can be sent to a non-hazardous landfill or preferably to a metal recycle facility. If above this threshold concentration it must be treated as hazardous waste.
        i. What is the total expected annual amount of this solid iron waste (hazardous or not)?
        ii. Has a recycle firm been contacted or contracted to take the non-hazardous waste?
        iii. Has a hazardous waste facility been contacted or contracted to take the hazardous waste? If so, where is it located?
    c. Will any spent acid or caustic need to be taken off site as hazardous waste? If so, what is the expected quantity? Where will it go?
3. The primary air emission control in the plant will be dust collectors to trap what I believe is zinc oxide powder. The dust collectors will be equipped with bags suitable for removing the dust from the air stream.
    a. What will happen to the collected dust?

b. The system can be rendered very ineffective if a bag breaks or falls off of its mounting in the bag house. (I have a lot of personal experience in this area!) It is now common practice to have a "bag burst detection system"; this is a low cost detector for particles or opacity located on the "clean" side of the bag collector. Will such devices be provided?

4. The process is designed for zero liquid discharge to land, water, storm sewers etc. With all things normal I hope this will be achieved. My concern is an inadvertent failure of the normal containment (vessels, cleaning baths, process equipment) or possible splashing out of these vessels. Will there be any secondary containment for an "unplanned event"?

I leave it to the SCIDA to decide to present these questions and answers at the July 11 meeting or alternatively post them on the Romulus or Seneca County web site. I believe I have covered many of the questions that other town and county citizens have expressed concerning environmental issues.

My hope is that Earl Marin and the SDS project will become a model operation for other galvanizing plants in the US, which are notorious for being "dirty" facilities.

Ken Battle
Poplar Beach, Romulus
Secretary Romulus ZBA

EXHIBIT I

Phillips Lytle LLP

Memorandum

To: Seneca County Industrial Development Agency

From: Seneca Dairy Systems LLC

Date: July 9, 2019

Re: Seneca Dairy Systems Agricultural Manufacturing Facility Responses to Preliminary Comments

---

Seneca Dairy Systems LLC ("SDS") provides responses to the preliminary comments from the Stakeholders, the Town Board, the Town Planning Board, Fisher Associates, as the Seneca County Industrial Development Agency's consultant, the New York State Department of Environmental Conservation, and community feedback over the past several months (we have included each of the comments along with each response, in italics, for context). Accordingly, SDS provides comments to the following:

- **April 29, 2019 Stakeholder Meeting Comments**
- **May 6, 2019 Planning Board Meeting Comments**
- **May 7, 2019 Comments from Mary Anne Kowalski**
- **May 10, 2019 Fisher Associates Comments**
- **May 15, 2019 Town Board Meeting Comments**
- **May 21, 2019 Fisher Associates Comments**
- **May 30, 2019 Planning Board Meeting Comments**
- **June 18, 2019 Fisher Associates Comments**
- **June 19, 2019 Town Board Meeting Comments**
- **June 20, 2019 Comments from Ken Battle**
- **June 20, 2019 Comments from Mary Anne Kowalski**
- **July 2, 2019 Comments from Ken Battle**

APRIL 29, 2019 STAKEHOLDER MEETING

1. Will we be seeking site plan approval for all three phases at once?

   SDS' Response: Site plan approval will be sought one phase at a time.

2. What are the proposed traffic routes and traffic flows for trucks, preference is 96A.

   *SDS' Response: As shown in the Traffic Letter, at **Exhibit B**, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A.*

   Emergency departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concers and how to properly respond to such situations.

   As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have an potentially significant adverse impact on traffic operations and, accordingly, SDS respectfully submits no further study is warranted or recommended.

3. What are the plans to repair and reopen West Romulus Road?

   SDS' Response: It is anticipated that West Romulus Road will be re-opened by the time Phase 1 of the Project is operational. Notably, West Romulus Road is currently a private drive that runs through SDS' private property. While SDS anticipates paving and re-opening West Romulus Road, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.

4. Information on general facility operations, including the number of shifts, and if SDS will take on contract work in addition to galvanizing for own purpose.

   *SDS' Response: A detailed schematic of the facility operations is annexed to the Air Report as Appendix 1. As shown in **Exhibit A** and the schematic annexed thereto, the galvanizing*

process will include a total of 12 process tanks, each with an 8,884 gallon capacity. The acid tanks will be kept under negative pressure and capped with a folding cover that will remain in place when not in use. A traveling crane hood will be lowered into position above each tank before the folding cover is lifted. Thereafter the steel will be dipped into the process tank and lifted back up to dry before moving to the next tank in line. The traveling crane hood will remain in place until the dipping and drying is complete and the folding cover is closed. Automatic delays in the operating system will allow the steel to drip in place before the traveling hood moves to the next tank in line. The captured emissions will then pass through a scrubber where the fumes will be cleaned or "scrubbed" before passing through the smokestack and ultimately discharged to the atmosphere. The "scrubbed" material is then recycled and discharged back into the requisite process tank to prevent the formation of any waste stream. This operating process is designed to prevent drips to the floor, thereby capturing more material and preventing the generation of waste; prevent spattering, thereby preventing the generation of waste and increasing worker safety; and increase the amount of fumes captured from the process tanks, thereby recycling more material, decreasing waste, and decreasing emissions.

The facility will also utilize a three-stage filtration system to remove particulates from the galvanizing room. First, the particulates will pass through a diatomaceous earth pressure sensing baghouse filter, followed by a HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

To lessen potential byproducts/waste, SDS will be selective about the steel that is used in its galvanizing operations. In SDS' own operations, the majority of steel it produces or purchases is clean, raw, new steel that does not contain dirt, chemicals or heavy metals. This allows SDS more control over the end product as well as it prevents contamination in the galvanizing process (which would require those contaminated tanks to be pumped out, disposed of as waste, and replaced).

SDS intends to galvanize raw steel for other companies on a limited basis. Similar to its own process, SDS will be selective of the steel it galvanizes for others to prevent contamination of its tanks. If an outside company wants to galvanize its steel at SDS' facility, SDS will only accept companies that also manufacture clean, raw steel. Overall, this selective process will lessen potential byproducts/waste.

To minimize safety risks and spills, there are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. The entire floor of the processing facility will be lined with a urethane rubber spray. This will prevent the escape of any materials from the facility, even as the facility ages. Notably, the NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). See ***Exhibit G****.*

Initially, it is anticipated that there will just be one shift per day, generally from 6:30 A.M. to 4:30 P.M., and incidental office staff will likely stay until 5:00 P.M. SDS' current facility will remain operational and will maintain a baseline of existing employees, even after full buildout of the Project. Some of SDS' current employees will be retained at the new Project facility and many new employees will be hired.

The facility will also be semi-automatic. While workers will be involved in the galvanizing process, most of the system is designed to operate mechanically, which minimizes workers' exposure to chemical fumes and splatter, as well as high heat. Furthermore, because the facility will be semi-automatic, SDS will be able to prevent spills. For example, as mentioned above, the traveling hoods will have an automatic delay, allowing the steel to drip in place, rather than on the floor, before the traveling hood moves to the next tank in line. Because the facility is semi-automatic, SDS can control the delays on each hood, on a case-by-case basis. While this may slow the galvanizing process, it will prevent even small spills/drips from occurring, which must be cleaned up and collected by a worker, and treated as waste.

Finally, once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

5. Keep as much public involvement as possible.

SDS' Response: SDS has undertaken an extensive public outreach process to help inform the Town and community of Project plans and goals as well as to receive input and feedback on various aspects of the Project. SDS has attended a Stakeholder Meeting (April 29), three Town Planning Board meetings (May 6, May 30, and July 1), two Town Board meetings (May 15 and June 19), and a SENIDA meeting (May 2). SDS welcomes all community involvement and will do its best to provide a detailed response to every comment it receives. SDS will also hold a public informational meeting on July 11, 2019. Further, public hearings will be a part of the SENIDA and zoning approval process.

6. Add County Board of Supervisors to list of involved/interested agencies in case West Romulus Road is ever dedicated to the County.

*SDS' Response: See **Exhibit D**, Revised List of Interested and involved Agencies. SDS has added the County Board of Supervisors as an interested agency.*

As noted, it is expected that West Romulus Road will be re-opened by the time Phase 1 is operational. West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates paving and "re-opening" West Romulus Road, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.

7. Fire department capacity, asked that we add Ovid and Varick, as well as Romulus fire departments to the list of involved/interested agencies.

   *SDS' Response: See **Exhibit D**, Revised List of Interested and involved Agencies. All three fire departments were included on the list of interested/involved agencies. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.*

8. Provide digital copy for the Town website.

   SDS' Response: A digital copy of the EA was provided and is available on the Town's website. SDS will provide the Town with a digital copy of this Supplemental EA, as well as digital copies of any future submittals requested by the Town.

9. Concerns about spot zoning and rezoning, especially because Town is redoing its comprehensive plan from 2001.

   SDS' Response: There are no spot zoning issues. Rezoning the Site to WITE is consistent with the Reuse Plan and Implementation Strategy adopted in 1996, the Town of Romulus' 2001 Comprehensive Plan, and the location of Site with the surrounding uses. While the Site is currently zoned Agricultural, the larger Parcel (and the land immediately surrounding the Site) is zoned WITE and, to the east across Fayette Road, the Industrial Warehouse District.

10. Questions regarding Amish famers and safety with groundwater contamination concerns.

    SDS' Response: USACOE has met with the farmers to discuss groundwater and all safety issues will be properly addressed with the applicable authorities. Additionally, SDS' rezoning application will not be combined with the rezoning process for the farming/homesteading of a portion of the Depot property. SDS and the farmers are still in the process of negotiating and executing a contract for the purchase of land. As such, the farmer's application for a rezoning, and any groundwater or other issues, will be addressed separately if and when all ownership issues are resolved.

11. Status of solar development.

    SDS' Response: Solar development projects are currently working through the interconnection process and feasibility analysis with the utility. However, if and when these projects move forward, they are separate projects from the SDS Project.

MAY 6, 2019 PLANNING BOARD MEETING

1. Add Romulus School District as an Interested Agency.

   *SDS' Response: See **Exhibit D**, Revised List of Interested and involved Agencies. SDS has added the Romulus School District as an interested agency.*

2. Add Keuka Lake Scenic Byway and Dean's Cove as scenic resources in the vicinity on the Environmental Assessment Form.

   *SDS' Response: See **Exhibit C**, Revised Full Environmental Assessment Form. SDS has added Keuka Lake Scenic Byway and Dean's Cove to Section E.3.h of Part 1 of the Environmental Assessment Form.*

3. Clarification on which portion we are requesting to rezone.

   SDS' Response: SDS is only seeking a rezoning of the 18+/- acre Site, not the entire 75-acre Parcel. Further, SDS' rezoning application will not be combined with the rezoning process for the farming/homesteading of a portion of the Depot property. SDS and the farmers are still in the process of negotiating and executing a contract for the purchase of the land. As such, the farmer's application for a rezoning will take place once all ownership issues are resolved.

4. Address Spot Zoning.

   SDS' Response: There are no spot zoning issues. Rezoning the Site to WITE is consistent with the Reuse Plan and Implementation Strategy adopted in 1996, the Town of Romulus' 2001 Comprehensive Plan, and the location of Site with the surrounding uses. While the Site is currently zoned Agricultural, the larger Parcel (and the land immediately surrounding the Site) is zoned WITE and, to the east across Fayette Road, the Industrial Warehouse District.

5. Water Quality concerns were noted.

   SDS' Response: The proposed Project will increase impervious surfaces on the Site. However, all work will be completed in conformance with required State regulations, the Project will not involve construction on land where the depth to the water table is less than three feet, and the Project will not result in increased erosion. A Stormwater Pollution Prevention Plan ("SWPPP") will be prepared and finalized, which will include both permanent and temporary stormwater control measures that will minimize stormwater runoff during construction and operation of the Project. Accordingly, the construction and operation of the Project will not have any significant adverse impacts to water quality.

   Additionally, the galvanizing/industrial operations will not have any impacts on water quality. The Project will be designed with no drains in the process facility to prevent the escape of industrial materials. The entire floor of the process facility will also be lined with a

urethane rubber spray as a type of "secondary containment" to further prevent the escape of any materials. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. Moreover, no industrial waste or materials will be discharged to the sanitary sewers. During regular operations, the Project will not generate hazardous and/or industrial waste. To the extent hazardous and/or industrial waste is generated (e.g., if the process tanks need to be pumped out), all materials will be properly disposed of off-site by a licensed third-party waste hauler and sent to a disposal facility permitted to accept the waste. Notably, the NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). Only a SPDES construction permit is expected. See ***Exhibit G****. As such, there are no adverse impacts to water quality.*

6. Current moratoria on Sewer District was noted.

SDS' Response: It is anticipated that the sewer moratorium will be resolved before SDS is operational. However, as an alternative if the issue is not resolved before construction, SDS will pump all sanitary waste to a buried tank. SDS will engage a private service to pump out the tank on a regular basis. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system.

7. Provide more details about the traffic impacts, and the number of truck trips.

SDS' Response: As shown in the Traffic Letter, at ***Exhibit B****, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates paving and re-opening West Romulus Road, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.*

There will be approximately 3-5 semi-trailers and 4-5 small flatbed trailers making deliveries to and/or pickups from the Site each day, 1 scrap metal truck delivery per week, and incidental small package deliveries each day (USPS, UPS and FedEx). Generally, the traffic generated by the delivery trucks would be spread out over the course of a day, in a manner that can easily be accommodated by the existing roadway network. Notably, SDS' current operations requires a truck to deliver materials to its facility for preparation, then a truck to take that material off-site for galvanizing, and then a truck to return the materials after

galvanizing. As such, truck trips for the Project will be reduced by ~40%from prior SDS operations because galvanizing will now be done onsite.

Truck estimates are based on 100 tons per day. However, SDS' anticipated maximum production by weight during the next 5-8 years is less than 100 tons per day. For context, if SDS were to galvanize 5 truckloads of steel every working day, its generated revenue would be around $5 Million per year and while that is definitely a goal it wants to surpass, it is unrealistic to estimate more than that in the next 5-8 years. Well before that time, it is expected that SDS will re-open West Romulus Road and trucks will, at that time, be able to access the Site by both Route 96 and Route 96A.

Emergency vehicles are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will outreach with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific dangers and how to properly respond to them.

It should be noted that, as indicated in the Traffic Letter, the existing SDS facility currently operates with approximately 30% of employees carpooling on a daily basis. It is anticipated that a similar percentage of employees will carpool for the Project, which further reduces the volume of site-generated trips. However, the Traffic Letter does not take carpooling into account for purposes of a "worst-case" analysis. As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have an potentially significant adverse impact on traffic operations and no further study is warranted or recommended.

8. Will employees of the existing facility be retained after full buildout?

SDS' Response: SDS' current facility will remain operational and will maintain a baseline of existing employees, even after full buildout of the Project. Some of SDS' current employees will be retained at the new Project facility and many new employees will be hired.

9. Provide a more detailed description of the galvanizing processes.

SDS' Response: The EA contains a detailed description of the galvanizing process. In addition, a detailed schematic of the facility operations is annexed to the Air Report as Appendix A. As shown in ***Exhibit A*** *and the schematic annexed thereto, the galvanizing process will include a total of 12 process tanks, each with an 8,884 gallon capacity. The acid tanks will be kept under negative pressure and capped with a folding cover that will remain in place when not in use. A traveling crane hood will be lowered into position above each tank before the folding cover is lifted. Thereafter the steel will be dipped into the process tank and lifted back up to dry before moving to the next tank in line. The traveling crane hood will remain in place until the dipping and drying is complete and the folding cover is closed.*

Automatic delays in the operating system will allow the steel to drip in place before the traveling hood moves to the next tank in line. The captured emissions will then pass through a scrubber where the fumes will be cleaned or "scrubbed" before passing through the smokestack and ultimately discharged to the atmosphere. The "scrubbed" material is then recycled and discharged back into the requisite process tank to prevent the formation of any waste stream. This operating process is designed to prevent drips to the floor, thereby capturing more material and preventing the generation of waste; prevent spattering, thereby preventing the generation of waste and increasing worker safety; and increase the amount of fumes captured from the process tanks, thereby recycling more material, decreasing waste, and decreasing emissions.

The facility will also utilize a three-stage filtration system to remove particulates from the galvanizing room. First, the particulates will pass through a diatomaceous earth pressure sensing baghouse filter, followed by a HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

To lessen potential byproducts/waste, SDS will be selective about the steel that is used in its galvanizing operations. In SDS' own operations, the majority of steel it produces or purchases is clean, raw, new steel that does not contain dirt, chemicals or heavy metals. This allows SDS more control over the end product as well as it prevents contamination in the galvanizing process (which would require those contaminated tanks to be pumped out, disposed of as waste, and replaced).

SDS intends to galvanize raw steel for other companies on a limited basis. Similar to its own process, SDS will be selective of the steel it galvanizes for others to prevent contamination of its tanks. If an outside company wants to galvanize its steel at SDS' facility, SDS will only accept companies that also manufacture clean, raw steel. Overall, this selective process will lessen potential byproducts/waste.

To minimize safety risks and spills, there are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. The entire floor of the processing facility will be lined with a urethane rubber spray. This will prevent the escape of any materials from the facility, even as the facility ages. Notably, the NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). See ***Exhibit G****.*

Initially, it is anticipated that there will just be one shift per day, generally from 6:30 A.M. to 4:30 P.M., and incidental office staff will likely stay until 5:00 P.M. SDS' current facility will remain operational and will maintain a baseline of existing employees, even after full buildout of the Project. Some of SDS' current employees will be retained at the new Project facility and many new employees will be hired.

The facility will also be semi-automatic. While workers will be involved in the galvanizing process, most of the system is designed to operate mechanically, which minimizes workers' exposure to chemical fumes and splatter, as well as high heat. Furthermore, because the facility will be semi-automatic, SDS will be able to prevent spills. For example, as mentioned above, the traveling hoods will have an automatic delay, allowing the steel to drip in place, rather than on the floor, before the traveling hood moves to the next tank in line. Because the facility is semi-automatic, SDS can control the delays on each hood, on a case-by-case basis. While this may slow the galvanizing process, it will prevent even small spills/drips from occurring, which must be cleaned up and collected by a worker, and treated as waste.

Finally, once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

10. Provide more information, including a list, of the hazardous air pollutants associated with the Project.

SDS' Reponse: As shown in the Air Report, at ***Exhibit A****, the Project has been designed, but the specifications for emissions control equipment have not been finalized. Consequently, highly conservative estimates, based on industry norms, were used to characterize the performance of the proposed emissions control devices. Such estimates are showing preliminary pollutant collection and removal efficiencies that are lower than those typically achieved in similar facilities. These efficiencies should be readily exceeded in practice, providing actual emissions that are consistently less than the estimates provided in the Air Report.*

Emissions of Hydrochloric Acid, from the pickling line solution, is a NYSDEC listed Hazardous Air Pollutant (HAP) regulated by the NYSDEC. Emissions of Hydrochloric Acid are expected to be well below the Major Source Threshold limits. Threshold limits are 25 tons per year (tpy) for all HAPs in aggregate and 10 tpy for an individual HAP. The calculations demonstrate that the maximum concentration of Hydrochloric Acid at the outlet of the scrubber will fall below the short term guidance concentration of 2,100 micrograms per cubic meter. As the guidance concentration is intended to be measured at off-site receptors (after being significantly diluted by the surrounding air), falling below this level at the emissions point is indicative of assured compliance without the need for air dispersion modeling. Accordingly, the Project is expected to qualify for an Air Registration Certificate subject to limited regulations, rather than a fully regulated state facility permit or a Title V permit.

In addition, the emission of fugitive particulates are shown to fall well below the Major Source Threshold of 100 tpy. The Project will utilize a three-stage filtration system to remove particulates from the galvanizing room. First the particulates will pass through a diatomaceous earth pressure sensing baghouse filter, followed by HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this

filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

Furthermore, the Project's tanks, galvanizing kettle and buildings will be heated by natural gas boilers. Comfort heating will be supplied by exempt natural gas space heaters. Based on the fuel consumption estimates provided by the Project's design team, total nitrogen oxide emissions from combustion operations will total less than 11 tpy. This is well below the Major Source Threshold of 100 tpy. As such, all stationary combustion facilities will be exempt from permitting requirements.

SDS will continue to work with the NYSDEC and will comply with all applicable regulations and requirements. Accordingly, the Project will not have any significant adverse impacts on air.

11. Is there a structure on the property that was constructed without a permit?

    SDS' Response: There is a pre-existing properly permitted structure located on the Property. No other structures have been built on any portion of the Parcel.

12. Concern that sale of land to the Amish for farming may violate the Fair Housing Act was noted, because you cannot make land available to only a certain group.

    SDS' Response: The Fair Housing Act protects buyers or renters from discrimination because of that person's inclusion in a protected class. As such, it is unlawful for a seller/landlord to refuse to sell/rent a piece of property because of a person's race, color, religion, sex, handicap, familial status or national origin. For example, it would be unlawful for Mr. Martin to refuse to sell or negotiate a sale of his property to the Amish solely because they are Amish. However, selling land to the Amish is neither discriminatory nor illegal.

