Ulster County Legislature

UC RRA Reform Committee
Meeting Minutes
May 30, 2024 at 9:30 AM
KL Binder Library, 6th Floor, County Office Building, Kingston

Committee Members:

Mike Baden, Chair
President, Ulster County Association of Town Supervisors and Mayors

Tracey Bartels, Vice-Chair
Legislative Chair Designee

Legislator Manna Jo Greene
Energy, Environment & Sustainability Representative

Laura Petit
Minority Designee

Comptroller March Gallagher
Ulster County Comptroller

Deputy County Executive Amanda LaValle
Ulster County Executive Designee

Jim Gordon, Vice-Chair
UCRRA Board of Directors

PRESIDING OFFICER: UCRRA, Chair Baden
LEGISLATIVE STAFF: Lizvett Bost, Legislative Administrative Assistant
PRESENT: Chair Baden, Vice-Chair Bartels, Legislator Greene, Comptroller Gallagher, Deputy County Executive Amanda LaValle, Laura Pettit, Jim Gordon, Vice-Chair UCRRA Board of Directors
ABSENT: None
QUORUM PRESENT: Yes
OTHER ATTTENDEES: UCRRA Executive Director, Marc Rider, Kelly Turturro, Regional Director, NYS Department Environmental Conservation Region 3 (DEC); John Petronella, Permit Administrator, (DEC) Region 3; Dave Pollack, Regional Enforcement Engineer, NYS DEC Region 3

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Call Meeting to Order: 9:37 AM

Approval of the May 10, 2024 & May 17, 2024, and May 23, 2024 Meeting Minutes -were postponed till next committee meeting, Friday, June 7th.

Kelly Turturo, John Petronella and Dave Pollack from DEC (Department Environmental Conservation) were the guest speakers and started the UCRRA meeting. They shared with the committee the DEC program policy of the requirements to site a new landfill facility.

Dave Pollack and John Petronella discussed solid waste management regulations and permitting process.

David Pollack started with 360 regulations, John Petronella added insights on Environmental Quality Review Act and uniform Procedures Act.

Committee discussed options for managing waste, including landfills and diversion strategies.

UCRRA Vice-Chair Gordon said from the RRA perspective, they want to maximize diversion and minimize landfill use and RRA Executive Director, Marc Rider have spoken about a hub and spoke system, a decentralized system using existing town facilities and centralized Resource Innovation Center, thus still using the town transfer stations as the spokes system with a centralized place where you can coordinate things. After maximizing our diversion, RRA will landfill what's left. That is the current idea, so committee wants to hear from DEC officials what's possible and what is not.

David Pollack discussed the process of siting a landfill, including site investigation and pre-application conference.

David Pollack highlighted citation restrictions, such as depth of bedrock and unconsolidated deposits, that must be considered during the site selection process.

David Pollack clarified eminent domain regulation change in 2017.

Legislator Greene emphasized the importance of maximizing waste diversion in the landfill closure process.

Educating the community on goals and messaging can make permit applications easier.

Comptroller Gallagher seek information on last two landfills in New York State, specifically in Region 6 (Oneida and Herkimer counties) and Seneca Meadows.

Committee members discussed the importance of having recent information on waste facilities in the state, including anaerobic digestion and incineration facilities.

Dave Pollack explained siting requirements for landfills near schools, wetlands, and residents.

Vice-Chair Bartels questioned the feasibility of the theoretical proposed landfill site due to its proximity to a wetland and floodplain.

David Pollack highlighted challenges in remediating closed landfills, including monitoring, and permitting issues.

Legislator Greene mentioned Delaware's landfill mining practice, unsure if still happening.

Vice-Chair Bartels sought information on eminent domain prohibition, DEC acknowledged potential for acknowledged for confusion in eminent domain process for agricultural land.

DEC Region 3 director Kelly Turturro shared the DEC have a team of experts in Albany that review and provide input on decisions made by regional offices.

Kelly Turturro stated intervenors can participate in the hearing process through the permitting regulations, with the possibility of a seat at the table for accepted intervenors. The DEC Commissioner must make final decision, allowing for Article 78 challenges.

John Petronella said that there if there is a disadvantaged communities as defined under state DEC regulations, that may require additional analysis and mitigation measures in permit decisions.

John Petronella said disadvantaged communities in Ulster County are defined at the census block level but may also include environmental and health burdens beyond just census tracts.

Legislator Greene asked about jurisdiction and permitting for solid waste facilities, citing Climate Leadership Community Protection Act (CLCPA). John Petronella response was that the department is definitely an involved agency because they have jurisdiction, he believes a lot will depend on site exactly where the site is located before anyone can determine what jurisdiction they have would have and subsequently, who would be an involved agency. Regional Director Turtorro added that air quality permits would also be needed, a separate DEC entity from the solid waste division.

UCRRA Executive Director Marc Rider mentioned a case related to the state constitution and clean air and Seneca Meadows landfill, which may affect the department's role in waste management, and force a closure of the Seneca Meadows facility.

The state's solid waste management plan is updated every 10 years and includes strategies for diverting waste, with a focus on economical and environmental ways.

Dave Pollack discussed food waste composting regulations, mentioning registration and permits may be required.

Local municipalities are encouraged to start composting systems, with staff available to provide guidance.

Comptroller Gallagher suggested a system-wide approach to waste diversion, potentially involving joint sessions with towns and transfer stations.

Laura Petit mentioned that municipalities in DC have limited oversight from the agency, leading to concerns about overstepping and controversy.

Comptroller Gallagher suggested providing small grants to municipalities to help them comply with regulations and build facilities, rather than directing them.

Chair Baden and John Petronella discussed the need to address mining permits and reclamation plans for a former quarry before pursuing solar panel installation.

John Petronella offered preliminary review of potential AP sites, while Legislator Greene share educational materials and discuss reuse Innovation Center.

Kelly Turturro explained regulatory agency's role in reviewing potential sites for wind energy projects.

Deputy County Executive LaValle discussed the need for a comprehensive solid waste management plan at the state level, citing increasing waste generation and the need for technologies to keep up with demand.

Albany office of the DC Department of Environmental Quality is working on a regional solid waste management plan, but there is a need for more momentum and coordination at the state level.

Vice-Chair Bartels expressed concern about lack of capacity data in the plan DEC state Solid Waste Management Plan, despite addressing packaging and other related issues.

Vice-Chair Bartels agreed that per capita consumption is a bigger problem than just capacity, and wonders if the plan addresses packaging and other related issues.

Chair Baden and Comptroller Gallagher discussed the need for the report to include a voice on statewide capacity planning for solid waste management.

Committee members agreed to focus on specific recommendations for the legislature to lobby for better statewide planning.

Next Meetings: Friday, June 7, 2024 @ 9:00 AM

Adjournment

Motion No. 2:   **MOTION TO ADJOURN**

Motion Made By: UCRRA Vice-Chair, Gordon
Motion Seconded By: Chair Baden
No. of Votes in Favor: 7
No. of Votes Against: 0

TIME: 11:13AM

Respectfully submitted: Lizvett Bost, Legislative Administrative Assistant
Minutes Approved: June 13, 2024