

NOTICE OF PUBLIC HEARING
PROPOSAL TO AMEND ORANGE COUNTY SEWER USE LAW LOCAL LAW NO. 4 OF 2008

The Public Hearing was called to order at 3:15 p.m. by Barry Cheney, Chairman of Physical Services Committee.

The Clerk read the Notice of Public Hearing:

PUBLIC NOTICE IS HEREBY GIVEN that the Legislature of the County of Orange will meet at the Legislative Chambers in the Orange County Government Center, 255 Main Street, Goshen, New York 10924 on the 7th day of November, 2019 at 3:15 p.m. on that day to hold a Public Hearing to receive public comment on the proposal to amend the Orange County Sewer Use Law, Local Law No. 4 of 2008, in relation to the discharge of wastes into the sewer collection system of the Harriman Sewage Treatment Plant.

A Supplemental Notice of Public Hearing was also published stating that written comments will be accepted by the Clerk of the Legislature through December 5, 2019 at 5:00 p.m.

NOTICE IS FURTHER GIVEN that the County Legislature has caused to be prepared and filed for public inspection with the Clerk of the Orange County Legislature a detailed explanation of the amendments to Local Law No. 4 of 2008, as prepared by the County Department of Public Works, Division of Environmental Facilities & Services.

These Notices were published in the October 23rd issues of Times Community Newspapers: Hudson Valley Press, Wallkill Valley and Mid-Hudson Times; Warwick Valley Dispatch; the October 25th issues of The Orange County Post, Straus Newspapers: Warwick Advertiser, Monroe Photo News, the Chronicle; the News of the Highlands-the Cornwall Local, and the Gazette.

Senior Assistant County Attorney, Joseph Mahoney, provided an overview of the amendments to the Orange County Sewer Use local law. He stated that the Harriman Sewage Treatment Plant was constructed in 1972 for 2 million gallons per day. In 1987 it was expanded to 4 million gallons per day and then expanded a final time in 2006 to 6 million gallons a day. Congress passed the Clean Water Act in 1972 and the expansion of the treatment plant triggered the application of the Industrial Pretreatment Program to that facility under the Clean Water Act and that program was adopted by the county. The program puts an obligation on the county to ensure that certain users take steps to address pollutants in the contaminated waste water being discharged to the sewer system. The Industrial Pretreatment Program implemented by the county was contained within the Orange County Sewer Use Law in 2008 which was submitted and approved by the EPA in July 2008. Part of the Industrial Pretreatment Program is the implementation of local limits. Within the Clean Water Act there is categorical limits and local limits which are required by the county. These were adopted in the local law of 2008. The reason for the local limits is to correct problems when they exist, prevent future problems, protect the waters which will be discharged into Harriman and to protect the workers at that facility. Part of the program requires the county to continue to develop the local limits. The EPA recommends the county re-evaluate the local limits every five years during the permitting process and that was done along with evaluation of the local limits. A headworks analysis was done by a consultant retained by the county and in the analysis two conclusions were determined and recommended a modification of the local limits contained in Section 9.4 of the Sewer Use Law, a total modification of total suspended solids and decreasing the maximum allowable concentration from 4,800 mg/L to 2,170 mg/L. The second recommendation was the inclusion of chlorides within the local limits of Section 9.4 which is an inclusion of a maximum allowable concentration of 610 mg/L. It is these two recommendations which forms the basis of the request that Section 9.4 of the Sewer Use Law be modified to include these two parameters.

Ms. Sharon Scheer, Monroe: She is a licensed veterinarian technician and had the pleasure to travel abroad to Africa and do wildlife rescue. She wanted to speak today to address the wildlife that is already affected. In 2016 she started her affair with photography. She would go to different waterways, ponds, streams, Glenmere Lake, Walton Lake and she would photograph one of the swans and as sadness would happen, something started to happen to her swan. She did not find out until 2019 that there was salt in the streams. She had to cut one of the swans out of a tree in Harriman because he was affected by salt. Since she is a licensed veterinarian technician she can look into anything odd about these deaths. They now have a swan graveyard, there are turtles crawling out of the streams over by Museum Village in Monroe and dying. It is very upsetting and she was not able to understand it until she did some research. She examined the environmental studies, she looked into the chicken processing plant, she found out that the streams are seriously affected by the phosphorus and she realizes now that the swan was right above the phosphorus stream coming through Harriman. She put two and two together and figured out what happened. They did not do an autopsy because there was not enough of him left to autopsy. She read a comment by Chris McKenna of the Times Herald Record: "D.E.C. officials said the following statement: they are working with county officials to correct excessive levels of chlorides and other salts from the waste water treatment plant. Including actions such as pretreatment, inputs of industrial users and treatment plant. Kiryas Joel Poultry Plant was opened in 2004 and describes itself as the largest kosher processing plant on the east coast complying with the strictest kosher standards. As of 2014 it was processing around 30,000 chicken a day, 1,500 turkeys every two weeks. According to the federal complaint last year there was a lot of discharge going out of this plant and it has not been corrected to this day." She did not know if they needed to get permission from Governor Cuomo to enlarge the plants. The Harriman plant is at 85% capacity and the one on Nininger Road, who knows what they are at. She was there on behalf of the animals and streams. She thought that everyone should get together and work out a solution. Now the swans are affected and she was sure that other wildlife will be affected too.

With no one from the public wishing to speak, Chairman Cheney declared the Public Hearing closed at 3:26 p.m.