    Moreover, Mr. Martin is not making his land available only to a certain group. Rather, Mr. Martin is negotiating with certain persons for a potential sale of a portion of his land. This transaction is akin to what any landowner does when selling or renting their property.

MAY 7, 2019 E-MAIL FROM MARY ANNE KOWALSKI

1. Add Town of Varick as an Interested Agency.

   *SDS' Response: See **Exhibit D**, Revised List of Interested and involved Agencies. SDS has added the Town of Varick as an interested agency.*

2. Traffic Estimates seem low.

   SDS' Response: There will be approximately 3-5 semi-trailers and 4-5 small flatbed trailers making deliveries to and/or pickups from the Site each day, 1 scrap metal truck delivery per week, and incidental small package deliveries each day (USPS, UPS and FedEx). Generally, the traffic generated by the delivery trucks would be spread out over the course of a day, in a manner that can easily be accommodated by the existing roadway network. Notably, SDS' current operations requires a truck to deliver materials to its facility for preparation, then a truck to take that material off-site for galvanizing, and then a truck to return the materials after galvanizing. As such, truck trips for the Project will be reduced by ~40% because galvanizing will now be done onsite.

   Truck estimates are based on 100 tons per day. However, SDS' anticipated maximum production by weight during the next 5-8 years is less than 100 tons per day. For context, if SDS were to galvanize 5 truckloads of steel every working day, its generated revenue would be around $5 Million per year and while that is definitely a goal it wants to surpass, it is unrealistic to estimate more than that in the next 5-8 years. Well before that time, it is expected that SDS will re-open West Romulus Road and trucks will, at that time, be able to access the Site by both Route 96 and Route 96A.

   It should be noted that, as indicated in the Traffic Letter, the existing SDS facility currently operates with approximately 30% of employees carpooling on a daily basis. It is anticipated that a similar percentage of employees will carpool for the Project, which further reduces the volume of site-generated trips. However, the Traffic Letter does not take carpooling into account for purposes of a "worst-case" analysis. As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have a significant adverse impact on traffic operations and no further study is warranted or recommended.

3. The condition of the roads at the Depot, especially near the sewage plant, could barely manage my Volvo, much less tractor trailers loaded with steel.

   *SDS' Response: As shown in the Traffic Letter, at **Exhibit B**, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. Once it has been re-opened, West Romulus Road will be in sufficient condition to handle truck and non-truck traffic accessing the Site. However, the intended address of the facility will be on Route 96A and SDS will*

continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates repairing and re-opening West Romulus Road prior to operation of Phase 1 of the Project it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.

4. Traffic and routes are not included in the proposal. Fischer should be asked to take a close look at volume, condition and capacity. The routes to be used for delivery and emergency need to be specified.

   SDS' Response: In response to this comment and in response to Fisher Associates' May 21, 2019 comments, SDS commissioned a Traffic Letter, see ***Exhibit B****. As shown in the Traffic Letter, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates paving and "re-opening" West Romulus Road, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to the County, however, there are currently no such plans.*

   Emergency vehicles are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will outreach with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

   As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have an potentially significant adverse impact on traffic operations and no further study is warranted or recommended.

5. At an earlier meeting, Earl said that trucks could come from 96A, when County Route 135 was reopened. I have been told that there are no imminent plans to reopen that road, not only because of the condition of the road, but because of safety issues on 96A.

   SDS' Response: Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from

Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A.

6. I look forward to the air reports, but also to the studies about disposal of the hazardous waste, which appears to be liquids containing hydrochloric acid, ammonium chloride, zinc and lead.

   *SDS' Response: See Air Report at **Exhibit A**. Additionally, SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. Material that is recycled and re-used is by definition not hazardous waste. The facility is designed with an acid purification tank that recycles the acid, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid in the pickling tanks. This process significantly reduces and/or eliminates the need to pump out and replacing the pickling tanks, thereby reducing and/or eliminating the generation of waste. The acid purification tank itself will produce an iron oxalate byproduct that is not considered a hazardous waste and will be properly landfilled.*

   In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a spent material or waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. Additionally, normal facility operations are designed with delays to prevent any drips from hitting the facility floor. However, if drips do occur, that material will be considered a waste and will be properly collected, handled and disposed of off-site. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

7. All the reports I have read so far indicate that lead is a probable contaminant from the process:
   - Lead is not purposefully added to galvanizing baths, rather it is an impurity in zinc. Different types of zinc have different levels of lead. The specified lead maximums for the various types of zinc can be found in ASTM B6.

   SDS' Response: This is true. However, any lead is solidified with the Zinc and will part of the final product for sale. Additionally, lead volumes in the finished product will be found in trace amounts. The only way for the small amount of lead to become a waste is if SDS was to galvanize a piece of metal and then decide to strip off the zinc and re-galvanize it. At that point, the "lead" would become suspended in the hydrochloric acid and make any by-products from that bath of hydrochloric acid hazardous waste. As a standard practice, SDS will not be doing this because it will be more beneficial to discard that piece of steel rather than to risk contaminating the line. In the event this is unavoidable, SDS would be forced to contaminate its hydrochloric acid bath (one tank or 25% of its line) which would then need to be treated as hazardous waste and disposed of off-Site by a licensed third-party. SDS' normal

facility operations will minimize the potential of creating any hazardous waste. To the extent that hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

- Lead does not have the beneficial effect of decreasing the surface tension of zinc, which allows it to flow off the steel easier as it is being removed from the kettle. This creates thinner galvanized coatings that have less runs and drips. Bismuth is sometimes added to galvanizing baths to achieve the same effect as lead has when types of zinc are used that have very low levels of lead.

SDS' Response: SDS will be using Bismuth to deal with the low lead content of the Zinc.

MAY 10, 2019 FISHER ASSOCIATES COMMENTS

1. FEAF B.f - Should add funding-related approvals that at a minimum includes SCIDA and ESD. Are there other agencies that will have a funding role in the project that should be included? Although likely ministerial, it is presumed that a U.S. Army Corps of Engineers Nationwide Permit would be utilized for the proposed stormwater discharge outfall.

   *SDS' Response: See **Exhibit C**, Updated FEAF. SDS has added the requested funding-related approvals.*

2. FEAF D.2.a - What is the volume of excavation necessary to construct the stormwater management system and will the excavated material be reused on site?

   SDS' Response: The Project will require approximately 18,000 cubic yards of excavated material for the entire Project, not just the construction of the stormwater management system. As indicated in Section D.2.a.ii-iii of the FEAF, none of this material will be removed from the Site and all excavated materials will be used for site grading.

3. If the excavated material will not be used on site, this section should be completed.

   SDS' Response: As noted above and in Section D.2.a.ii-iii of the FEAF, none of the excavated material will be removed from the Site and all excavated materials will be used for site grading.

4. FEAF D.2.d.iii - Will the proposed sanitary sewer lateral require approval(s) from the County Health Department or other entities/agencies?

   SDS' Response: The proposed sanitary sewer laterals will require approval from the County Water and Sewer District and the NYSDEC. The proposed sewer laterals will not require approval by the County Health Department.

5. FEAF D.2.e.iv - Checked "yes" but project does not appear to minimize impervious surfaces (majority of the 18 acres will be converted to impervious surfaces), use previous materials or collect/reuse stormwater. Should check "no" to this question.

   *SDS' Response: See **Exhibit C**, Updated FEAF. SDS has checked "no" in Section D.2.e.iv. However, SDS will be collecting rain water as part of its daily water requirements.*

6. FEAF D.2.j - The project appears to exceed the square footage threshold for the proposed use (light industrial warehousing and/or manufacturing plant) establishing in NYSDEC guidance and therefore could exceed 100 peak hour trips. Therefore, the answer to this question regarding whether the project will have a "substantial increase in traffic above present levels" should be "yes."

*SDS' Response: As shown in the Traffic Letter, see **Exhibit B**, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have any potentially significant adverse impact on traffic operations and, accordingly, SDS respectfully submits no further study is warranted or recommended.*

7. FEAF D.2.k - Confirm that an upgrade of the substation is not necessary to accommodate the project. Discussion at Romulus Planning Board meeting indicated electrical infrastructure may not be adequate to accommodate project's full buildout. A description of discussions with NYSEG and improvements necessary to effectuate the project and any correspondence, if available, should be provided.

   SDS' Response: The current electrical infrastructure is sufficient to accommodate Phase 1 of the Project. SDS has had several discussions with NYSEG regarding upgrades to the existing infrastructure. NYSEG has indicated that once Phase 1 is operational, it will work with SDS to upgrade the existing infrastructure from the substation to the Site. This work will mostly involve upgrading the electrical line from the substation, however, some utility poles may also require upgrading. When this work is complete, the Site will have adequate power for full buildout of the Project. In addition, only a small portion in the southern part of the WITE-area has a drilling moratoria. No drilling will occur in this restricted area.

8. FEAF D.2.m.ii - Status that no increase in current noise levels is expected once construction is complete. However, page 34 in Section III states ambient levels will increase.

   SDS' Response: In Section D.2.m of the FEAF, SDS checked "yes" that the proposed action will produce noise that will exceed existing ambient noise levels during construction, operation or both. In Section D.2.m.i, SDS removed the sentence that said "No increase in current noise levels is expected once construction is complete." Section D.2.m.ii is properly checked "no" because SDS will not remove existing natural barriers that could act as a noise barrier or screen.

9. FEAF D.2.p - While the project will use various chemicals in its processes, the answer provided to this question regarding bulk storage was checked "no." More detail (see similar comment below) should be provided regarding how, where and in what quantities chemicals will be stored at the facility.

   SDS' Response: SDS will not "store" chemicals/hazardous materials on-Site for purposes of regulatory requirements. The facility will only store small amounts of general cleaning and maintenance supplies. However, all of the on-Site bulk chemicals/hazardous materials will be used in the galvanizing process. NYSDEC regulations distinguish between tanks that are used to "store" materials and tanks that are used in "process." Process tanks are defined as a vessel or other equipment which is used to mix or physically, chemically or biologically change a hazardous substance. See 6 NYCRR § 596.1(c)(43). SDS's tanks will qualify as process tanks because the pure chemicals (i.e., hazardous substance) in each tank will be physically and chemically changed by the introduction of raw steel and heat in the

galvanizing process. Process tanks are not regulated under NYSDEC's Chemical Bulk Storage regulations.

In its operations, SDS will utilize 12 process tanks each with an 8,884 gallon capacity. The contents of the process tanks are as follows:

- *Tank 1: 10% Phosphoric Acid Degreaser Tank (pH between 1.8-2.5)*
- *Tanks 2-3: Rinse Tanks (mostly water and some residual phosphoric acid)*
- *Tanks 4-7: 15% Hydrochloric Acid Pickling Tanks*
- *Tanks 8-9: Rinse Tanks (mostly water and some residual hydrochloric acid)*
- *Tank 10: Ammonium Chloride and Zinc Chloride Flux Tank*
- *Tank 11: Zinc Bath Tank*
- *Tank 12: Cooling Bath Tank (100% water)*

In the event that SDS needs to add raw materials to its process tanks (e.g., addition of phosphoric acid to maintain 10% solution and pH range), those materials will be delivered to the facility and added directly into the requisite process tank. SDS will not store any of the chemicals/raw materials used in the galvanizing process on-Site.

Additionally, SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. Material that is recycled and re-used is by definition not spent or discarded material. See 6 NYCRR § 360.2(a)(1)-(2). The facility is designed with an acid purification tank that recycles the acid, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid in the pickling tanks. This process significantly reduces and/or eliminates the need to pump out and replacing the pickling tanks, thereby reducing and/or eliminating the generation of waste. The acid purification tank itself will produce an iron oxalate byproduct that is not considered a hazardous waste and will be properly landfilled.

In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a spent material or waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. Additionally, as stated above, normal facility operations are designed with delays to prevent any drips from hitting the facility floor. However, if drips do occur, that material will be considered a waste and will be properly collected, handled and disposed of off-site. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

10. FEAF D.2.t - While the project will use various chemicals in its galvanizing process and spent solutions will be generated, collected and reused/recycled or transported off site (no discharges to the sewer system) according to the information provided, confirmation that these wastes will not meet the criteria for listed or characteristic hazardous waste should be provided. If hazardous wastes will be generated, additional detail regarding the types and quantities should be provided and

confirmation that the Applicants will comply with state/federal hazardous waste generator requirements.

SDS' Response: See Response to Comment 9 above.

11. FEAF E.3.f - The project site is located in an archaeologically sensitive area and therefore the answer to this question should be "yes."

*SDS' Response: See **Exhibit C**, Updated FEAF. SDS has checked "yes" in Section E.3.f.*

12. Page 2 of EA mentions that SDS is already galvanizing at Hoster Road. This statement is inaccurate.

SDS' Response: Correction, SDS is not galvanizing at its Hoster Road facility.

13. Page 3 of EA mentions conveyance of 25 acres to the county - the actual is closer to 12 acres.

SDS' Response: Correction, SDS will convey approximately 12 acres of Depot land to Seneca County to allow existing police and fire training facilities to continue operations that are essential to the surrounding communities' safety.

14. Page 5 of the EA mentions Phase 2 will begin within four years of stabilization of Phase 1. To line up with SCIDA, CDBG and ESD applications, this should be revised to state that Phase 2 will be constructed in year 3 and be in full swing within the first five years.

SDS' Response: Correction, Phase 2 will be constructed in year 3 and be in full swing within the first five years.

15. Page 19 of the EA the acronym ASC is used. We assume this should be "AOC."

SDS' Response: Correct, it was a typo and should be AOC.

16. Page 23 of the EA mentions four years between each proposed phase, this should be revised to state that Phase 2 will be constructed in year 3 and be in full swing within the first five years.

SDS' Response: See Response to Comment 14 above.

17. Page 26 of the EA references the wetland survey conducted for the site and Appendix F includes the Wetland Survey report. Wetland data sheets/forms documenting the wetland field investigation should be provided.

SDS' Response: Wetland date sheets/forms are annexed hereto as Exhibit K.

18. Page 29 of the EA states the site does not have prime farmland soils. Although the site is not used for active agriculture, the USDA Soil Survey indicates the predominate soil group for the site is "prime farmland if drained."

    SDS' Response: The Project Site is not located in an area used for active agriculture and it is not located in a New York State certified Agricultural District.

19. Page 30 of the EA provides a discussion regarding historic and archaeological resources. As noted in the FEAF comments, the site is located in an area of archeological sensitivity according to the State's Cultural Resources Information System (CRIS).

    SDS' Response: SDS commissioned a Phase I archaeological study over the Site, at the request of the OPRHP. Once the results of that study are received, SDS will continue to consult with the OPRHP as necessary to address any archeological issues that may exist on the Site, or to confirm no such issues exist. Although the Site is in proximity to an archeologically sensitive area, no significant adverse impacts are anticipated because of the previous disturbances and evaluation at the Site and the Depot. SDS will work to obtain a letter of no effect from the OPRHP.

20. Page 31 of the EA provides a discussion on potential transportation-related impacts. However, as indicated in the FEAF comments, the NYSDEC's 100-trip threshold may be exceeded which could warrant preparation of a traffic analysis. Fisher's Sr. Transportation Engineer is reviewing this section and will provide further information regarding the levels of analysis necessary to assess potential transportation-related impacts.

    *SDS' Response: As shown in the Traffic Letter, see **Exhibit B**, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have any potentially significant adverse impact on traffic operations and, accordingly, SDS respectfully submits no further study is warranted or recommended.*

21. Pages 32 and 33 of the EA provide a discussion on potential energy and utilities impacts. Any correspondence or other documentation from water, sewer, electric and natural gas utility providers indicating that adequate capacity exists to serve the project at full buildout should be provided.

    SDS' Response: The current electrical infrastructure is sufficient to accommodate Phase 1 of the Project. SDS has had several discussions with NYSEG regarding upgrades to the existing infrastructure. NYSEG has indicated that once Phase 1 is operational, it will work with SDS to upgrade the existing infrastructure from the substation to the Site. This work will mostly involve upgrading the electrical line from the substation, however, some utility poles may also require upgrading. When this work is complete, the Site will have adequate power for full buildout of the Project. In addition, only a small portion in the southern part of the WITE-area has a drilling moratoria. No drilling will occur in this restricted area.

In addition, based on discussions with the NYSDEC, it is anticipated that the sewer moratorium will be resolved before SDS is operational. However, as an alternative if the issue is not resolved before construction, SDS will pump all domestic sanitary waste to a buried tank. SDS will engage a private service to pump out the tank on a regular basis. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system.

22. Page 33 of the EA mentions that approximately 66 jobs are associated with Phase 1. Our understanding is 66 jobs will be created upon completion of Phase 2.

    SDS' Response: It is estimated that 35 jobs will be created as part of Phase 1 and an additional approximately 25 jobs will be created as part of Phase 2. The total number of estimated jobs created over the two phases is 60 jobs. These created jobs are in addition to SDS' current employees.

23. On pages 33 and 34 of the EA regarding noise and light, should there be mention of the farm homesteads planned? These are mentioned earlier in the document although it is understood that the homesteads are not part of the Applicant's proposed project.

    SDS' Response: Once construction is complete, there will be minimal impacts from noise and light on any potential projects in the surrounding area. The Project will only require night-time lighting at doorways and around building perimeters and in parking areas. This minimal light will not have significant adverse impacts on the potential homesteads. There will be increased noise during construction, however construction phases will be relatively short and will comply with all noise ordinances and laws. Once the Project is operational, ambient noise levels will increase from vehicles traveling to and from the Site, loading and unloading vehicles, and from operations within the building. However, these noises are consistent with noises generated by farming tractors/vehicles and the potential homesteads will have a limited number of workers near the Site. In addition, the homestead project is uncertain at this point because SDS and the farmers are still in the process of negotiating and executing a contract for the purchase of land. Accordingly, the Project will not have significant adverse impacts on the potential homesteads.

24. Page 36 of the EA indicates that there are no plans for large volumes of bulk chemicals and that limited amounts of such chemicals will be maintained on-site for operations. The approximate types and quantities of hazardous chemicals to be stored on-site at one time and the method of storage should be described.

    SDS' Response: See Response to Comment 9 above.

25. Page 36 of the EA indicates that no hazardous waste will be generated by project operations as all hazardous materials are purified and/or recycled. Clarification regarding whether any of the wastes generated from operations/processes will need

to be classified as hazardous waste regardless of whether such wastes will be recycled or reused should be provided.

SDS' Response: See Response to Comment 9 above. Additionally, materials that are recycled or reused are by definition not waste. In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

MAY 15, 2019 TOWN BOARD MEETING

1. Further traffic information, including alternative routes (135/96), as it is unlikely all traffic can be routed to 96A.

   *SDS' Response: As shown in the Traffic Letter, at **Exhibit B**, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates repairing and reopening West Romulus Road prior to operation of Phase 1, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.*

   Emergency departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

   It should be noted that, as indicated in the Traffic Letter, the existing SDS facility currently operates with approximately 30% of employees carpooling on a daily basis. It is anticipated that a similar percentage of employees will carpool for the Project, which further reduces the volume of site-generated trips. However, the Traffic Letter does not take carpooling into account for purposes of a "worst-case" analysis. As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have a significant adverse impact on traffic operations and no further study is warranted or recommended.

2. Road maintenance and widening to account for trucks/ER vehicles.

   SDS' Response: The roads in the Depot owned by SDS will be maintained and plowed by SDS. Notably, the roads in the Depot were overbuilt to accommodate the Army's activities.

3. Request to replace fence, since Earl can get the gate open.

   SDS' Response: It is unclear what fence is being referenced in this comment.

4. Board member noted general safety concerns - spill risks, risks to water, etc., and more information on overall processing. Board member also noted Elderlee Galvanizing in Oaks Corners, New York is 5x larger and there are no issues with that facility, so he just wants more information.

   SDS' Response: A detailed schematic of the facility operations is annexed to the Air Report. As shown in ***Exhibit A*** *and the schematic annexed thereto, the galvanizing process will include a total of 12 process tanks, each with an 8,884 gallon capacity. The Acid tanks will be kept under negative pressure and capped with a folding cover that will remain in place when not in use. A traveling crane hood will be lowered into position above each tank before the folding cover is lifted. Thereafter the steel will be dipped into the process tank and lifted back up to dry before moving to the next tank in line. The traveling crane hood will remain in place until the dipping and drying is complete and the folding cover is closed. Automatic delays in the operating system will allow the steel to drip in place before the traveling hood moves to the next tank in line. The captured emissions will then pass through a scrubber where the fumes will be cleaned or "scrubbed" before passing through the smokestack and ultimately discharged to the atmosphere. The "scrubbed" material is then recycled and discharged back into the requisite process tank to prevent the formation of any waste stream. This operating process is designed to prevent drips to the floor, thereby capturing more material and preventing the generation of waste; prevent spattering, thereby preventing the generation of waste and increasing worker safety; and increase the amount of fumes captured from the process tanks, thereby recycling more material, decreasing waste, and decreasing emissions.*

   The facility will also utilize a three-stage filtration system to remove particulates from the galvanizing room. First, the particulates will pass through a diatomaceous earth pressure sensing baghouse filter, followed by a HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

   To lessen potential byproducts/waste, SDS will be selective about the steel that is used in its galvanizing operations. In SDS' own operations, the majority of steel it produces or purchases is clean, raw, new steel that does not contain dirt, chemicals or heavy metals. This allows SDS more control over the end product as well as it prevents contamination in the galvanizing process (which would require those contaminated tanks to be pumped out, disposed of as waste, and replaced).

