

To: Tim Miller Associates
10 North Street
Cold Spring, NY 10516

From: Patsy Wooters
19 Mansfield Place
Suffern, New York 10901

Date: June 14, 2015

Re: Public Comments on the Kiryas Joel Annexation Draft Environmental Impact Statement

During the scoping process for this environmental review, I requested the following be included in the impact study:

5. The scope of the environmental review include the history of Kiryas Joel's oversight of business wastewater discharges, as a business in Kiryas Joel was found in serious violation of the Clean Water Act in 2014.
6. The scope of the environmental review include any and all additional measures that Kiryas Joel must undertake to maintain effective oversight of business discharges into the wastewater stream up to and including build out of the annexed land at the density of the existing portion of the village, or additional density if this is envisioned (my letter of March 7, 2015).

The DEIS includes only outdated information of wastewater from Kiryas Joel. The following (from page 3.5-24) was the limit of the attention given to waste water in the DEIS:

The NYSDEC has conducted biological surveys of the Ramapo River to assess water quality. Surveys were conducted in 1987, 1991, 1993, 1998. The surveys provide an assessment of water quality and the potential impact of the Harriman WWTP on the river's water quality.²⁵

The surveys were conducted at five stations on the Ramapo River over a distance of approximately 15 miles; from the Village of Harriman to Hillburn approximately one mile from the New York – New Jersey border. The 1998 report concludes that water quality in the Ramapo River ranges from slightly impacted to moderately impacted. Upstream of the Harriman WWTP, the river was moderately impacted, likely from urban run-off from Monroe. The report states "The Orange County Sewer District #1 discharge has a very minor and short lived impact on the river's water quality."²⁶ Water quality improved steadily with distance downstream of Harriman to the Hillman sampling station. The report pointed out that improvement in water quality from 1987 conditions was related to the Harriman WWTP operating within capacity after plant upgrades in 1987. Although somewhat dated, these surveys indicate that the Harriman WWTP plant has had minor impacts on water quality when operated within capacity, which is its current operating condition.

My scoping request was disregarded. A business within the Village of Kiryas Joel has violated the Clean Water Act egregiously and persistently. According to the U.S. Attorney's Office, Southern District of New York, Press Release of Thursday, October 23, 2014, owners of the Kiryas Joel Poultry Meat Processing Plant and the Kiryas Joel Meat Market Corporation made the following admissions:

- At various times between September 2008 and March 2010, and again on March 18, 2012, Defendants took inadequate steps to prevent spills of untreated wastewater from overflowing into storm drains that discharged to waters of the United States.
- From at least 2008 until May 1, 2011, as dischargers of stormwater associated with industrial activity, Defendants failed to apply for an individual permit or to seek coverage under a stormwater general permit, as required by law.
- At various times from at least 2008 until May 1, 2011, Defendants took inadequate steps to prevent stormwater associated with their industrial activities from discharging into storm drains and storm sewers that ultimately discharged into waters of the United States.
- At various times between January 2008 and April 2011, Defendants discharged wastewater containing excess concentrations of pollutants into the sewage plant at levels that caused violations of the plant's permit.

The historic record suggests annexed land will become the site of businesses that see a public benefit in disregarding the Clean Water Act. That potential impact must be included in the environmental impact statement.

The study must also address the level of diligence to which the Village of Kiryas Joel will attend to the requirements of the Clean Water Act based upon this history.

The reason that I request the environmental impact study address degradation of the Ramapo River as a result of annexation is because this river is the source of for drinking water in the Village of Suffern where I live.