   SDS intends to galvanize raw steel for other companies on a limited basis. Similar to its own process, SDS will be selective of the steel it galvanizes for others to prevent contamination of its tanks. If an outside company wants to galvanize its steel at SDS' facility, SDS will only accept companies that also manufacture clean, raw steel. Overall, this selective process will lessen potential byproducts/waste.

To minimize safety risks and spills, there are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. The entire floor of the processing facility will be lined with a urethane rubber spray. This will prevent the escape of any materials from the facility, even as the facility ages. Notably, the NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). See ***Exhibit G****.*

Initially, it is anticipated that there will just be one shift per day, generally from 6:30 A.M. to 4:30 P.M., and incidental office staff will likely stay until 5:00 P.M. SDS' current facility will remain operational and will maintain a baseline of existing employees, even after full buildout of the Project. Some of SDS' current employees will be retained at the new Project facility and many new employees will be hired.

The facility will also be semi-automatic. While workers will be involved in the galvanizing process, most of the system is designed to operate mechanically, which minimizes workers' exposure to chemical fumes and splatter, as well as high heat. Furthermore, because the facility will be semi-automatic, SDS will be able to prevent spills. For example, as mentioned above, the traveling hoods will have an automatic delay, allowing the steel to drip in place, rather than on the floor, before the traveling hood moves to the next tank in line. Because the facility is semi-automatic, SDS can control the delays on each hood, on a case-by-case basis. While this may slow the galvanizing process, it will prevent even small spills/drips from occurring, which must be cleaned up and collected by a worker, and treated as waste.

Finally, once Phase 1 of the Project is complete, SDS will outreach with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific dangers and how to properly respond to them.

5. Volume of chemicals stored at the site and transported to the site.

SDS will not "store" chemicals/hazardous materials on-Site. The facility will only store small amounts of general cleaning and maintenance supplies, as well as natural gas for heat. However, all of the on-Site bulk chemicals/hazardous materials will be used in the galvanizing process. NYSDEC distinguishes between tanks that are used to "store" materials and tanks that are used in "process." Process tanks are defined as a vessel or other equipment which is used to mix or physically, chemically or biologically change a hazardous substance. See 6 NYCRR § 596.1(c)(43). SDS's tanks will qualify as process tanks because the pure chemicals (i.e., hazardous substance) in each tank will be physically and chemically changed by the introduction of raw steel and heat in the galvanizing process. Process tanks are not regulated under NYSDEC's Chemical Bulk Storage regulations.

In its operations, SDS will utilize 12 process tanks each with an 8,884 gallon capacity. The contents of the process tanks are as follows:

- *Tank 1: 10% Phosphoric Acid Degreaser Tank (pH between 1.8-2.5)*

- *Tanks 2-3: Rinse Tanks (mostly water and some residual phosphoric acid)*
- *Tanks 4-7: 15% Hydrochloric Acid Pickling Tanks*
- *Tanks 8-9: Rinse Tanks (mostly water and some residual hydrochloric acid)*
- *Tank 10: Ammonium Chloride and Zinc Chloride Flux Tank*
- *Tank 11: Zinc Bath Tank*
- *Tank 12: Cooling Bath Tank (100% water)*

From time to time the process tanks will need to be refilled/refreshed. In the event that SDS needs to add raw materials to its process tanks (e.g., addition of phosphoric acid to maintain 10% solution and pH range), those materials will be delivered to the facility and added directly into the requisite process tank. SDS anticipates one truck annually to refill/refresh the necessary tanks. SDS will not store any of the chemicals/raw materials used in the galvanizing process on-Site.

Additionally, SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. Material that is recycled and re-used is by definition not spent or discarded material. See 6 NYCRR § 360.2(a)(1)-(2). The facility is designed with an acid purification tank that recycles the acid, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid in the pickling tanks. This process significantly reduces and/or eliminates the need to pump out and replacing the pickling tanks, thereby reducing and/or eliminating the generation of waste. The acid purification tank itself will produce an iron oxalate byproduct that is not considered a hazardous waste and will be properly landfilled.

In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a spent material or waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. Additionally, as stated above, normal facility operations are designed with delays to prevent any drips from hitting the facility floor. However, if drips do occur, that material will be considered a waste and will be properly collected, handled and disposed of off-site. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

6. Contingencies if "something goes wrong" or if a pipe breaks.

SDS' Response: SDS prepared a Facility Health and Safety Plan (see Appendix J annexed to the EA). Additionally, to minimize safety risks and spills, there are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. The entire floor of the processing facility will be lined with a urethane rubber spray. This will prevent the escape of any materials from the facility, even as the facility ages, and in the event that "something goes wrong."

SDS will be required to comply with all applicable NYSDEC regulations, reporting requirements, OSHA inspections, and any other applicable regulatory agencies. Notably, the

NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). See ***Exhibit G****.*

7. PILOT questions were raised at the meeting, and Bob Aronson of SENIDA provided this response at the meeting.

8. Timing of phases.

   SDS' Response: Per SENIDA application, Phase 1 will be completed within 2 years; construction of Phase 2 will begin in year 4 and Phase 2 will be operational in year 5; and construction of Phase 3 will begin after year 5 and Phase 3 will be operational by year 8.

9. Question regarding permit for Structure on the property.

   SDS' Response: There is a pre-existing properly permitted structure on the Property. No other structures have been built on any portion of the Property.

10. Farming and homesteading on site.

    SDS' Response: USACOE has met with the famers to discuss groundwater and all safety issues will be properly addressed with the applicable authorities. Additionally, SDS' rezoning application will not be combined with the rezoning process for the farming/homesteading of a portion of the Depot property. SDS and the farmers are still in the process of negotiating and executing a contract for the purchase of land. As such, the farmer's application for a rezoning, and any groundwater or other issues, will be addressed separately once all ownership issues are resolved.

11. Board wants to coordinate site visit.

    SDS' Response: We welcome a site visit from local officials! Any Board member who wishes to visit the Site can coordinate through Phillips Lytle or reach out to Earl Martin directly.

12. Sue Ellen noted that there is not enough information or detail.

    SDS' Response: Even though the FEAF form is all that is required, SDS has circulated additional information to inform the Town Board, the Planning Board and the general community, and to engage all in the process. SDS has circulated surveys of the Depot and the Parcel, conceptual site plans, a history of the site, and a detailed description of its operations. In addition, SDS has commissioned a Wetland Survey, a Preliminary Stormwater Report, a Flora and Fauna Survey, a Facility Health and Safety Plan, an Air Report and a Traffic Letter. Moreover, SDS has herein provided detailed responses to each of the comments received. SDS is also participating in a public information meeting on July 11, 2019 to provide the Town and the general public with additional information on this

Project. Thereafter, SDS will also provide detailed responses to any additional comments or questions raised at the July 11 public information meeting.

13. Board requested fire hall or school for public meetings.

    SDS' Response: The July 11, 2019 public information meeting will be held at the Romulus Fire House, as the school auditorium was not available.

14. Town Attorney Pat Morrell noted it makes sense for IDA to act as lead agency due to nature of IDA financial assistance.

    SDS' Response: At the June 6, 2019 meeting of SENIDA, SENIDA formally declared itself Lead Agency for purposes of a coordinated review under SEQR because more than 30 days had passed since circulation of the EA and no interested or involved agency come forward to contest lead agency status.

MAY 21, 2019 FISHER ASSOCIATES COMMENTS

1. Existing Traffic Volumes:
   Show existing available traffic volume information for the area roadways and the year(s) of the traffic counts. No new data collection is needed.

   *SDS' Response: As shown in the Traffic Letter, at **Exhibit B**, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates repairing and reopening West Romulus Road prior to operation of Phase 1, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.*

   Emergency departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

   It should be noted that, as indicated in the Traffic Letter, the existing SDS facility currently operates with approximately 30% of employees carpooling on a daily basis. It is anticipated that a similar percentage of employees will carpool for the Project, which further reduces the volume of site-generated trips. However, the Traffic Letter does not take carpooling into account for purposes of a "worst-case" analysis. As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have a significant adverse impact on traffic operations and no further study is warranted or recommended.

2. Trip Generation Analysis:
   This analysis should include employee traffic and truck traffic and the typical weekday AM and PM peak hours. The application indicates that the majority of traffic will occur outside the typical commuter peak hours. However, to be conservative, it should be assumed that all trips will occur during the typical commuter peak hours.

This analysis should utilize the ITE Trip Generation manual, latest edition, unless there is information available from similar facilities that would reliably replace the ITE data.

SDS' Response: See Response to Comment 1 above, and the Traffic Letter at ***Exhibit B****.*

3. Trip Distribution Analysis
   This analysis should include the origins and destinations of vehicles using the project site. At a minimum, the distribution analysis should show how many vehicles will be using each proposed driveway and traffic should be distributed out to the state highway network (NYS Routes 96, 96A and 414).

   SDS' Response: See Response to Comment 1 above, and the Traffic Letter at ***Exhibit B****.*

MAY 30, 2019 PLANNING BOARD MEETING

1. Comments regarding emergency access and access to the site in general.

*SDS' Response: As shown in the Traffic Letter, at **Exhibit B**, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates repairing and reopening West Romulus Road prior to operation of Phase 1, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.*

Emergency departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have an potentially significant adverse impact on traffic operations and no further study is warranted or recommended.

JUNE 18, 2019 FISHER ASSOCIATES COMMENTS

Environmental Impact Comments

1. Impact on Land
   a. Physical Resources

Preliminary Stormwater Report (Appendix G)

i. The design indicates that the infiltration basins and retention pond can hold and infiltrate a 100-year storm (see page 13). We recommend providing proposed infiltration calculations and a model for the proposed condition. We also recommend providing calculations showing that all the water from each storm event can be infiltrated and the time it would take for infiltration. If this design will be maintained, we recommend including the above requests within your summary on page 1.

SDS' Response: Detailed stormwater infiltration calculations and a graph of inflow verses infiltration will be finalized through the zoning process with the Town and a final stormwater pollution prevention report will be submitted to the NYSDEC prior to construction. Based on the preliminary calculations, stormwater from a 100-year flood will take approximately 3 days to infiltrate into the ground. The volume of the swales and infiltration basins will be sufficient to retain the stormwater runoff from 100-year storm allowing it time to infiltrate into the soil. No water from a 100-year storm is expected to enter the proposed retention pond or discharge to Reeder Creek.

ii. The plans (Appendix B) include an outlet control structure and emergency spillway from the infiltration basin to a stormwater retention pond with an approximate volume of 350,000 CF. In addition, the plans show an outlet control structure and emergency spillway from the retention pond to a grassed swale that would eventually discharge to Reeder Creek. If the infiltration basins are designed for 100% infiltration capable of handling a 100-year storm with no discharge, what is the purpose of the additional stormwater control measures including the retention pond, associated outlet control structures and grassed swale? Are these strictly for rare storm events beyond a 100-year storm? Please clarify.

SDS' Response: The proposed retention pond and outlet control structure are to capture water from storm events beyond the 100 year storm as well as storm events that may occur during the infiltration period described above.

iii. If the outlet control structures and emergency spillways remain as part of the design, we recommend providing design calculations and details.

SDS' Response: Detail designs of the retention pond, control structures and outlet control structures will be provided in the final stormwater pollution prevention report that will be submitted to the NYSDEC prior to construction.

iv. The plans show 4 infiltration basins, separated by three 2 ft. tall check dams. Altogether, the plans indicate the infiltration basins have an approximate volume of 600,000 CF. Page 11 of the report and the Infiltration Basin Worksheets, however, indicate the volume of the four infiltration basins will total less than 60,000 CF. Please clarify.

SDS' Response: The overall surface area of the proposed infiltration basins is approximately 150,300 sf and have an estimated volume of 620,000 gallons, which is in excess of the estimated stormwater runoff from a 100-year storm event.

v. The GI sheets (Infiltration Basin worksheets) call for the four infiltration basins at 7200 sf each (approx. 28,800 sf total). If the 600,000 CF volume is accurate, the basins would have to be approximately 21 ft deep. The report (p. 6) indicates bedrock is 6' to greater than 10' below existing grade. Please confirm the basin volume/square footage or describe how bedrock will be excavated to construct the basins. Please note that based on the information provided, an NYSDEC Protection of Waters permit may be required due to height and/or volume of water being impounded.

SDS' Response: The GI worksheets have been revised to reflect a total volume of 620,000 gallons for the four infiltration basins. No bedrock excavation is proposed. If bedrock is encountered closer to the surface than expected the infiltration trenches will be widened to provide the necessary storage volume.

vi. The plans show the storm water retention pond with an approximate volume of 350,000 CF. If the pond remains as part of the design, we recommend providing calculations and details for the pond. It is noted that the proposed pond does not appear to be shown to scale when compared to the adjacent infiltration basins.

SDS' Response: The pond has an approximate surface area of 20,550 sf at the proposed overflow elevation and will have an estimated total volume in excess of 350,000 cf. The pond shape has been revised on the site plans. Detail designs of the retention pond and outlet control structures will be provided in the final stormwater pollution prevention report that will be submitted to the NYSDEC prior to construction.

vii. The plans also show the stormwater retention pond serving as a fire pond and dry hydrant. Please describe how water be maintained in the retention pond if the infiltration basins will provide 100% infiltration for a 100-year storm event.

SDS' Response: The County requested at a dry hydrant be installed on the retention pond for potential use during a fire. In the event of a fire, any water in the pond would be used to supplement available municipal water, however, the County is aware that the pond may never have water available. Water may be pumped into the pond by the fire departments during a fire instead of the departments setting up temporary tanks.

viii. Within the WQv calculation, Group D soils are shown taking up 20 acres. This is larger than the total 18.5 acres. Please clarify.

SDS' Response: The area has been revised to 18.5 acres in the WQv calculations. The revised calculations will be included in the final stormwater pollution prevention report that will be submitted to the NYSDEC prior to construction.

ix. For each infiltration basin's pretreatment technique (see Infiltration Basin worksheets), we recommend providing pretreatment calculations (either through GI Worksheets or calculating the capacity of the pretreatment method) and describing what pretreatment technique is being utilized.

SDS' Response: Preteatment will include grass channels and filter strips. Pipe connections will have sediment traps prior to discharge. Design calculations and construction details will be included in the final stormwater pollution prevention report that will be submitted to the NYSDEC prior to construction.

x. We recommend a preliminary Notice of Intent (NOI) be included in the report, even though the NOI has not yet been approved by NYSDEC.

SDS' Response: The NOI will be included in the final stormwater pollution prevention report that will be submitted to the NYSDEC prior to construction.

xi. As indicated in the General Permit, Part III.B.2.c, we recommend outlining specific drainage areas for both the existing and proposed conditions on a plan sheet. The plan should include flow paths and outfall/emergency outfall locations.

SDS' Response: Drainage area maps for both the existing and proposed conditions will be included in the included in the final stormwater pollution prevention report that will be submitted to the NYSDEC prior to construction.

b. <u>Land Use and Zoning</u>

While the proposed project appears to be generally consistent with the Town's Comprehensive Plan and County's Economic Development Plan, it is noted that the Town of Romulus is in the process of updating its comprehensive plan which was adopted in 2001. The Town, as an involved agency, will need to consider the proposed use in the context of its ongoing comprehensive plan update effort, although preliminarily the proposed use appears to be compatible with surrounding

land uses, taking advantage of the availability of existing infrastructure (including utilities) and the site's location within the former Seneca Army Depot.

Whether the proposed use meets the definition of "Agricultural Support Business" in the Town's zoning ordinance is open for interpretation, although the rezoning request would seem to be the most appropriate course of action for purposes of land use and zoning compatibility in the context of the former Seneca Army Depot property.

SDS' Response: SDS will be submitting an application to rezone the 18-acre Site from Agricultural District to Warehouse, Industrial, Transportation, Energy District.

2. Impact on Geological Features

No comments.

SDS' Response: No response required.

3. Impact on Water

See comments under "Impact on Land" above.

SDS' Response: See Response to Comment 1.b above.

a. Wetlands

As indicated in our preliminary comments to SCIDA, wetland data sheets/forms documenting the wetland field investigation should be provided to support the conclusion that jurisdictional wetlands are not present on the project site.

SDS' Response: Wetland date sheets/forms are annexed hereto as Exhibit K.

b. Surface and Groundwater

See comments under "Impact on Land" above.

SDS' Response: See Response to Comment 1.b above.

4. Impact on Flooding

No comments. Confirmed that the project site is located in "Zone C, areas outside the 500-year flood." Comments related to storm water design are provided under "Impact on Land."

SDS' Response: No response required.

5. Impact on Air

The Applicant is coordinating with the New York State Department of Environmental Conservation ("NYSDEC") and has engaged an air resources engineering consultant to complete an air emissions report for the project. Any correspondence with the NYSDEC regarding the scope of the analysis and corresponding permit requirements should be

provided. In addition, Fisher will conduct an independent review of that air emissions report upon receipt and provide any comments in subsequent correspondence.

*SDS' Reponse: As shown in the Air Report, at **Exhibit A**, the Project has been designed, but the specifications for emissions control equipment have not been finalized. Consequently, highly conservative estimates, based on industry norms, were used to characterize the performance of the proposed emissions control devices. Such estimates are showing preliminary pollutant collection and removal efficiencies that are lower than those typically achieved in similar facilities. These efficiencies should be readily exceeded in practice, providing actual emissions that are consistently less than the estimates provided in the Air Report.*

Emissions of Hydrochloric Acid, from the pickling line solution, is a NYSDEC listed Hazardous Air Pollutant (HAP) regulated by the NYSDEC. Emissions of Hydrochloric Acid are expected to be well below the Major Source Threshold limits. Threshold limits are 25 tons per year (tpy) for all HAPs in aggregate and 10 tpy for an individual HAP. The calculations demonstrate that the maximum concentration of Hydrochloric Acid at the outlet of the scrubber will fall below the short term guidance concentration of 2,100 micrograms per cubic meter. As the guidance concentration is intended to be measured at off-site receptors (after being significantly diluted by the surrounding air), falling below this level at the emissions point is indicative of assured compliance without the need for air dispersion modeling. Accordingly, the Project is expected to qualify for an Air Registration Certificate subject to limited regulations, rather than a fully regulated state facility permit or a Title V permit.

In addition, the emission of fugitive particulates are shown to fall well below the Major Source Threshold of 100 tpy. The Project will utilize a three-stage filtration system to remove particulates from the galvanizing room. First the particulates will pass through a diatomaceous earth pressure sensing baghouse filter, followed by HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project.

Furthermore, the Project's tanks, galvanizing kettle and buildings will be heated by natural gas boilers. Comfort heating will be supplied by exempt natural gas space heaters. Based on the fuel consumption estimates provided by the Project's design team, total nitrogen oxide emissions from combustion operations will total less than 11 tpy. This is well below the Major Source Threshold of 100 tpy. As such, all stationary combustion facilities will be exempt from permitting requirements.

*SDS has engaged in outreach with the NYSDEC. On June 4, 2019 SDS met with the NYSDEC for a pre-application meeting to present Project plans, discuss any initial concerns, and discuss the applicable facility permits. See **Exhibit G** for a summary of the meeting notes and a list of attendees. SDS will continue to work with the NYSDEC and will comply with all applicable regulations and requirements. Accordingly, the Project will not have any significant adverse impacts on air.*

6. Impact on Plants and Animals

No detailed comments on the narrative or Flora and Fauna Survey Report provided in Appendix H. However, any site-specific comments from the NYSDEC regional office and the NYS Natural Heritage Program should be provided to support the conclusions of the survey.

SDS' Response: SDS recently consulted with the NYSDEC's New York Natural Heritage Program regarding the presence of rare or state-listed animals and plants, and significant natural communities in the vicinity of the Project Site. In response, SDS received a letter dated May 15, 2019 regarding two species - - the Bald Eagle and the Short-eared Owl - - that NYSDEC's database indicated may occur at or near the Project Site. A copy of the May 15 letter is annexed hereto as ***Exhibit F****. Both species were addressed in the Flora & Fauna Report annexed as Appendix H to the EA (the "Flora & Fauna Report"). The Flora & Fauna Report noted that Bald Eagles do nest in the vicinity of the Parcel, though not the Site itself. Similarly, the Flora & Fauna Report noted that Short-eared Owls have been identified in the vicinity of the Depot, but it is unlikely that the Site provides optimum habitat for Short-eared Owls. Accordingly, the Flora & Fauna Report concluded that the Project will have minimal impact on the Bald Eagles present on the Depot and will not jeopardize or adversely affect Short-eared Owl individuals or populations. Notably, on June 4, 2019, SDS met with the NYSDEC for a pre-application meeting whereat wildlife staff could not attend but staff noted that they do not anticipate issues with the SDS Project that relate to wildlife. See* ***Exhibit G****.*

7. Impact on Agricultural Resources

No comments. Confirmed that the project site is not located in an area used for active agriculture nor in a NYS-certified Agricultural District.

SDS' Response: No response required.

8. Impact on Aesthetic Resources

No comments.

SDS' Response: No response required.

9. Impact on Historic and Archeological Resources

As previously indicated in our preliminary comments, the project site is located in an area of archeological sensitivity according to the State's Cultural Resources Information System (CRIS). As such, correspondence from the Office of Parks, Recreation, and Historic Preservation office should be provided documenting its opinion that the project will have No Effect on historic or archeological resources.

SDS' Response: SDS commissioned a Phase I archaeological study over the Site, at the request of the OPRHP. Once the results of that study are received, SDS will continue to consult with the OPRHP as necessary to address any archeological issues that may exist on the Site, or to confirm that no such issues exist. Although the Site is in proximity to an archeologically sensitive area, no significant adverse impacts are anticipated because of the previous

disturbances and evaluation at the Site and the Depot. SDS will work to obtain a letter of no effect from the OPRHP.

10. Impact on Open Space and Recreation
No comments.

SDS' Response: No response required.

11. Impact on Critical Environmental Areas
Confirmed that the project site in not located in a Critical Environmental Area.

SDS' Response: No response required.

12. Impact on Transportation
In a letter to the SCIDA dated May 21, 2019, Fisher Associates requested that the Applicant complete a Trip Generation and Distribution Analysis to determine if a full Traffic Impact Study is warranted for the proposed project. The Applicant has confirmed receipt of the letter and has indicated that he has engaged a traffic engineering consultant to complete the analysis. Fisher will conduct an independent review of that analysis upon receipt and provide any comments in subsequent correspondence.

SDS' Response: See Traffic Letter, at ***Exhibit B****.*

13. Impact on Energy and Utilities
   a. Water
   As previously indicated in our preliminary comments, any correspondence or other documentation from the Seneca County Water District indicating that adequate water capacity exists to serve the project at full buildout should be provided.

   SDS' Response: SDS has had several discussions with the Water District who has confirmed that there is adequate capacity to accommodate the Project at full buildout.

   b. Sewer
   As previously indicated in our preliminary comments, any correspondence or other documentation from the sewer district and/or wastewater treatment plant indicating that adequate sewer capacity exists to serve the project at full buildout should be provided.

   SDS' Response: Based on discussions with the NYSDEC, it is anticipated that the sewer moratorium will be resolved before SDS is operational. However, as an alternative if the issue is not resolved before construction, SDS will pump all domestic sanitary waste to a buried tank. SDS will engage a private service to pump out the tank on a regular basis. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. There are no drains in

the process facility and no industrial waste or materials will be discharged to the sanitary sewer system.

c. Natural Gas and Electricity

As indicated in our preliminary comments, confirmation that an upgrade of the substation or other electrical infrastructure is not necessary to accommodate the project is requested. Discussion at the Romulus Planning Board meeting indicated electrical infrastructure may not be adequate to accommodate the project's full buildout. A description of discussions with NYSEG and improvements necessary to effectuate the project and any correspondence, if available, should also be provided.

SDS' Response: The current electrical infrastructure is sufficient to accommodate Phase 1 of the Project. SDS has had several discussions with NYSEG regarding upgrades to the existing infrastructure. NYSEG has indicated that once Phase 1 is operational, it will work with SDS to upgrade the existing infrastructure from the substation to the Site. This work will mostly involve upgrading the electrical line from the substation, however, some utility poles may also require upgrading. When this work is complete, the Site will have adequate power for full buildout of the Project. In addition, only a small portion in the southern part of the WITE-area has a drilling moratoria. No drilling will occur in this restricted area.

14. Impact on Noise and Light

No comments.

SDS' Response: No response required.

15. Impact on Human Health

The Health and Safety Plan provided in Appendix J of the Application is thorough and includes elements that, if implemented, would help protect on-site workers and/or support personnel who may enter the site.

In addition, the following human health-related comments are provided:

a. Bulk Storage

As previously indicated in our preliminary comments, the Application indicates that there are no plans for large volumes of bulk chemicals and that limited amounts of such chemicals will be maintained on-site for operations. The approximate types and quantities of hazardous chemicals to be stored on-site at one time and the method of storage should be provided. If bulk storage of chemicals is deemed necessary, a description of the facility's compliance with the State Chemical Bulk Storage regulations should be provided.

SDS' Response: SDS will not "store" chemicals/hazardous materials on-Site. The facility will only store small amounts of general cleaning and maintenance supplies, as well as natural gas for heat. However, all of the on-Site bulk chemicals/hazardous materials will be used in the galvanizing process. NYSDEC distinguishes between tanks that are used to "store" materials and tanks that are used in "process." Process tanks are defined as a vessel or other equipment which is used to mix or physically, chemically or biologically change a hazardous substance. See

6 NYCRR § 596.1(c)(43). SDS's tanks will qualify as process tanks because the pure chemicals (i.e., hazardous substance) in each tank will be physically and chemically changed by the introduction of raw steel and heat in the galvanizing process. Process tanks are not regulated under NYSDEC's Chemical Bulk Storage regulations.

In its operations, SDS will utilize 12 process tanks each with an 8,884 gallon capacity. The contents of the process tanks are as follows:

- *Tank 1: 10% Phosphoric Acid Degreaser Tank (pH between 1.8-2.5)*
- *Tanks 2-3: Rinse Tanks (mostly water and some residual phosphoric acid)*
- *Tanks 4-7: 15% Hydrochloric Acid Pickling Tanks*
- *Tanks 8-9: Rinse Tanks (mostly water and some residual hydrochloric acid)*
- *Tank 10: Ammonium Chloride and Zinc Chloride Flux Tank*
- *Tank 11: Zinc Bath Tank*
- *Tank 12: Cooling Bath Tank (100% water)*

In the event that SDS needs to add raw materials to its process tanks (e.g., addition of phosphoric acid to maintain 10% solution and pH range), those materials will be delivered to the facility and added directly into the requisite process tank. SDS will not store any of the chemicals/raw materials used in the galvanizing process on-Site.

b. Hazardous Waste

The Application indicates that no hazardous waste will be generated by project operations as all hazardous materials are purified and/or recycled. Clarification regarding whether any of the wastes generated from operations/processes will need to be classified as hazardous waste regardless of whether such wastes will be recycled or reused should be provided. If hazardous wastes will be generated subjecting the facility to the State's Hazardous Waste Management regulations, a description of the facility's compliance with such regulations should be provided.

SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. Material that is recycled and re-used is by definition not spent or discarded material. See 6 NYCRR § 360.2(a)(1)-(2). The facility is designed with an acid purification tank that recycles the acid, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid in the pickling tanks. This process significantly reduces and/or eliminates the need to pump out and replacing the pickling tanks, thereby reducing and/or eliminating the generation of waste. The acid purification tank itself will produce an iron oxalate byproduct that is not considered a hazardous waste and will be properly landfilled.

In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a spent material or waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. Additionally, normal facility operations are designed with delays to prevent any drips from hitting the facility floor. However, if drips do occur, that material will be considered a waste and will be properly collected, handled and disposed of off-

site. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

c. Site Use/Restrictions

A representative from the U.S. Army Corps of Engineers ("USACE") previously indicated that the project site is a "Category 1" site which was environmentally "unaffected" by previous Depot operations. Correspondence from the USACE confirming that the site can be developed for industrial uses and no institutional controls or restrictions will apply is requested.

SDS' Response: The Project is located in the Area of Concern designated as SEAD-53 (the Munitions Storage Igloos). In September 2003 the USACE issued a Record of Decision (ROD) for SEAD-53, among others. The ROD presents the Army's and the EPA's selected remedy of "No Action" for SEAD-53, developed in accordance with CERCLA, that SEAD-53 does not pose a significant threat to human health or the environment. The ROD concluded that the No Action remedy "is protective of human health and the environment, complies with the State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. The remedy uses permanent solutions. The remedy does not require imposition of institutional controls, thus five-year reviews are not necessary." The NYSDEC and the NYSDOH concurred with the approved remedy. See ***Exhibit J****, excerpts from the September 2003 ROD.*

16. Consistency with Community Plans

See comments under "Impact on Land" above.

SDS' Response: See Response to Comment 1.b above.

17. Consistency with Community Character

See comments under "Impact on Land" above.

SDS' Response: See Response to Comment 1.b above.

Conceptual Site Plan Comments (Appendix B)

1. Since all the storm water eventually flows into Reeder Creek, we recommend the site plans show its location in relation to the proposed improvements.

   SDS' Response: See ***Exhibit E****, Updated Conceptual Site Plans. Reader Creek has been labeled on the plans.*

2. We recommend the proposed property boundary, street names and existing overhead utilities be included on all plans.

   SDS' Response: See ***Exhibit E****, Updated Conceptual Site Plans. Street names have been added to the plans. Existing overhead utilities have also been added to the plans.*

3. The proposed sanitary sewer system is called out as being low pressure. Is this a closed pressurized system or a gravity system?

   SDS' Response: The sanitary sewer system for the proposed site will be a combination of gravity sewer collection and low pressure conveyance to the existing County Sewer District gravity sewer system.

4. The plan depicts a manmade wetland. Please clarify that this is an existing wetland associated with the runway project expansion mitigation project and note accordingly on the plans.

   *SDS' Response: See **Exhibit E**, Updated Conceptual Site Plans. The manmade wetland shown on the site plan is an existing wetland associated with the runway project expansion mitigation project. A note has been added to the plans stating such.*

5. We recommend including an existing topographic plan, at a minimum. In addition, a proposed grading plan is not required but is advised.

   *SDS' Response: See **Exhibit E**, Updated Conceptual Site Plans. An existing site plan with contouring has been provided. Proposed contouring will be provided in the final design package.*

6. How does storm water on the eastern side of the site flow around the proposed buildings to the west and ultimately to the infiltration basins? We recommend showing the storm water system on the plans (schematic at a minimum).

   *SDS' Response: See **Exhibit E**, Updated Conceptual Site Plans. A conceptual stormwater collection/conveyance system has been shown on the site plans to collect stormwater on the east side of the facility and convey it to the west side of the facility.*

JUNE 19, 2019 TOWN BOARD MEETING

1. Question regarding whether traffic study included employee and shipment vehicles.

   *SDS' Response: As shown in the Traffic Letter, at **Exhibit B**, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates repairing and reopening West Romulus Road prior to operation of Phase 1, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.*

   Emergency departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

   It should be noted that, as indicated in the Traffic Letter, the existing SDS facility currently operates with approximately 30% of employees carpooling on a daily basis. It is anticipated that a similar percentage of employees will carpool for the Project, which further reduces the volume of site-generated trips. However, the Traffic Letter does not take carpooling into account for purposes of a "worst-case" analysis. As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have a significant adverse impact on traffic operations and no further study is warranted or recommended.

2. Comments regarding runoff from the Project and protection of the watershed.

   SDS' Response: The proposed Project will increase impervious surfaces on the Site. However, all work will be completed in conformance with required State regulations, the Project will not involve construction on land where the depth to the water table is less than three feet, and the Project will not result in increased erosion. A Stormwater Pollution Prevention Plan ("SWPPP") will be prepared, which will include both permanent and temporary stormwater control measures that will minimize stormwater runoff during construction and operation of the Project. Accordingly, the construction and operation of the Project will not have any significant adverse impacts to water quality.

Additionally, the galvanizing/industrial operations will not have any impacts on water quality. The Project will be designed with no drains in the process facility to prevent the escape of industrial materials. The entire floor of the process facility will also be lined with a urethane rubber spray as a type of "secondary containment" to further prevent the escape of any materials. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. Moreover, no industrial waste or materials will be discharged to the sanitary sewers. During regular operations, the Project will not generate hazardous and/or industrial waste. To the extent hazardous and/or industrial waste is generated (e.g., if the process tanks need to be pumped out), all materials will be properly disposed of off-site by a licensed third-party waste hauler and sent to a disposal facility permitted to accept the waste. Notably, the NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party). Only a SPDES construction permit is expected. See ***Exhibit G****. As such, there are no adverse impacts to water quality.*

3. Questions regarding whether Fisher Associates will be at the Planning Board meeting.

   SDS' Response: Fisher Associates is welcome to attend any meetings.

4. Comments that SDS is still missing information for SEQR process.

   SDS' Response: Even though the FEAF form is all that is required, SDS has circulated more information to inform the Town Board, the Planning Board and the general community, and to engage all in the process. SDS has circulated surveys of the Depot and the Parcel, conceptual site plans, a history of the site, and a detailed description of its operations. In addition, SDS has commissioned a Wetland Survey, a Preliminary Stormwater Report, a Flora and Fauna Survey, a Facility Health and Safety Plan, an Air Report and a Traffic Letter. Moreover, SDS has herein provided detailed responses to each of the comments received. SDS is also participating in a public information meeting on July 11, 2019 to provide the Town and the general public with additional information on this Project. Thereafter, SDS will also provide detailed responses to any additional comments or questions raised at the July 11 public information meeting.

5. Comments that the total plan on rezoning has not been presented.

   SDS' Response: A complete rezoning application will be filed with the Town at the appropriate time.

JUNE 19, 2019 E-MAIL FROM KEN BATTLE

1. We had a side-bar discussion last evening at the Romulus Town Hall meeting. I was inquiring if there is an existing operating plant using the same zinc plting technology that SDS plans to use in the new Romulus plant. I am willing to travel 50-100 miles to see such a plant and there may be some additional Romulus board members and citizens that would be interested to see such a plant in operation. Obviously, this would require approval and safety considerations by the owner of said plant. I have read most of the process information on the Italian company's web site and although impressive from an environmental stand point there remain some questions where certain waste streams 'magically disappear." Please note that I am a degreed chemical engineer with 50 years of industrial experience. I will know what questions to ask an owner/operator of this technology. Please determine if this technology is practiced anywhere in Western NY or Northern PA. Thanks in advance for your help.

   SDS' Response: There are no known galvanizing plants in the United States that use comparable technology of that proposed for the Project. There are plants in Europe. Based on the proposed emissions, the Project is expected to qualify for an Air Registration Certificate subject to certain regulations, rather than a state facility permit or a Title V permit.

JUNE 19, 2019 E-MAIL FROM MARY ANNE KOWALSKI

1. I understand there will be a public information meeting on July 11 at the Romulus Firehouse. Is this a SEQR public hearing or an informational meeting sponsored by SDS? It seems early, before all the information has been submitted, to have SEQR hearings, but there are a lot of rumors around and it would be good to clarify.

   SDS' Response: The July 11 meeting is a public information meeting, not a public hearing. It is meant to inform attendees about the Project and to receive public input. In addition, SENIDA will hold a public hearing on the financial assistance at a date to be determined.

2. As to Fisher Associates Comments. Generally, Fisher has identified the information that, I believe, is not addressed adequately in the EAF. There are a couple of issues that require comment: 1. Impact on Land, b. Land Use and Zoning. While this issue may be resolved when all the missing information is provided, the Romulus Zoning Code, adopted in 2018, might restrict this proposal. "Section 4. Prohibited Uses. A. All uses that may be noxious or injurious by reason of the production or emission of dust, smoke, odor, air pollutants, noise, gas, fumes, glare, vibration, or because of danger to the general public due to hazards of fire or explosion, are prohibited."

   SDS' Response: SDS does not have any applications before the Town at this time and any compliance issues with the Romulus Zoning Code will be addressed at the appropriate time. That being said, based on the proposed emissions, the Project is expected to qualify for an Air Registration Certificate subject to certain regulations, rather than a state facility permit or a Title V permit. Additionally, SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. Moreover, SDS will comply with all State and Federal requirements, as well as any applicable Town regulations.

3. "Impact on Energy and Utilities, a. Water. As previously indicated in our preliminary comments, any correspondence or other documentation from the Seneca County Water District indicating that adequate water capacity exists to serve the project at full buildout should be provided." While Seneca County Water District would provide water to the plant, it has no control over capacity. The Village of Waterloo Water District plant produces and provides water to the County District, through a contract with Varick Water District # 2, AKA Seneca Lake Water District. Those are the districts that need to be consulted about capacity, not the County. I could not find anything in EAF about water demands at full buildout, which the suppliers will need.

   SDS' Response: See Exhibit C, Updated FEAF. Section D.2.c.i states that the total anticipated water usage/demand per day is 2,000 gallons from an existing public water supply. The name of the district or service area is Seneca County Water District 1, and part of the water requirements will be collected rain water. Additionally, Section D.2.c.iii states

that the source of supply for the district is the Village of Waterloo Water Treatment Plant, which is supplied by Seneca Lake. SDS has had several discussions with the Water District who has confirmed that there is adequate capacity to accommodate the Project at full buildout.

4. "Impact on Energy and Utilities, b. Sewer. As previously indicated in our preliminary comments, any correspondence or other documentation from the sewer district and/or wastewater treatment plant indicating that adequate sewer capacity exists to serve the project at full buildout should be provided." In a NOV dated February 7. 2019 (attached), DEC stated:

> Effective immediately - This Department is imposing a Sewer Moratorium until a new approvable Sewer Use Law is adopted and recorded by the Department of State. Please submit a current count of the total number of users connected to the collection system to the WRRF. The following corrective actions require urgent attention. . .
> 2. Submit a draft updated SUL along with a schedule for adoption. As Seneca County Sewer District 2 is considering allowing connection of potentially Significant Industrial Users, shall have language covering such dischargers to the system. Ensure all communities that are outside of the sewer district and are connected or plan to connect to the existing collection system have adopted a SUL at least as restrictive as the one SCSD1 will adopt. Please be advised that per 40 CFR 403.8(f)(1)(vi)(A}, All POTWs shall also have authority to seek or assess civil or criminal penalties in at least the amount of $1,000 a day for each violation by Industrial Users of Pretreatment Standards and Requirements.

While I believe the SUL is in development, it is not in place and I am not sure of the timetable. And, as far as I know the outside districts are not developing SULs. So there is a moratorium on new connections. Seneca County has submitted a Professional Engineering Report (PER) to consolidate Sewer District #1 and Sewer District #2. The proposed plant is in Sewer District #2. The PER has not been approved by DEC, and, because of the closure of Hillside, will need to be amended. This consolidation (or not) and its status should be addressed in the consideration of sewer capacity, as well as the capacity of the "new" plant at Willard or existing plant at Five Points to accept the wastewater.

SDS' Response: Based on discussions with the NYSDEC, it is anticipated that the sewer moratorium will be resolved before SDS is operational. However, as an alternative if the issue is not resolved before construction, SDS will pump all domestic sanitary waste to a buried tank. SDS will engage a private service to pump out the tank on a regular basis. Minimal sanitary waste will be generated on Site, from bathrooms and sinks, which SDS estimates will be approximately 1,500 gallons per day at full buildout. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system.

5. Although not mentioned in the EAF or technical review, the condition of the roads that will be used to access the plant should also be evaluated. I have driven on multiple occasions to the Sewer Plant (next door), and my Volvo barely made it on the interior roads at the Depot. That was 4 years ago, and, I doubt they have been upgraded to handle trucks carrying steel. Similarly, the condition of former County Route 135 needs to be assessed as to its load capacity, as well as the impact of the traffic on the Hamlet of Romulus, whether using County Route 135 or the main Depot entrance.

SDS' Response: As shown in the Traffic Letter, at ***Exhibit B****, employees/non-truck traffic will access the Site from both Route 96A, via West Romulus Road, and from Route 96, via Romulus back roads. These roads are in sufficient condition to handle such traffic. Truck traffic will be generally directed from Route 96A. It is anticipated that West Romulus Road will be re-opened, such that trucks can also access the Site from Route 96 via the old base entrance, by the time Phase 1 of the Project is operational. However, the intended address of the facility will be on Route 96A and SDS will continue to direct truck traffic to the Site from Route 96A. Notably, West Romulus Road is currently a private drive road that runs through SDS' private property. While SDS anticipates repairing and reopening West Romulus Road prior to operation of Phase 1, it will still be a private drive that SDS will maintain and plow. There may come a time when SDS dedicates West Romulus Road to a public entity, however, there are currently no such plans.*

Emergency departments are becoming familiar with the Site and with the surrounding roads. SDS has re-named or provided names to all of the roads in the Depot and has put up signs accordingly. SDS is in communication with the County and the 911 Center regarding these road names/signs and both the County and the 911 Center have acknowledged the road names as SDS has labeled them. Once Phase 1 of the Project is complete, SDS will coordinate with the local Fire Departments and EMTs to tour the facility and discuss Site-specific emergency response procedures. It is expected that SDS will prepare and conduct Site-specific EMT and fire training annually so the necessary parties are aware of the Site-specific concerns and how to properly respond to such situations.

As noted in the Traffic Letter, given the low volume of projected site generated traffic and low amount of existing traffic within the study area, the Project will not have an potentially significant adverse impact on traffic operations and no further study is warranted or recommended.

JULY 2, 2019 E-MAIL FROM KEN BATTLE

I have a few questions I would like to propose prior to the July 11 Public Hearing arranged by the SCIDA. Note that I am a chemical engineer with over 50 years operating and designing chemical plants, not metallurgical plants. I have reviewed the Italian technology web site and I still have a few questions concerning the material balance / potential waste streams. It is understood that the SDS Project will be the first installation of its kind in the US. I believe the project has answers to these questions but I hope they can be answered in public at the July 11 meeting or in an alternate forum if more appropriate. Here are my questions:

1. It is understood that raw steel will arrive at the project site with some quantity of grease/oil on the steel.
   a. The grease/oil will be treated with caustic which will solubilize the grease and oil. However, it is still grease and oil (long chain carbon molecules). What is the final destination of this grease and oil? How is it separated from the caustic?

      SDS' Response: The steel will be cleaned with 10% Phosphoric Acid Degreaser, not a caustic solution. This lower temperature process binds the oils and greases into an iron phosphate sand that is typically removed once a year, and in general passes the Toxicity Characteristic Leaching Procedure ("TCLP") test that is required to landfill the material as a non-hazardous waste.

   b. The strength of the caustic will eventually decrease as indicated by the "makeup" quantity in the project proposal. What happens to the spent caustic?

      SDS' Response: When properly maintained, the acidic degreaser solution is not meant to degrade to the point of requiring a full change out, rather than just addition of occasional "makeup." SDS is aware of 15-year-old tanks with the same degreaser solution that have not required a change out of the solution. In addition, SDS will be selective about the steel that is used in its galvanizing operations. In SDS' own operations, the majority of steel it produces or purchases is clean, raw, new steel that does not contain dirt, chemicals or heavy metals. This allows SDS more control over the end product as well as it prevents contamination of its tanks and prevents, or at least reduces, the degradation of the solutions.

2. It is understood that raw steel will also arrive at the project site with some quantity rust on the steel.
   a. The rust is removed from the steel with acid. The Italian technology has a very clever system to reclaim the rust from the acid and at the same time regenerate the acid for continued use. The solid iron oxide (rust) will be wet with acid after filtration. Will the solids be washed to remove the acid? If so, what is the washing liquid and its destination?

      SDS' Response: The facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. The facility is designed with an

acid purification tank that recycles the hydrochloric acid in the pickling tanks, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid. This process significantly reduces and/or eliminates the need to pump out and replacing the pickling tanks, thereby reducing and/or eliminating the generation of waste. The acid purification system removes the iron dissolved in the hydrochloric acid and produces an iron oxalate byproduct (not an iron oxide) that can be landfilled as a non-hazardous waste. The hydrochloric acid captured in the acid purification system is reclaimed and put back into the picking tanks. The iron oxalate byproduct is generally non-hazardous, passing the TCLP test that is required for landfills. SDS is also exploring whether the iron oxalate can be recycled or reused, however, until such time, the material will be properly disposed of as a waste.

b. It is my understanding that the rust material will be tested for various hazardous metal content (chrome, arsenic, etc.) at the ppm level. If below a certain threshold level (please define) the rust can be sent to a non-hazardous landfill or preferably to a metal recycle facility. If above this threshold concentration it must be treated as hazardous waste.

    i. What is the total expected annual amount of this solid iron waste (hazardous or not)?

    ii. Has a recycle firm been contacted or contracted to take the non-hazardous waste?

    iii. Has a hazardous waste facility been contacted or contracted to take the hazardous waste? If so, where is it located?

SDS' Response: Please see response to Comment 2.a above.

c. Will any spent acid or caustic need to be taken off site as hazardous waste? If so, what is the expected quantity? Where will it go?

SDS' Response: SDS' normal facility operations will not generate hazardous waste. Rather, the facility is designed such that all materials will be recycled and re-used to prevent the generation of waste. Material that is recycled and re-used is by definition not hazardous waste. The facility is designed with an acid purification tank that recycles the acid, thereby slowing and/or preventing the degradation in quality of the hydrochloric acid in the pickling tanks. This process significantly reduces and/or eliminates the need to pump out and replacing the pickling tanks, thereby reducing and/or eliminating the generation of waste.

In the event that one or more of the process tanks listed above are no longer needed (e.g., the material in the tank has degraded, has been contaminated or is no longer being used), the tank materials will be considered, at that time, as a spent material or waste and will be treated, handled and properly disposed of off-site by a licensed third-party waste hauler to a disposal facility permitted to accept the waste. Additionally, normal facility operations are designed with delays to prevent any drips from hitting the facility floor. However, if drips do occur, that

material will be considered a waste and will be properly collected, handled and disposed of off-site. There are no drains in the process facility and no industrial waste or materials will be discharged to the sanitary sewer system. If hazardous waste is generated, SDS will comply with all state and federal waste generator requirements.

3. The primary air emission control in the plant will be dust collectors to trap what I believe is zinc oxide powder. The dust collectors will be equipped with bags suitable for removing the dust from the air stream.
    1. What will happen to the collected dust?

    SDS' Response: Air emissions are zinc oxides and some ammonium chloride particulate. The facility will utilize a three-stage filtration system to remove particulates from the galvanizing room. First, the particulates will pass through a diatomaceous earth pressure sensing baghouse filter that is pretreated with lime to keep it dry, followed by a HEPA filtration, and finally polished with carbon filtration. The Air Report conservatively estimates this filtration at 99%, although typical HEPA filters alone achieve a PM10 capture efficiency of 99.97% or better. Accordingly, the thrice-filtered air will then vent back into the galvanizing room so that only fugitive emissions, which will be extremely limited, will be capable of being vented to the atmosphere. No particulate emissions point source is associated with the Project. It is anticipated that the spent filters will be considered non-hazardous and will be landfilled. SDS is still confirming design details and will supplement this response at a later date as necessary.

    2. The system can be rendered very ineffective if a bag breaks or falls off of its mounting in the bag house. (I have a lot of personal experience in this area!) It is now common practice to have a "bag burst detection system"; this is a low cost detector for particles or opacity located on the "clean" side of the bag collector. Will such devices be provided?

    SDS' Response: SDS is still confirming design details and will supplement this response at a later date.

3. The process is designed for zero liquid discharge to land, water, storm sewers etc. With all things normal I hope this will be achieved. My concern is an inadvertent failure of the normal containment (vessels, cleaning baths, process equipment) or possible splashing out of these vessels. Will there be any secondary containment for an "unplanned event"?

    SDS' Response: The Project will be designed with no drains in the process facility to prevent the escape of industrial materials. The entire floor of the process facility will also be lined with a urethane rubber spray as a type of "secondary containment" to further prevent the escape of any materials. Moreover, no industrial waste or materials will be discharged to the sanitary sewers. During regular operations, the Project will not generate hazardous and/or industrial waste. To the extent hazardous and/or industrial

waste is generated (e.g., if the process tanks need to be pumped out), all materials will be properly disposed of off-site by a licensed third-party waste hauler and sent to a disposal facility permitted to accept the waste. Notably, the NYSDEC was receptive to the facility design (i.e., no facility drains and no discharge of industrial waste/materials to the sanitary sewer system) and treatment of hazardous materials (i.e., that hazardous/industrial waste, to the extent it is generated, will be properly disposed of off-site by a licensed third-party).

The facility will also be semi-automatic. While workers will be involved in the galvanizing process, most of the system is designed to operate mechanically, which minimizes workers' exposure to chemical fumes and splatter. Furthermore, because the facility will be semi-automatic, SDS will be able to prevent spills. For example, the traveling hoods will have an automatic delay, allowing the steel to drip in place, rather than on the floor, before the traveling hood moves to the next tank in line. Because the facility is semi-automatic, SDS can control the delays on each hood, on a case-by-case basis. While this may slow the galvanizing process, it will prevent even small spills/drips from occurring, which must be cleaned up and collected by a worker, and treated as waste.

I leave it to the SCIDA to decide to present these questions and answers at the July 11 meeting or alternatively post them on the Romulus or Seneca County web site. I believe I have covered many of the questions that other town and county citizens have expressed concerning environmental issues.

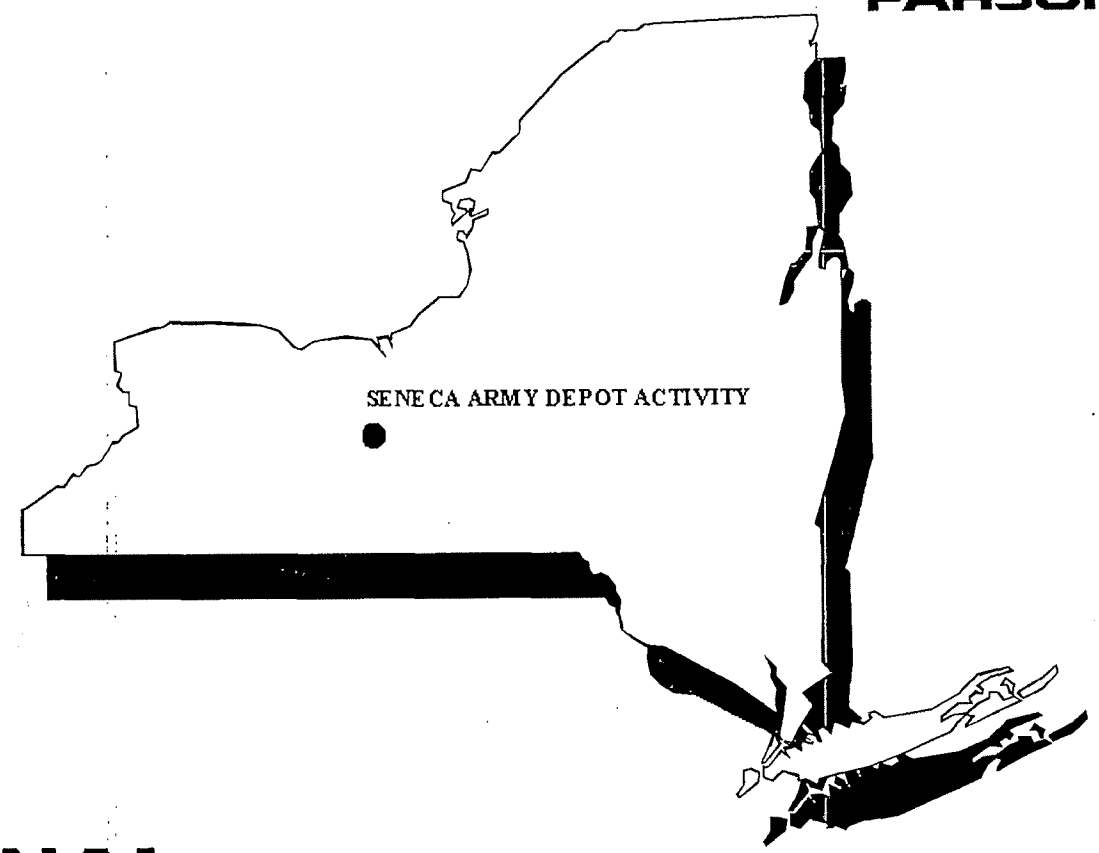
My hope is that Earl Marin and the SDS project will become a model operation for other galvanizing plants in the US, which are notorious for being "dirty" facilities.

EXHIBIT J

SDMS Document
89851

U.S. ARMY ENGINEER DIVISION
HUNTSVILLE, ALABAMA

PARSONS



FINAL

RECORD OF DECISION (ROD) TWENTY NO ACTION SWMUs (SEADs 7, 9, 10, 18, 19, 20, 21, 22, 33, 35, 36, 37, 42, 47, 49, 51, 53, 55, 65, and 68) AND EIGHT NO FURTHER ACTION SWMUs (SEADs 28, 29, 30, 31, 32, 34, 60, and 61)

SENECA ARMY DEPOT ACTIVITY (SEDA)

September 2003

FINAL

RECORD OF DECISION

FOR

TWENTY NO ACTION SWMUs (SEADs 7, 9, 10, 18, 19, 20, 21, 22, 33, 35, 36, 37, 42, 47, 49, 51, 53, 55, 65, and 68) and EIGHT NO FURTHER ACTION SWMUs (SEADs 28, 29, 30, 31, 32, 34, 60, and 61)

SENECA ARMY DEPOT ACTIVITY

ROMULUS, NEW YORK

Prepared for:

SENECA ARMY DEPOT ACTIVITY
ROMULUS, NEW YORK

and

UNITED STATES ARMY CORPS OF ENGINEERS
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Contract Number: DACA87-95-D-0031
Delivery Order 0021

September 2003

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RECORD OF DECISION

TWENTY NO ACTION SWMUs (SEADs 7, 9, 10, 18, 19, 20, 21, 22, 33, 35, 36, 37, 42, 47, 49, 51, 53, 55, 65, and 68) AND EIGHT NO FURTHER ACTION SWMUs (SEADs 28, 29, 30, 31, 32, 34, 60, and 61)

1.0 DECLARATION OF THE RECORD OF DECISION

Site Name and Location

Seneca Army Depot Activity

CERCLIS ID# NY0213820830

Romulus, Seneca County, New York

Twenty No Action (NA) Sites and Eight No Further Action (NFA) Sites:

SEAD-7, Shale Pit – NA Site

SEAD-9, Old Scrap Wood Site – NA Site

SEAD-10, Scrap Wood Pile – NA Site

SEAD-18, Building 709 – Classified Document Incinerator – NA Site

SEAD-19, Building 801 – Classified Document Incinerator – NA Site

SEAD-20, Sewage Treatment Plant No. 4 – NA Site

SEAD-21, Sewage Treatment Plant No. 715 – NA Site

SEAD-22, Sewage Treatment Plant No. 314 – NA Site

SEAD-28, Building 360 – Underground Waste Oil Tanks (2) – NFA Site

SEAD-29, Building 732 – Underground Waste Oil Tank – NFA Site

SEAD-30, Building 118 – Underground Waste Oil Tank – NFA Site

SEAD-31, Building 117 – Underground Waste Oil Tank – NFA Site

SEAD-32, Building 718 – Underground Waste Oil Tank – NFA Site

SEAD-33, Building 121 – Underground Waste Oil Tank – NA Site

SEAD-34, Building 319 – Underground Waste Oil Tanks (2) – NFA Site

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SEAD-36, Building 121, Waste Oil-Burning Boilers – NA Site

SEAD-37, Building 319, Waste Oil-Burning Boilers – NA Site

SEAD-42, Building 106 – Preventative Medicine Laboratory – NA Site

SEAD-47, Buildings 321 and 806 – Radiation Calibration Source Storage – NA Site

SEAD-49, Building 356 – Columbite Ore Storage Area – NA Site

SEAD-51, Herbicide Usage Area – Perimeter of High Security Area – NA Site

SEAD-53, Munitions Storage Igloos – NA Site
SEAD-55, Building 357 – Tannin Storage – NA Site
SEAD-60, Oil Discharge Area Adjacent to Building 609 – NFA Site
SEAD-61, Building 718 – Underground Waste Oil Storage Tank – NFA Site
SEAD-65, Acid Storage Areas – NA Site
SEAD-68, Building S-335 Old Pest Control Shop – NA Site

Statement of Basis and Purpose

This Record of Decision (ROD) presents the U.S. Department of the Army's (Army's) selected remedy for Twenty No Action Sites and Eight No Further Action Sites located at the Seneca Army Depot Activity (SEDA) near Romulus, Seneca County, New York. The decision was developed in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA) as amended by Superfund Amendments and Reauthorization Act (SARA), 42 U.S.C. §9601 et seq. and, to the extent practicable, the National Oil and Hazardous Substances Pollution Contingency Plan (NCP), 40 CFR Part 300. The SEDA Base Realignment and Closure (BRAC) Environmental Coordinator, the Chief of Staff at Army Materiel Command, the Director of the Office of Site Remediation and Restoration, and the U.S. Environmental Protection Agency (USEPA) Region II have been delegated the authority to approve this ROD. The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) have been consulted on the planned remedy in accordance with CERCLA 121(f), 42 U.S.C. 9621 (f), and concur with the selected remedy.

This ROD is based on the Administrative Record that has been developed in accordance with Section 113(k) of CERCLA. The Administrative Record is available for public review at the Town of Willard Public Library. The Administrative Record Index identifies each of the items considered during the selection of the remedial action. This index is included in Appendix A.

The State of New York, through the NYSDEC, has concurred with the selected remedy. The NYSDEC Declaration of Concurrence is provided in Appendix B of this ROD.

Description of the Selected Remedy

Based on the findings of the investigations completed for the sites, the Army has selected No Action as the remedy for Twenty Solid Waste Management Units (SWMUs) (i.e., SEADs 7, 9, 10, 18, 19, 20, 21, 22, 33, 35, 36, 37, 42, 47, 49, 51, 53, 55, 65, and 68) and No Further Action as the remedy for Eight SWMUs (i.e., SEADs 28, 29, 30, 31, 32, 34, 60, and 61). These selections are based on the Army's determination that these sites do not pose a significant threat to human health or the environment.

Statutory Determination

The Army has selected No Action as the remedy for SEADs 7, 9, 10, 18, 19, 20, 21, 22, 33, 35, 36, 37, 42, 47, 49, 51, 53, 55, 65, and 68 and No Further Action as the remedy for SEADs 28, 29, 30, 31, 32, 34, 60, and 61.

Authorizing Signatures and USEPA and NYSDEC Acceptance of Remedy

This Declaration also serves as the formal authorizing signature page for the Twenty No Action Sites and Eight No Further Action Sites ROD. Pursuant to the *Federal Facility Agreement for the Seneca Army Depot* (FFA), the ROD shall be adopted by the Army, USEPA, and NYSDEC if all parties agree to the contents of the ROD. In the event that mutual agreement cannot be reached on the ROD, the Federal Facility Agreement (FFA) designates the responsibility for the selection of the final remedial action to the USEPA Administrator, and further specifies that the USEPA shall then prepare the final ROD. The selection of any remedial action by the USEPA Administrator shall be final and not subject to dispute by the Army.

DECLARATION OF THE RECORD OF DECISION

The selected remedy (i.e., "No Action" or "No Further Action") is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. The remedy uses permanent solutions. The remedy does not require imposition of institutional controls, thus five-year reviews are not necessary.

The foregoing represents the selection of a remedial action by the U.S. Department of the Army and the U.S. Environmental Protection Agency, with the concurrence of the New York State Department of Environmental Conservation.

Concur and recommend for immediate implementation:

Stephen M Absolom — 11 Sep 03

Stephen M. Absolom — Date
BRAC Environmental Coordinator
Seneca Army Depot Activity

DECLARATION OF THE RECORD OF DECISION

The selected remedy (i.e., "No Further Action") is protective of human health and the environment, complies with State and Federal requirements that are legally applicable or relevant and appropriate to the remedial action to the extent practicable, and is cost effective. The remedy uses permanent solutions. The remedy does not require imposition of institutional controls, thus five-year reviews are not necessary.

The foregoing represents the selection of a remedial action by the U.S. Department of the Army and the U.S. Environmental Protection Agency, with the concurrence of the New York State Department of Environmental Conservation.

Concur and recommend for immediate implementation:

James R. Davidson
Director
National Capital Region Field Office
U.S. Army Installation Support
Management Agency

17 September 2003
Date

The foregoing represents the selection of a remedial action by the U.S. Department of the Army and the U.S. Environmental Protection Agency, with the concurrence of the New York State Department of Environmental Conservation.

Concur and recommend for immediate implementation:

11/12/03

Jane M. Kenny
Regional Administrator
U.S. Environmental Protection Agency, Region II

Date

The New York State Department of Environmental Conservation (NYSDEC) and the New York State Department of Health (NYSDOH) forwarded to the U.S. Environmental Protection Agency a letter of concurrence regarding the selection of a remedial action in the future. This letter of concurrence is attached in Appendix B.

New York State Department of Environmental Conservation
Division of Environmental Remediation
Remedial Bureau A, 11th Floor
625 Broadway, Albany, New York 12233-7015
Phone: (518) 402-9622 • **FAX:** (518) 402-9022
Website: www.dec.state.ny.us

Erin M. Crotty
Commissioner

September 15, 2003

Mr. Julio Vazquez
USEPA, Region 2
LOC, E-21 18th Floor
290 Broadway
New York, NY 10007-1866

Re: Draft ROD
20 NA & 8 NFA SWMUs
Site 850006
Romulus, Seneca County

Dear Mr. Vazquez:

The NYSDEC has reviewed the September 10, 2003 response from Parsons to our comments of August 18, 2003 regarding the draft ROD referenced above. The response is a very comprehensive consideration of our comment, which we greatly appreciate, and it adequately addressed our concerns. As a result, we have no further comments on this draft ROD and we will initiate the process for a final concurrence of the ROD.

If you have questions, please contact Joseph White, Project Manger, at (518)- 402-9622.

Sincerely,

John B. Swartwout, P.E.
Section Chief

ecc: Mr. Steve Absolom, SEDA
C. Bethoney, NYSDOH
P. Jones, SCIDA
J. Vasquez, USEPA
J. White

No herbicides were found in air samples at the time of sample collection. Of the sixteen soil samples collected, only three contained herbicides (2,4-D: 0.04 ppm, 0.078 ppm, and 0.055 ppm; 2,4,5-T: 0.008 ppm and 0.011 ppm). EPA Regions III's current risk-based concentrations (EPA, 2003) for 2,4-D and 2,4,5-T in soils are both 780 ppm for residential soils. The NYSDEC recommended clean-up criteria level in TAGM # 4046 is 0.5 ppm for 2,4-D and 1.9 ppm for 2,4,5-T. The concentrations detected in soils in 1983 were all well below current federal and state guidance values after 25 years of routine application. Application of herbicides at SEAD-51 continued in an equivalent manner until 1996 when the mission of the Depot was terminated. The Army reports that the level of herbicide application for the additional 13 years was similar to the first 25 years. Since the herbicide levels detected in 1983 were several orders of magnitude lower than the applicable criteria and that herbicides degrade with time, there is no reason to believe that residual levels would exceed standards.

SEDA no longer applies herbicide to this area and this practice was discontinued in roughly 1996. The application of herbicides was a planned operation and personnel who were licensed to apply the material completed the application. Review of available information indicates that here is no evidence of unplanned applications or releases of herbicides in the area of the Exclusion Area security fences during the 39-year period when they were used. The Army reports that there is new growth of vegetation within the area where herbicides were used.

The Army's remedy for this SWMU is "No Action" under CERCLA since there is no evidence that any release ever occurred and detected concentrations of herbicides found were below all applicable standards.

6.23 SEAD-53: Munitions Storage Igloos

The Munitions Storage Igloos are located within the central portion of the SEDA. The igloo area encompasses a large portion of the Depot, spanning a zone that measures roughly 4.5 miles north-to-south and 1 mile, east-to-west. The planned land use for all of this area is designated as conservation/recreational land. The approximate location of SEAD-53 is shown on Figure 1. Greater detail of the area surrounding SEAD-53 is provided on Figures 2 through 5.

There are 508 igloos associated with this SWMU and located within the Depot. These igloos are spaced along 45 parallel access roads that run east-to-west throughout the interior portion of the Depot, starting inside the Special Weapons Storage Area at the north end to within roughly one mile of the southern boundary of the Depot. Each of the munitions storage igloos is constructed of reinforced concrete and measures approximately 26 feet 8 inches wide by 81 feet long by 13 feet high. All of the igloos are covered with a minimum of two feet of soil that are covered with an extensive growth of grasses, weeds, and small shrubs. When built, each of the igloos was oriented in a north-to-south configuration, such that the entry door to each individual igloo faced north. Each igloo entry door opens onto a concrete pad that was used for munitions off-loading, transfer and loading operations. In addition to the entry door, each

igloo has one roof vent and two drainage openings at ground level (one on the northwest, the other on the northeast corner).

Munitions and other munition containing material were stored in the igloos between the time of Depot inception (1941) and the termination of the Depot mission (September 30, 1999). As part of the termination of SEDA's mission, the Army inspected each igloo and prepared a certification that all munitions and associated materials were removed. A copy of the individual closeout certificates for each of the 508 igloos is available in the office of the BRAC Environmental Coordinator.

Under an NRC license, 118 of the 508 certified igloos were used to store depleted uranium (DU) ammunition. These igloos were surveyed as part of the request for termination of the NRC license (Parsons, 2002a). These igloos are identified in Table 14. Radiological screening data from the 118 igloos is summarized in Table 15 and indicates that all but seven of the igloos show no indication of residual radiological levels above background. One of the remaining seven igloos has a residual alpha radiation level that is above background, while the other six igloos contain residual gamma measures that are considered elevated above site background. The results from these seven igloos have been compared to derived concentration guideline levels (DCGLs) that are based on the most conservative NYSDEC's 10 mrem/yr dose criterion defined in TAGM # 4003. The NRC accepted SEDA's DCGLs and has allowed their use as criteria for decommissioning of the facilities at the SEDA (NRC, 2003). In summary, all readings obtained from all 118 igloos met the NRC-approved criteria based on NYSDEC's most conservative dosage criteria. Accordingly, it was determined that no remediation is required. Pending final termination of the NRC license, the Army will lock the 118 igloos and maintain access control to all igloos associated with the NRC license.

Eleven igloos, designated as E0801 to E0811, located at the extreme southern end of the Munitions Storage Igloos area are designated as SEAD-48 and are not part of this SWMU site. These 11 igloos (not included in the 508 igloos) are currently subject to additional investigations as part of the SEAD-48 close-out. The Army will also lock and maintain access control to these 11 igloos pending completion of the SEAD-48 close-out.

The Army performed a Depot-wide ordnance investigation following the CERCLA process. This involved an Archive Search Report (USACE, 1998), which involved site visits, interviews, and archival data searches related to any historical operations, and an Ordnance and Explosives Engineering Evaluation and Cost Assessment (OE EECA; Parsons, 2001a), which further investigated any potential ordnance risks based upon the Archive Search Report. This effort included the ammunition igloos and the property around the igloos. This investigation determined that there were no ordnance issues in and around the igloos based upon historical information and the OE EECA surveys.

The Army proposed SEAD-53 as a No Action SWMU. This recommendation was documented in the final SWMU Classification Report (Parsons, 1994), and the EPA and NYSDEC both concurred with this

recommendation.

The Army's remedy for this SWMU is "No Action" under CERCLA.

6.24 SEAD-55: Building 357 - Tannin Storage

Building 357 is located in the southwestern portion of SEDA, in land where the planned future use is warehousing. The approximate location of SEAD-55 is presented on Figure 1, and greater detail of the area is provided on Figure 5.

Building 357 is a concrete block warehouse built on a concrete foundation that measures 200 feet wide by 1,000 feet long and consists of five (5) separate sections. The individual sections are divided by a concrete masonry firewall.

Building 357 was used for storage of Columbite ore between the dates of 1954 and 1984 – 1985 when the ore was transferred to Building 356 (SEAD-49). Subsequent to its use for storage of Columbite ore, the section was swept clean of all residues. Building 357 was also used for storage of Tannin between the dates of approximately 1978 and roughly 1994. Tannin has many industrial uses, such as a chemical treatment additive for its boiler plant water. The Army stored Tannin as a dry solid in bags, and the bags were stored in Section 2 of Building 357 on pallets. Section 2 of Building 357 was swept clean once storage of Tannin ceased. Tannin is not a hazardous substance under CERCLA, RCRA, DOT, or other regulatory statute.

The Army proposed SEAD-55 as a No Action SWMU. This recommendation was documented in the final SWMU Classification Report (Parsons, 1994), and the EPA and NYSDEC both concurred with this recommendation.

Personnel of NYSDEC and NYSDOH performed a radiological survey of Building 357 as part of the investigation of former Columbite ore storage facilities at SEDA. The results of these surveys are presented in Appendix C of the Final Decision Document, Twenty-Two No Further Action Sites, Seneca Army Depot Activity (Parsons, 2002c), and are summarized in Table 16 at the end of this document.

No evidence or records of a release of Tannin in Building 357 were observed or found. As Tannin was received and stored in bags stacked together in wooden frames, it is unlikely that a release could have occurred during storage. If a bag did break, and Tannin was released, the release would be contained by the concrete floor and could be cleaned up according to proper procedures. As is noted above, the building was swept clean, once all Tannin was removed from storage, so there is no evidence of a continuing source present at the site.

The Army's remedy for this SWMU is "No Action" under CERCLA.

TABLE 1
NO ACTION (NA) AND NO FURTHER ACTION (NFA) SWMUs CONSIDERED IN THIS ROD

UNIT NUMBER	UNIT NAME	Recommendation	Basis of NA/NFA Determination [1]	Reference [2]
SEAD-7	Shale Pit	No Action	A	Parsons, 2002c
SEAD-9	Old Scrap Wood Site	No Action	D	Parsons, 2002b
SEAD-10	Present Scrap Wood Site	No Action	C	Parsons, 2002c
SEAD-18	Building 709 – Classified Document Incinerator	No Action	C	Parsons, 2002c
SEAD-19	Building 801 – Classified Document Incinerator	No Action	C	Parsons, 2002c
SEAD-20	Sewage Treatment Plant No. 4	No Action	A	Parsons, 2002c
SEAD-21	Sewage Treatment Plant No. 715	No Action	A	Parsons, 2002c
SEAD-22	Sewage Treatment Plant No. 314	No Action	A	Parsons, 2002c
SEAD-28	Building 360 – Underground Waste Oil Tanks (2)	No Further Action	C, E	Parsons, 2002b
SEAD-29	Building 732 - Underground Waste Oil Tanks (2 units)	No Further Action	E	Parsons, 2002c
SEAD-30	Building 118 – Underground Waste Oil Tank	No Further Action	E	Parsons, 2002c
SEAD-31	Building 117 – Underground Waste Oil Tank	No Further Action	E	Parsons, 2002c
SEAD-32	Building 718 – Underground Waste Oil Tanks	No Further Action	C, E	Parsons, 2002b
SEAD-33	Building 121 – Underground Waste Oil Tank	No Action	C	Parsons, 2002b
SEAD-34	Building 319 – Underground Waste Oil Tanks (2)	No Further Action	C, E	Parsons, 2002b
SEAD-35	Building 718 - Waste Oil-Burning Boilers (3 units)	No Action	A	Parsons, 2002c
SEAD-36	Building 121 - Waste Oil-Burning Boilers (2 units)	No Action	A	Parsons, 2002c
SEAD-37	Building 319 - Waste Oil-Burning Boilers (2 units)	No Action	A	Parsons, 2002c
SEAD-42	Building 106 - Preventive Medicine Laboratory	No Action	B	Parsons, 2002c
SEAD-47	Buildings 321 And 806 – Radiation Calibration Source Storage	No Action	C	Parsons, 2003
SEAD-49	Building 356 – Columbite Ore Storage	No Action	C	Parsons, 2002c
SEAD-51	Herbicide Usage Area – Perimeter of High Security Area	No Action	C	Parsons, 1994 and EPA 2003

TABLE 1 (continued)
NO ACTION (NA) AND NO FURTHER ACTION (NFA) SWMUs CONSIDERED IN THIS ROD

UNIT NUMBER	UNIT NAME	Recommendation	Basis of NA/NFA Determination [1]	Reference [2]
SEAD-53	Munitions Storage Igloos	No Action	A	NRC, 2003
SEAD-55	Building 357 - Tannin Storage	No Action	A	Parsons, 2002c
SEAD-60	Oil Discharge Adjacent to Building 609	No Further Action	E	Parsons, 2002b
SEAD-61	Building 718 - Underground Waste Oil Tank	No Further Action	A, E	Parsons, 2002c
SEAD-65	Acid Storage Areas	No Action	A	Parsons, 2002c
SEAD-68	Building S-335 Old Pest Control Shop	No Action	D	Parsons, 2002b

Notes:

1. The SWMU was determined No Action (NA) or No Further Action (NFA) based on compliance with at least one of the following five criteria:

   A - Some sites initially listed were based on a 1980 Army report listing suspect or potential sites (USATHAMA, 1980). Subsequent evaluation of historic records and information indicate that there is no evidence or indication of petroleum product, hazardous materials or solid wastes present or released to the environment. These SWMUs would be classified as No Action (NA).

   B – Interviews or records suggested the presence of a potential site or SWMU, however no identifiable location was found. This SWMU is recommended for No Action.

   C – Based on the analysis of collected sampling data, the Army has determined that there are no instances where hazardous materials have been detected; or if hazardous chemicals have been detected in specific media, the concentrations at which they have been found do not exceed promulgated regulatory criteria defined [e.g., New York Class C surface water criteria, New York GA Groundwater Standards, federal Maximum Contaminant Levels (MCLs), etc.] by the State of New York or the federal government. This SWMU is recommended for No Action.

   D - If data indicates that hazardous chemicals are present above criteria limits, the results of a human health risk assessment indicate that the land encompassed by the identified SWMU is suitable for unrestricted use (residential use). This SWMU is recommended for No Action.

   E - Action on a site was taken, and the site was closed out under another regulatory program (e.g., tank removal). This SWMU is recommended for No Further Action.

2. See Appendix A, Administrative Record.

TABLE 14
STORAGE IGLOOS INCLUDED IN RADIOLOGICAL SURVEY NRC LICENSE TERMINATION SURVEYS SENECA ARMY DEPOT ACTIVITY AREA – SEAD-53

IGLOO NUMBER[a, b]				
A0201	B0709	C0510	D0107	E0112
A0316	B0711	C0511	D0108	E0211
A0317	B0801	C0513	D0110	E0301
A0508	B0802	C0603	D0113	E0302
A0701[c]	B0804	C0604	D0206	E0303
A0706	B0809	C0605	D0207	E0312
A0707	B0810	C0606	D0305	E0402
A0710	B0811	C0608	D0306	E0410
A0711	B0909	C0701	D0312	E0411
A0901	C0203	C0706	D0401	E0413
A0905	C0303	C0707	D0406	E0504
A1108	C0307	C0708	D0407	E0506
A1109	C0308	C0801	D0413	E0508
B0109	C0401	C0803	D0601	E0510
B0411	C0403	C0807	D0604	E0512
B0501	C0405	C0809	D0607	E0602
B0602	C0406	C0901	D0704	E0604
B0603	C0407	C0902	D0705	E0609
B0609	C0408	C0906	D0711	E0610
B0610	C0501	C0907	D0712	E0702
B0701	C0503	C0808	D0801	E0706
B0705	C0504	C0909	D0805	E0711
B0707	C0505	D0104	E0103	
B0708	C0508	D0105	E0105	

Notes:

a) Unless otherwise noted, igloos were used for storage of packaged DU ammunition under NRC license SUC-1275.
b) The list of igloos requiring surveying under the SEDA NRC License Termination program was compiled from *Seneca Army Depot-License Termination and License Release Plan*, ANL, January 2002.

c) Igloo A0701 was used for the storage of light anti-tank rockets that contained Promethium-147 under license BML 12-00722-07.

TABLE 15
SUMMARY OF IGLOO SURVEY UNITS ABOVE/BELOW BACKGROUND
NRC LICENSE TERMINATION SURVEYS
SENECA ARMY DEPOT ACTIVITY

Igloo	Elevated above Background?	Elevated above Background + DCGL?
A0201	NO	
A0316	NO	
A0317	NO*	
A0508	YES (gamma)	
A0701	NO	
A0706	YES (gamma)*	
A0707	NO*	
A0710	NO*	
A0711	NO*	
A0901	NO*	
A0905	NO*	
A1108	NO	
A1109	NO	
11 of 13 igloos passed		

Igloo	Elevated above Background?	Elevated above Background + DCGL?
E0103	YES (gamma)	
E0105	NO*	
E0112	NO*	
E0211	NO	
E0301	NO	
E0302	NO	
E0303	NO*	
E0312	NO	
E0402	NO	
E0410	NO	
E0411	NO	
E0413	NO	
E0504	NO*	
E0506	NO	
E0508	NO*	
E0510	NO*	
E0512	NO	
E0602	NO*	
E0604	YES (alpha)	
E0609	NO	
E0610	NO	
E0702	NO	
E0706	NO	
E0711	NO	
E0801	NO	
E0802	NO	
24 of 26 igloos passed		

Igloo	Elevated above Background?	Elevated above Background + DCGL?
B0109	NO	
B0411	NO	
B0501	NO	
B0602	NO	
B0603	NO	
B0609	NO	
B0610	NO	
B0701	NO	
B0705	NO	
B0707	NO	
B0708	NO	
B0709	NO	
B0711	NO	
B0801	NO	
B0802	NO	
B0804	NO	
B0809	NO*	
B0810	NO*	
B0811	NO	
B0909	YES (gamma)	
19 of 20 igloos passed		

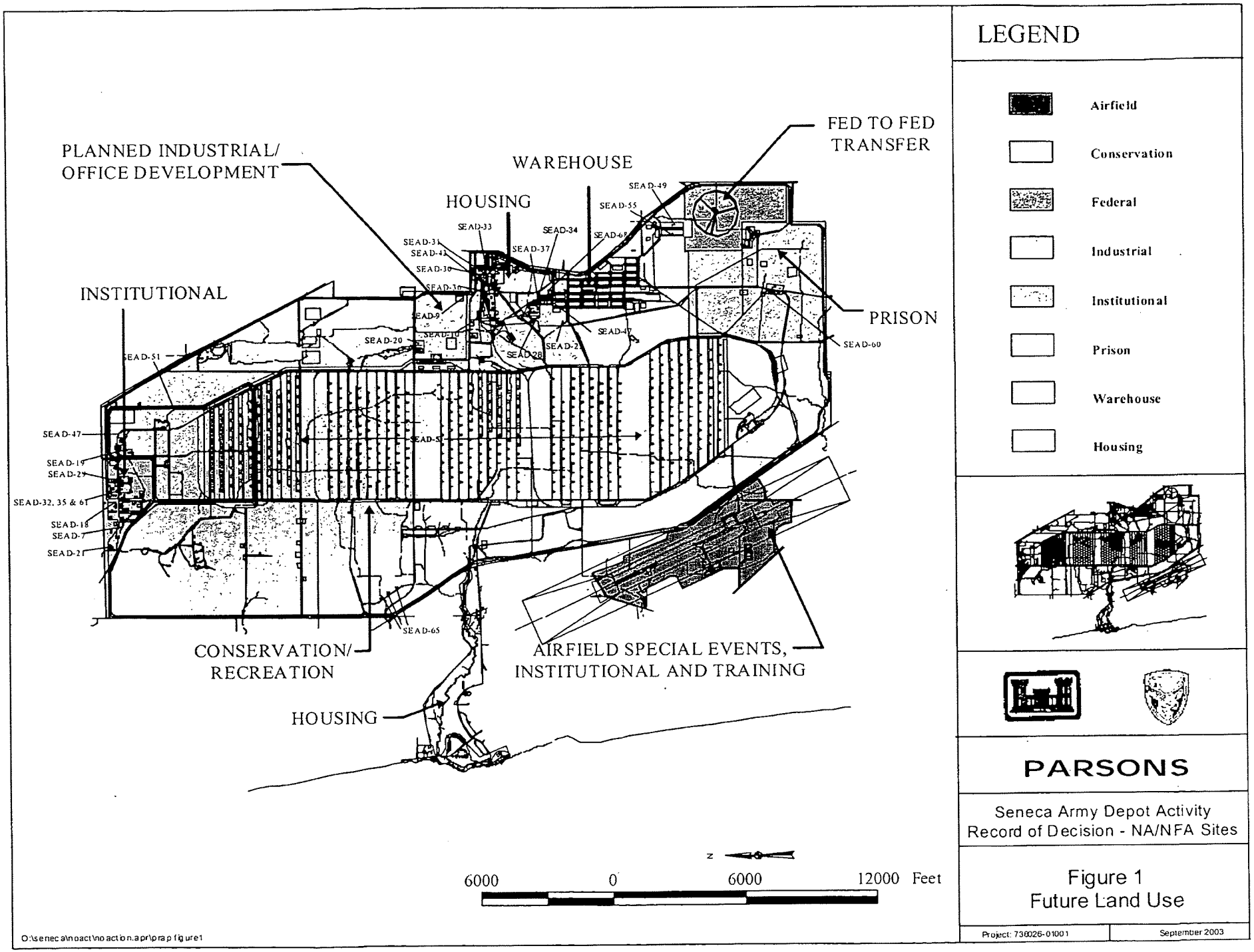
Total No. of igloos survey units:	120
Total No. of igloo survey units *not elevated* above background based on WRS:	83
Total No. of igloo survey units *not elevated* above background based on WRS and box-and-whisker plots:	113
% of igloos *below* background:	94%

Igloo	Elevated above Background?	Elevated above Background + DCGL?
C0203	NO*	
C0303	NO	
C0307	NO	
C0308	NO	
C0401	NO	
C0403	NO	
C0405	NO	
C0406	NO	
C0407	NO	
C0408	NO	
C0501	NO	
C0503	NO	
C0504	NO	
C0505	NO	
C0508	NO	
C0510	NO	
C0511	NO	
C0513	NO	
C0603	NO	
C0604	NO	
C0605	NO	
C0606	NO	
C0608	NO	
C0701	NO	
C0706	NO	
C0707	NO	
C0708	NO	
C0801	NO*	
C0803	NO*	
C0807	NO	
C0808	NO	
C0809	NO	
C0901	NO*	
C0902	NO*	
C0906	NO*	
C0907	NO	
C0909	NO	
37 of 37 igloos passed		

Igloo	Elevated above Background?	Elevated above Background + DCGL?
D0104	NO	
D0105	NO	
D0107	NO*	
D0108	NO*	
D0110	NO	
D0113	NO	
D0206	NO	
D0207	NO	
D0305	NO	
D0306	NO*	
D0312	NO*	
D0401	NO	
D0406	YES (gamma)	
D0407	NO*	
D0413	NO*	
D0601	NO*	
D0604	YES (gamma)*	
D0607	NO	
D0704	NO*	
D0705	NO*	
D0711	NO	
D0712	NO	
D0801	NO	
D0805	NO	
22 of 24 igloos passed		

Notes:
1.) Igloos where WRS test results ("NO") or graphical analysis ("NO*") indicate that the survey unit is not elevated above background need no further statistical analysis. Therefore, the cells for those igloos are shaded in the "elevated above background + DCGL?" column.
2.) Blank cells in the "elevated above background + DCGL?" column will be filled in when the WRS analysis can be performed comparing site survey units to the DCGL adjusted background data set.

Additional graphical analyses of the A0706 alpha data set and the D0604 beta data set indicated that these data were not elevated above background (refer to text).



O:\seneca\noact\noaction.apr\prap figure1

LEGEND

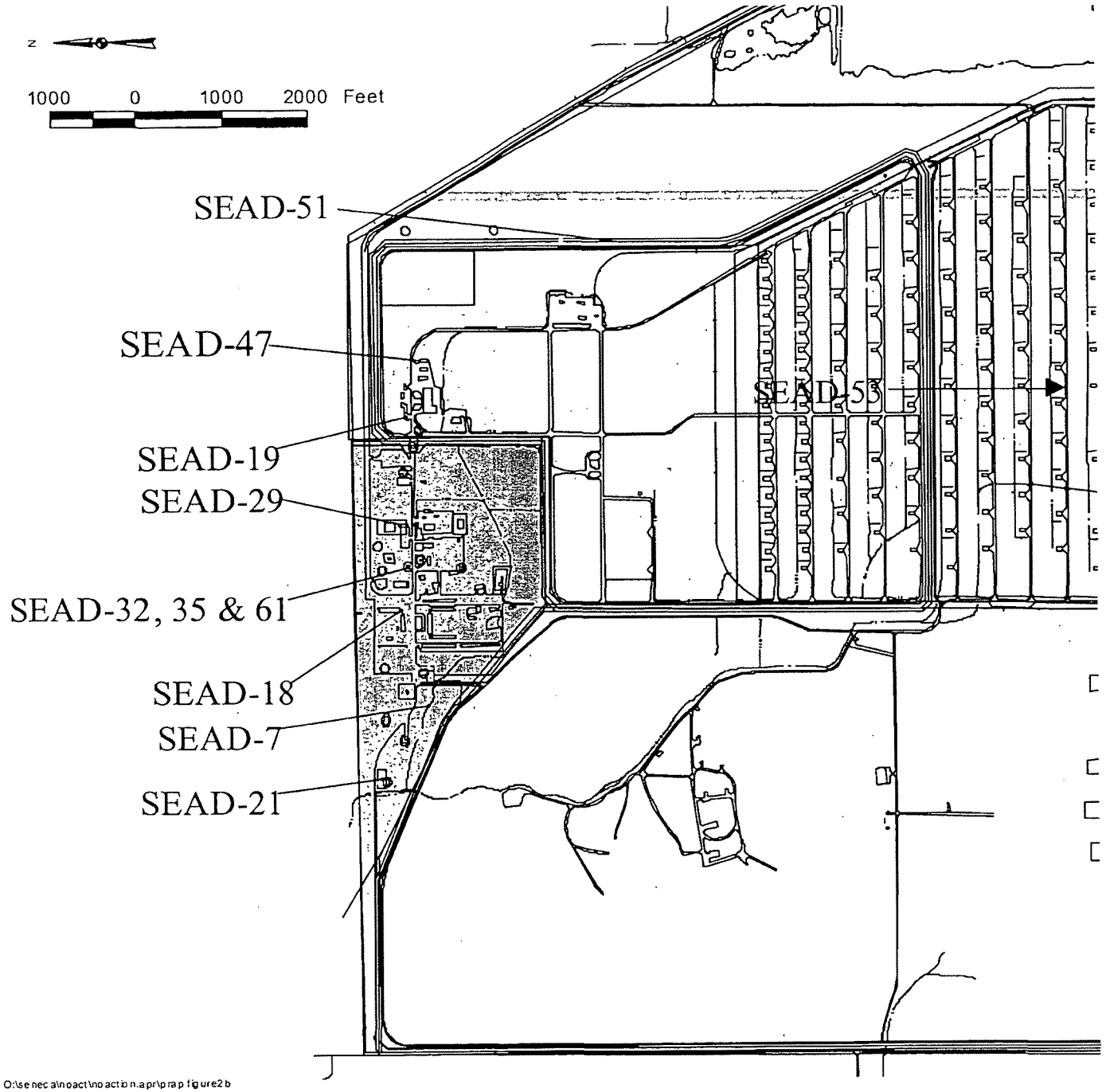
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- Conservation
- Federal
- Industrial
- Institutional
- Prison
- Warehouse
- Housing

PARSONS

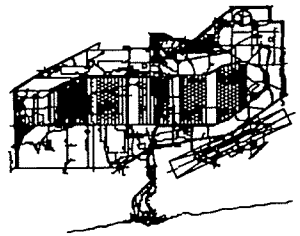
Seneca Army Depot Activity
Record of Decision - NA/NFA Sites

Figure 1
Future Land Use

Project: 736026-01001 | September 2003



Airfield
Conservation
Federal
Industrial
Institutional
Prison
Warehouse
Housing



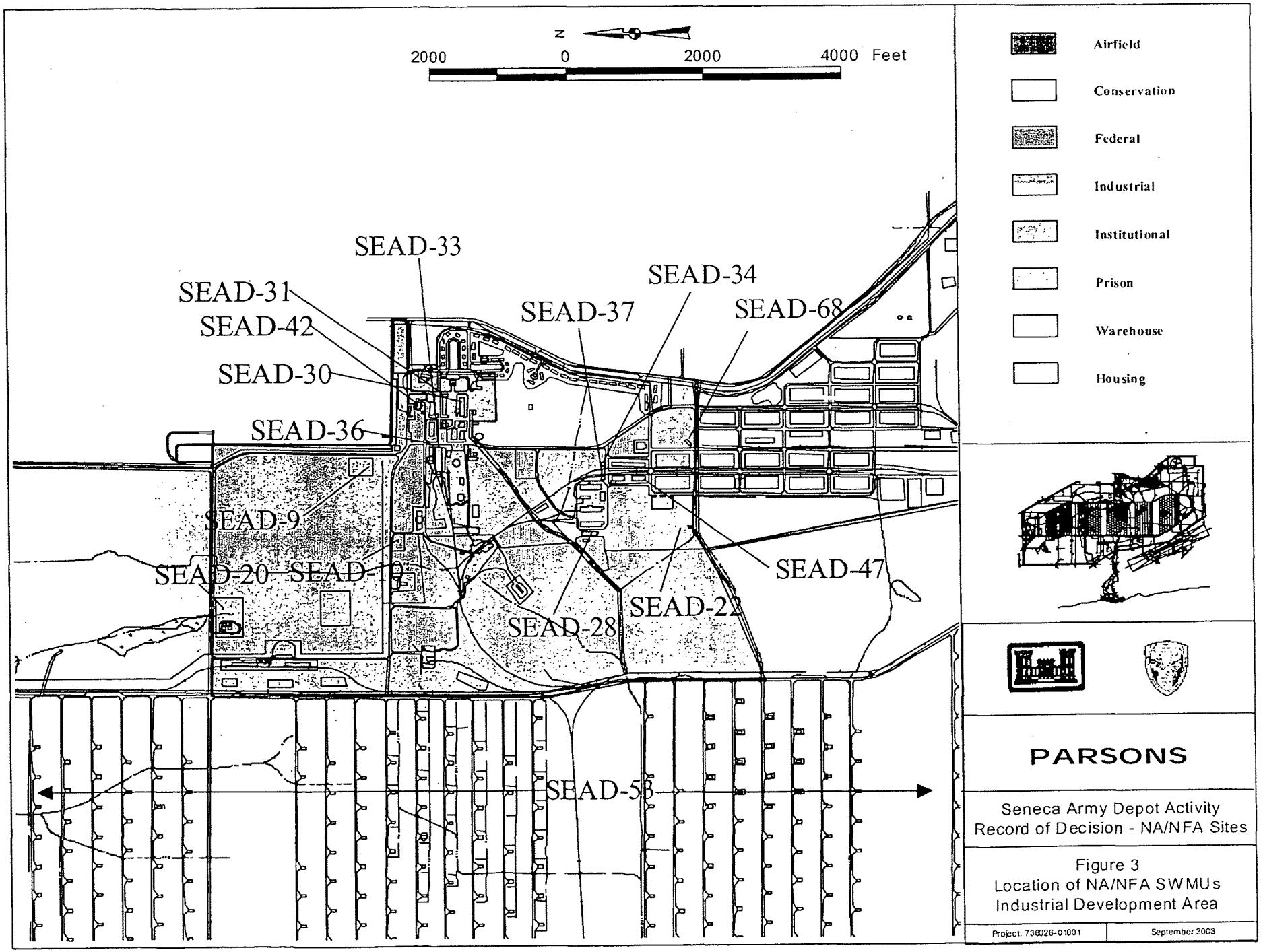
PARSONS

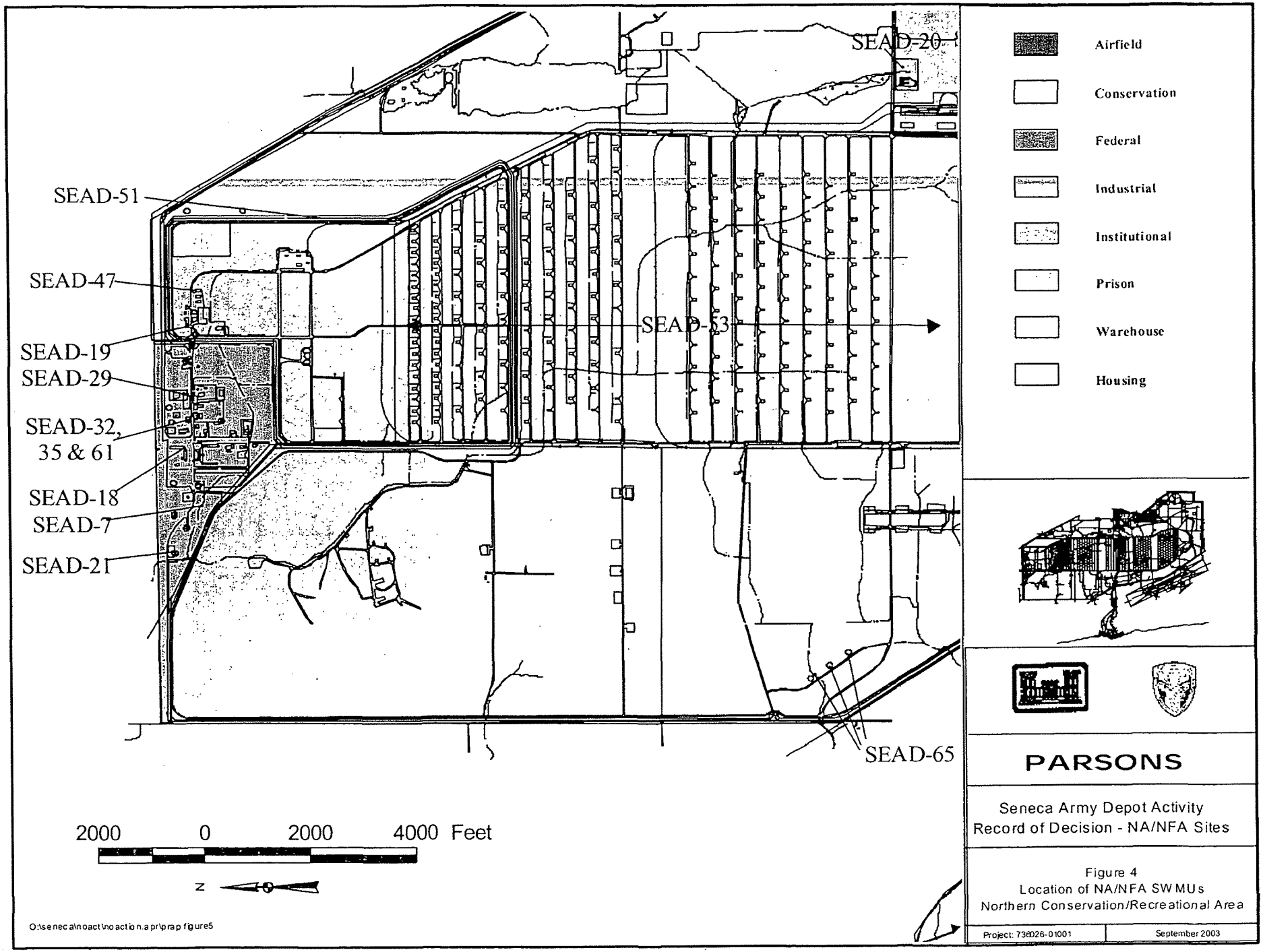
Seneca Army Depot Activity
Record of Decision - NA/NFA Sites

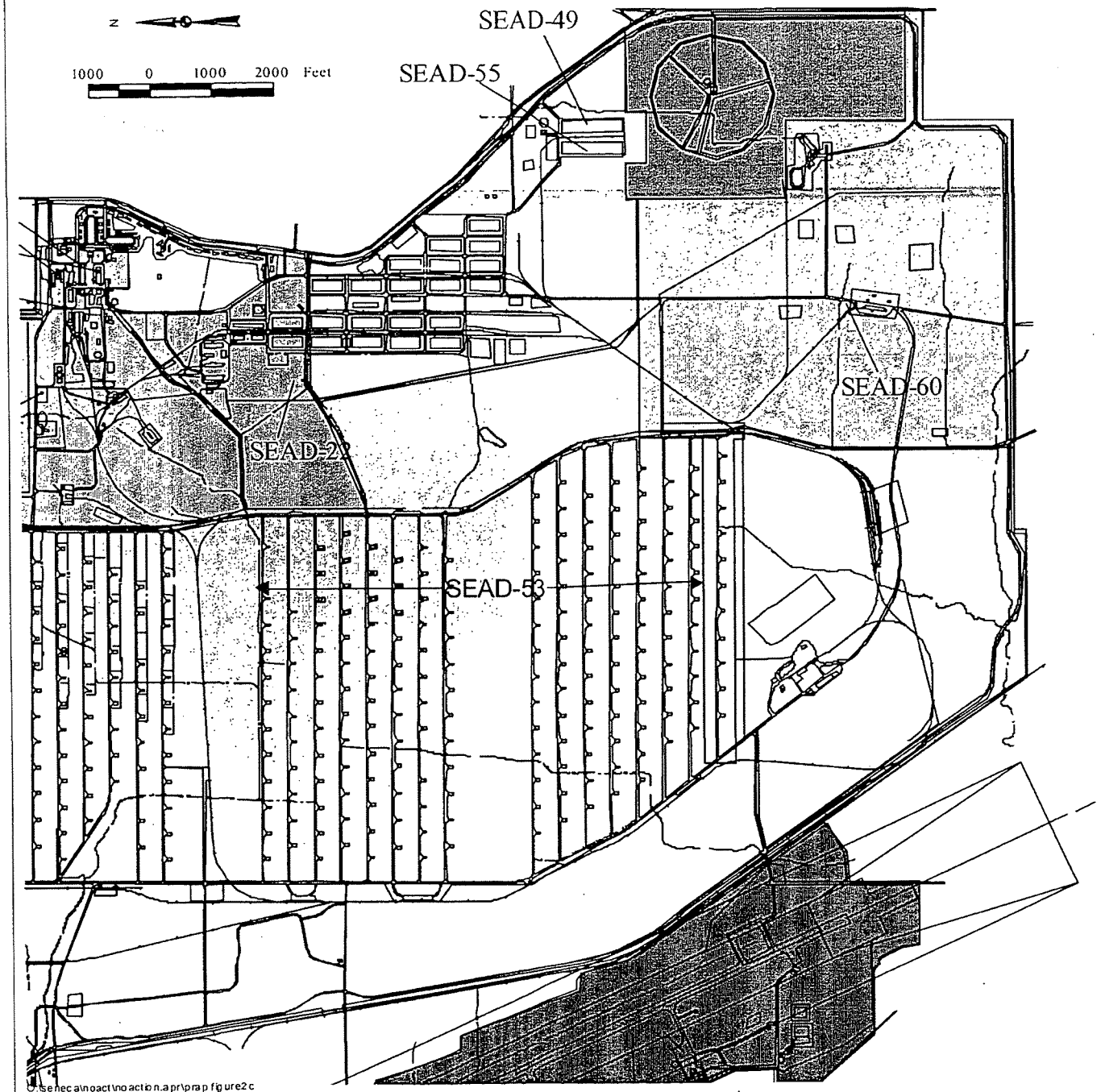
Figure 2
Location of NA/NFA SWMUs
Institutional Area

Project: 736026-01001 | September 2003

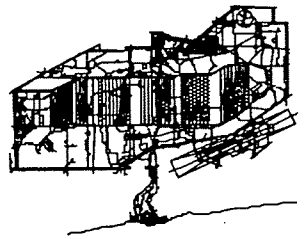
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N
2000
0
2000
4000 Feet
SEAD-33
SEAD-31
SEAD-42
SEAD-30
SEAD-36
SEAD-34
SEAD-37
SEAD-68
SEAD-9
SEAD-20
SEAD-19
SEAD-28
SEAD-22
SEAD-47
SEAD-53
Airfield
Conservation
Federal
Industrial
Institutional
Prison
Warehouse
Housing
PARSONS
Seneca Army Depot Activity
Record of Decision - NA/NFA Sites
Figure 3
Location of NA/NFA SWMUs
Industrial Development Area
Project: 736026-01001
September 2003


SEAD-20
SEAD-51
SEAD-47
SEAD-19
SEAD-29
SEAD-32, 35 & 61
SEAD-18
SEAD-7
SEAD-21
SEAD-53
SEAD-65
Airfield
Conservation
Federal
Industrial
Institutional
Prison
Warehouse
Housing
2000 0 2000 4000 Feet
N
O:\seneca\noact\noaction.apr\prap figure5
PARSONS
Seneca Army Depot Activity
Record of Decision - NA/NFA Sites
Figure 4
Location of NA/NFA SWMUs
Northern Conservation/Recreational Area
Project: 736026-01001
September 2003



Airfield
Conservation
Federal
Industrial
Institutional
Prison
Warehouse
Housing



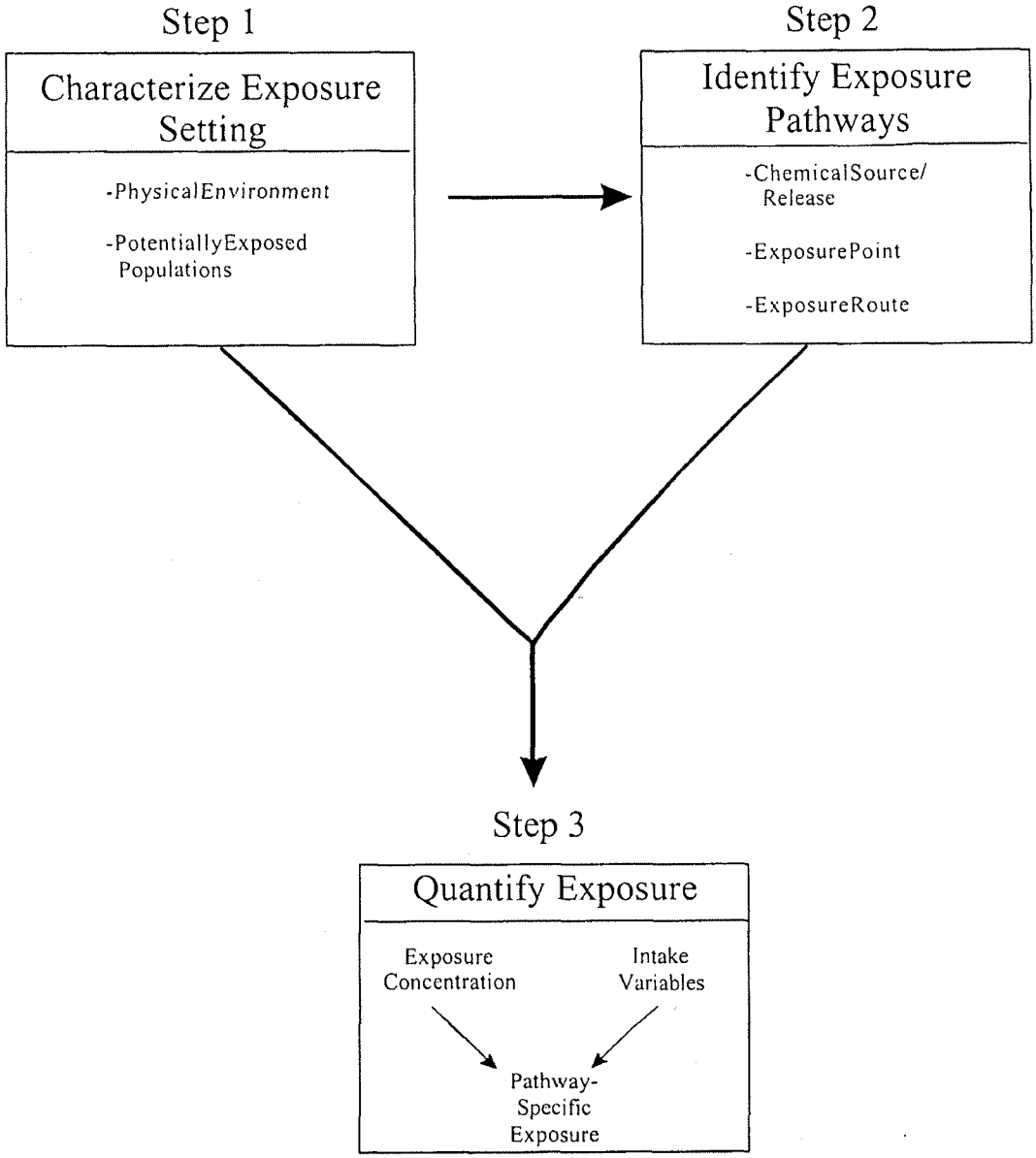
PARSONS

Seneca Army Depot Activity
Record of Decision - NA/NFA Sites

Figure 5
Location of NA/NFA SWMUs
Warehouse, Prison, and Southern
Conservation/Recreation Area

Project 736026-01001 | September 2003

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Source:USEPA1989a

PARSONS

CLIENT/PROJECTTITLE

SENECA ARMY DEPOT
RECORD OF DECISION
TWENTY NO ACTION SWMUs
and
EIGHT NO FURTHER ACTION SWMUs

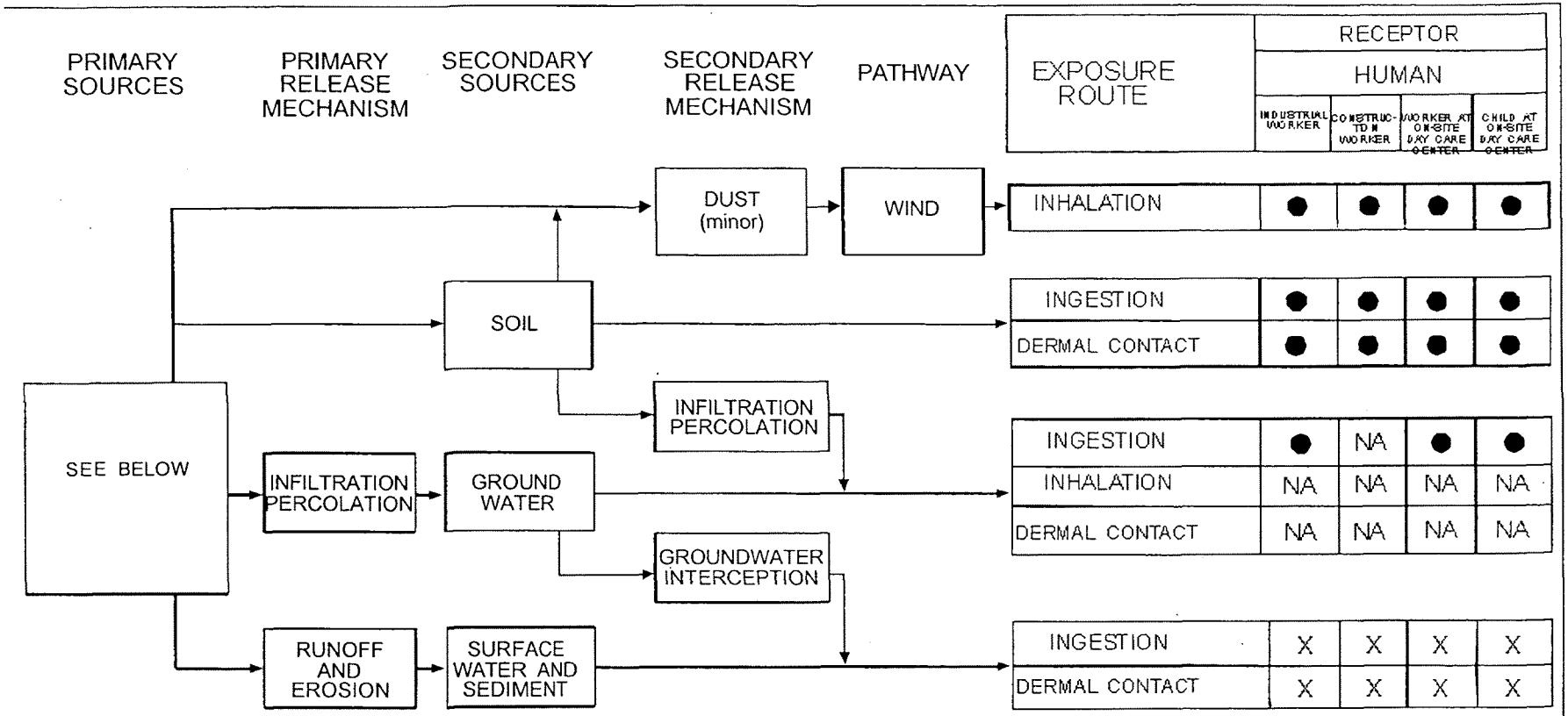
ENVIRONMENTALENGINEERING | 763026-01001

FIGURE 6

EXPOSURE ASSESSMENT PROCESS

SCALE NA | SEPT 2003

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NOTE: EXPOSURE ROUTES APPLICABLE BASED ON PRESENCE OF MEDIA AT SITE AS SHOWN BELOW.

SEAD	PRIMARY SOURCE	SOIL	GW
9	OLD SCRAP WOOD SITE	✓	✓
68	PESTICIDE CONTROL SHOP	✓	NA

● PATHWAY CONSIDERED TO POSE POTENTIAL RISK

X PATHWAY NOT CONSIDERED

NA NOT APPLICABLE TO RECEPTOR

PARSONS

CLIENT/PROJECTTITLE

SENECA ARMY DEPOT

RECORD OF DECISION
TWENTY NO ACTION SWMUs
and
EIGHT NO FURTHER ACTION SWMUs

DEPT. ENVIRONMENTALENGINEERING | DWGNO 763026-01001

FIGURE 7

EXPOSURE PATHWAY SUMMARY FOR PLANNED INDUSTRIAL DEVELOPMENT SCENARIO

SCALE NA | DATE SEPT2003

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EXHIBIT K

Compiled from notes 15 MAR 2019 – 21 April 2019; 07 May 2019

WETLAND DETERMINATION DATA FORM – Northcentral and Northeast Region

Project/Site: _____ City/County: _____ Sampling Date: 1-4

Applicant/Owner: EARL MARTIN State: NY Sampling Point: _____

Investigator(s): Keith Tidball Section, Township, Range: _____

Landform (hillslope, terrace, etc.): FLAT FIELD Local relief (concave, convex, none): NONE Slope (%): _____

Subregion (LRR or MLRA): _____ Lat: _____ Long: _____ Datum: _____

Soil Map Unit Name: _____ NWI classification: _____

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No _____ (If no, explain in Remarks.)

Are Vegetation ✓ Soil _____ or Hydrology _____ significantly disturbed? Are "Normal Circumstances" present? Yes ✓ No _____

Are Vegetation _____ Soil _____ or Hydrology _____ naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes _____	No ✓	Is the Sampled Area within a Wetland? Yes _____ No ✓
Hydric Soil Present?	Yes _____	No _____	
Wetland Hydrology Present?	Yes _____	No ✓	If yes, optional Wetland Site ID: _____

Remarks: (Explain alternative procedures here or in a separate report.)

THIS SITE IS IN AN AREA THAT HAS BEEN HEAVILY MANIPULATED OVER THE LAST 6 DECADES. ADJACENT TO THE PROPOSED SITE IS A RECENTLY CONSTRUCTED ARTIFICIAL WETLAND. THE SITE ITSELF IS A FLAT FIELD SUITED FOR AG OR DEVELOPMENT. THE SITE IS NOT MARKED AS WETLAND IN THE VERY RECENT DEC WETLAND ANALYSES OF SEAD.

HYDROLOGY

Wetland Hydrology Indicators:

Primary Indicators (minimum of one is required; check all that apply)

- ___ Surface Water (A1)
- ___ High Water Table (A2)
- ___ Saturation (A3)
- ___ Water Marks (B1)
- ___ Sediment Deposits (B2)
- ___ Drift Deposits (B3)
- ___ Algal Mat or Crust (B4)
- ___ Iron Deposits (B5)
- ___ Inundation Visible on Aerial Imagery (B7)
- ___ Sparsely Vegetated Concave Surface (B8)
- ___ Water-Stained Leaves (B9)
- ✓ Aquatic Fauna (B13)
- ___ Marl Deposits (B15)
- ___ Hydrogen Sulfide Odor (C1)
- ___ Oxidized Rhizospheres on Living Roots (C3)
- ___ Presence of Reduced Iron (C4)
- ___ Recent Iron Reduction in Tilled Soils (C6)
- ___ Thin Muck Surface (C7)
- X Other (Explain in Remarks)

Secondary Indicators (minimum of two required)

- X Surface Soil Cracks (B6)
- ___ Drainage Patterns (B10)
- ___ Moss Trim Lines (B16)
- ___ Dry-Season Water Table (C2)
- ___ Crayfish Burrows (C8)
- ___ Saturation Visible on Aerial Imagery (C9)
- ___ Stunted or Stressed Plants (D1)
- ___ Geomorphic Position (D2)
- ___ Shallow Aquitard (D3)
- ___ Microtopographic Relief (D4)
- ___ FAC-Neutral Test (D5)

Field Observations:

Surface Water Present?	Yes _____	No X	Depth (inches): _____
Water Table Present?	Yes _____	No X	Depth (inches): _____
Saturation Present? (includes capillary fringe)	Yes _____	No X	Depth (inches): _____

Wetland Hydrology Present? Yes _____ No X

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

PREVIOUS INSPECTIONS BY DEC

Remarks:

CATTAIL (TYPHA) INCURSION ALONG BORDER WITH ARTIFICIAL CREATED WETLAND.

Freelance FAC Obligate (OBL)
Facultative (FACW)
Facultative Upland (FACU)
Obligate Upland (OBL

VEGETATION – Use scientific names of plants. Sampling Point: 1-4

Tree Stratum (Plot size:)	Absolute % Cover	Dominant Species?	Indicator Status
1. NO large trees IN			
2. project area			
3. Walnut (Juglans Nigra)	<5%	walnut	FAC
4. BLACK LOCUST (Robinia P.)	2%		FACU
5.			
6.			
7.			
	= Total Cover		

Sapling/Shrub Stratum (Plot size:)			
1. Buckthorn (Rhamnus)	5		FAC
2. Dogwood (cornus)	10	✓	FAC
3. Autumn Olive (E. umbellata)	5	✓	FAC
4.			
5.			
6.			
7.			
	20% = Total Cover		

Herb Stratum (Plot size:)			
1. Disturbed site			
2. Golden Rod (Solidago)	60	✓	FACU
3. Thistle ?	20	✓	FACU
4. POISON IVY (Toxicodendron R.)	5		FAC
5. Queen Anne's Lace (Daucus carota)	45	✓	FACU
6. Common Thistle (Cirsium arvense)	20	✓	FACU
7. Wild PARSNIP (Pastinaca sativa)	5	✓	FACU
8. White Clover (Trifolium repens)	10	✓	FACU
9. Stinging nettle (Urtica dioica)	15	✓	FAC
10. DANDELION (Taraxacum)	10	✓	FACU
11.			
12.			
	= Total Cover		

Woody Vine Stratum (Plot size:)			
1.			
2.			
3.			
4.			
	= Total Cover		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 4 (A)

Total Number of Dominant Species Across All Strata: 10 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 40 (A/B)

Prevalence Index worksheet:

Total % Cover of	Multiply by:	
OBL species	x 1 =	
FACW species	x 2 =	
FAC species 25	x 3 =	75
FACU species 180	x 4 =	720
UPL species	x 5 =	
Column Totals: 205 (A)		795 (B)

Prevalence Index = B/A = 3.9

Hydrophytic Vegetation Indicators:

NO 1 - Rapid Test for Hydrophytic Vegetation

NO 2 - Dominance Test is >50%

NO 3 - Prevalence Index is ≤3.0

4 - Morphological Adaptations (Provide supporting data in Remarks or on a separate sheet)

Problematic Hydrophytic Vegetation (Explain)

Indicators of hydric soil and wetland hydrology must be present, unless disturbed or problematic.

Definitions of Vegetation Strata:

Tree – Woody plants 3 in. (7.6 cm) or more in diameter at breast height (DBH), regardless of height.

Sapling/shrub – Woody plants less than 3 in. DBH and greater than or equal to 3.28 ft (1 m) tall.

Herb – All herbaceous (non-woody) plants, regardless of size, and woody plants less than 3.28 ft tall.

Woody vines – All woody vines greater than 3.28 ft in height.

Hydrophytic Vegetation Present? Yes ____ No ✓

Remarks: (Include photo numbers here or on a separate sheet.)

Heavily disturbed site – Incursion of invasive species (Multiflora Rose, Olive, buckthorn) and isolated clumps of 3-5 yr old dogwood.

SOIL

Sampling Point: 1-4

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix Color (moist)	%	Redox Features Color (moist)	%	Type	Loc	Texture	Remarks
6-8"							Loamy Clay	Heavily Disturbed

[1]Type: C=Concentration, D=Depletion, RM=Reduced Matrix, MS=Masked Sand Grains. [2]Location: PL=Pore Lining, M=Matrix.

Hydric Soil Indicators:

- ___ Histosol (A1)
- ___ Histic Epipedon (A2)
- ___ Black Histic (A3)
- ___ Hydrogen Sulfide (A4)
- ___ Stratified Layers (A5)
- ___ Depleted Below Dark Surface (A11)
- ___ Thick Dark Surface (A12)
- ___ Sandy Mucky Mineral (S1)
- ___ Sandy Gleyed Matrix (S4)
- ___ Sandy Redox (S5)
- ___ Stripped Matrix (S6)
- ___ Dark Surface (S7) **(LRR R, MLRA 149B)**
- ___ Polyvalue Below Surface (S8) **(LRR R, MLRA 149B)**
- ___ Thin Dark Surface (S9) **(LRR R, MLRA 149B)**
- ___ Loamy Mucky Mineral (F1) **(LRR K, L)**
- ___ Loamy Gleyed Matrix (F2)
- ___ Depleted Matrix (F3)
- ___ Redox Dark Surface (F6)
- ___ Depleted Dark Surface (F7)
- ___ Redox Depressions (F8)

Indicators for Problematic Hydric Soils[3]:

- ___ 2 cm Muck (A10) **(LRR K, L, MLRA 149B)**
- ___ Coast Prairie Redox (A16) **(LRR K, L, R)**
- ___ 5 cm Mucky Peat or Peat (S3) **(LRR K, L, R)**
- ___ Dark Surface (S7) **(LRR K, L, M)**
- ___ Polyvalue Below Surface (S8) **(LRR K, L)**
- ___ Thin Dark Surface (S9) **(LRR K, L)**
- ___ Iron-Manganese Masses (F12) **(LRR K, L, R)**
- ___ Piedmont Floodplain Soils (F19) **(MLRA 149B)**
- ___ Mesic Spodic (TA6) **(MLRA 144A, 145, 149B)**
- ___ Red Parent Material (F21)
- ___ Very Shallow Dark Surface (TF12)
- ___ Other (Explain in Remarks)

[3]Indicators of hydrophytic vegetation and wetland hydrology must be present, unless disturbed or problematic.

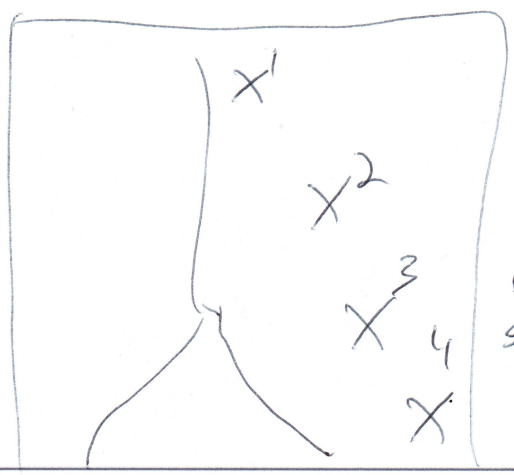
Restrictive Layer (if observed):

Type: _____

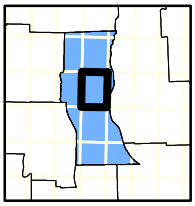
Depth (inches): _____

Hydric Soil Present? Yes ____ No X

Remarks:



Heavily Disturbed site - Gravel and asphalt in core samples 2-4. Predominant use Historically a Heavy Equip Parking Area, Overflow Field - Soil sampling. Soil Maps Indicate



Amendment to NYS Freshwater Wetlands Map for Seneca County
Romulus Quad, Map 8
Boundary Adjustment to Wetland RO-20, Class 1

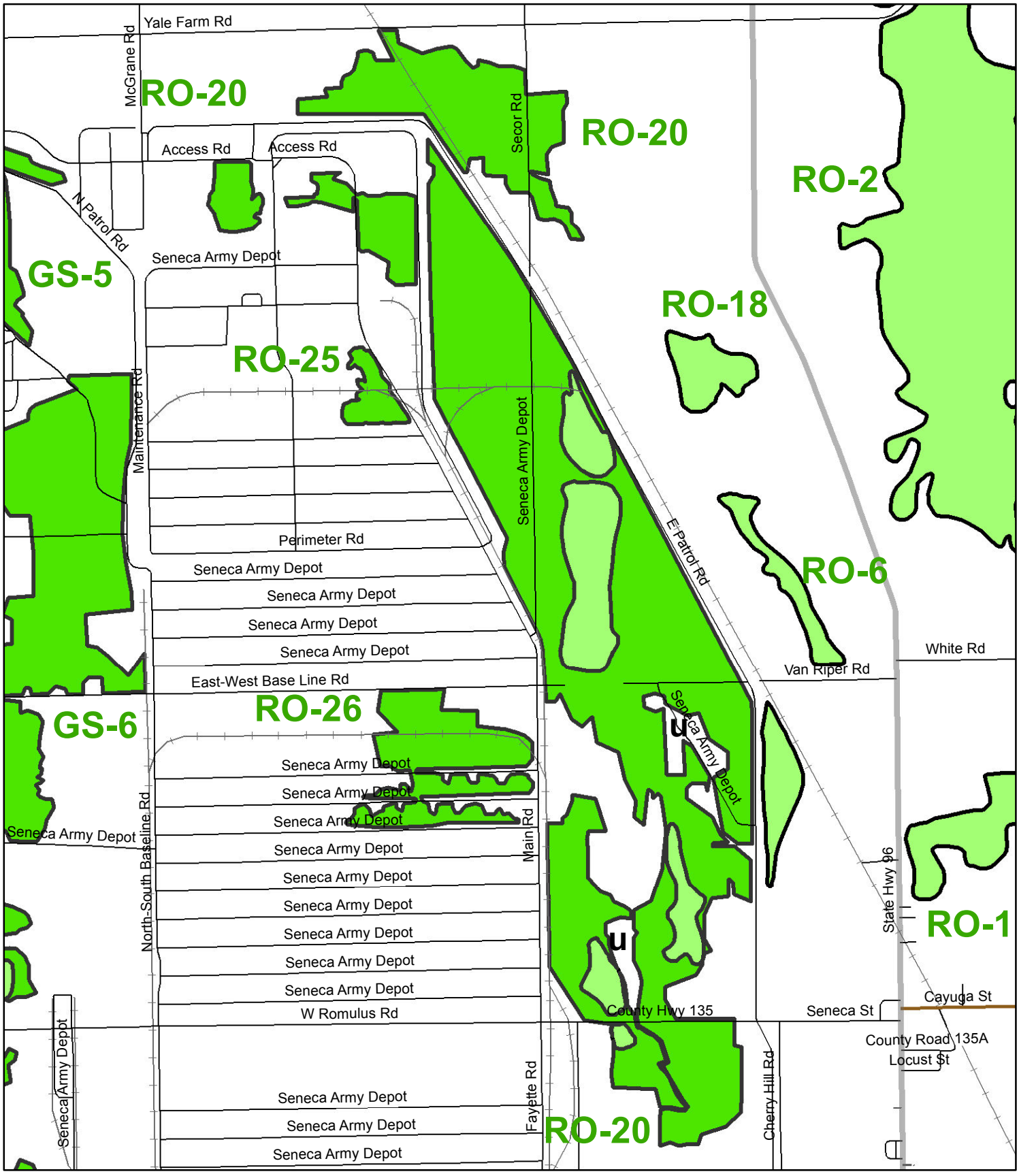
Wetland Unchanged

Addition of Wetland

Deletion of Non-Wetland

1:24,000

0 1,000 2,000 Feet


Yale Farm Rd
McGrane Rd
RO-20
Access Rd
Access Rd
Secor Rd
RO-20
RO-2
N Patrol Rd
Seneca Army Depot
GS-5
RO-18
RO-25
Maintenance Rd
Seneca Army Depot
E Patrol Rd
Perimeter Rd
Seneca Army Depot
Seneca Army Depot
Seneca Army Depot
Seneca Army Depot
RO-6
White Rd
Van Riper Rd
East-West Base Line Rd
RO-26
GS-6
Seneca Army Depot
Seneca Army Depot
Seneca Army Depot
Seneca Army Depot