

TOW Conservation Commission

Meeting Notes

Meeting of 11/14/05

Begin

7:35 pm

Attending

- Salvatore LaBruna
- Claude Braithwaite – Not attending
- Patricia Owen – Not attending
- Jon Paul Heurich – Not attending
- Kevin Sumner
- Mike Leary
- Kate Fox

Review of Previous Meeting Notes

- Minutes were handed out and read individually. Nominated for approval by Sal. Seconded by Kate.

Official Business

- Proposed change to TS limit in industrial user's wastewater limit
 - Presentation by Maureen Halahan and Marge ? from The Orange County Partnership (OCP).
 - 845 294-2806
 - Note that all information contained in these meeting notes are as presented by the OCP, they have not been verified as accurate via documentation at the time of the this meeting.
 - The OCP's purpose is to attract new companies and jobs to the area and also to help resolve issues that are important for retaining companies that are already in the area.
 - They are assisting with the change to the local limit of TS in wastewater issue, primarily as it concerns the Ball Corp. can manufacturing plant.
 - Their stated purpose is to provide information to help us decide if the change is environmentally sound.
 - The change proposed is;
 - Increase the allowable TS (total solids) in effluent from industrial users from 2000 mg/l to 4000 mg/l.
 - Since TSS has a fixed limit of 300 mg/l this results in an increase in TDS from 1700 mg/l to 3700 mg/l.
 - This change will not effect the limit for TSS and/or the limits of any other constituent.

- Maureen presented a summary statement document by Malcom Pirnie that states that raising the limit will have no known effect on the operation of the waste treatment plant (WTP) or the environment.
- No other Ball plants in other states are required to even measure TDS.
- Federal regulations do not require measurement of this pollutant either.
- The TS requirement was arbitrarily set in the 60's.
- The plant has always been in violation of the limit.
- The town just started measuring the TS and enforcing the limit within the last year.
- Other companies may not be able to meet standards either.
- The current average TS from the Ball plant is 2500-3000 mg/l (estimate only, may not be correct)
- The question of “what is in the wastewater to cause the higher than the limit TS” was posed several times, but the OCP had no direct answer.
- Additional information provided by Councilman John King.
 - Public hearings were held when the standards were adopted.
 - No industrial users showed up to debate the standard.
 - Ball has been found to previously be in violation of oil/grease, TDS and fluoride limits.
 - The Town Board raised the limit on fluoride to accommodate Ball.
 - Ball has stated that they will likely close the plant if the TS limit is not increased because it is not cost effective to clean the effluent to the 2000 mg/l limit.
 - Mr. King estimates the local law has been in effect for 2.5 years.
 - The fluoride level increase was enacted roughly 1 year ago.
 - Malcon Pirnie hired by town to assist the treatment plant and water quality, but they didn't look at TS / TDS.
 - OCP says this is a “non issue”.
- Kevin question: Would the TDS limit increase allow for an increase in nutrients (primarily phosphorous and nitrogen)?
 - Yes.
 - Kevin is interested in these issues
 - Concern over effect on the Wallkill
 - OCP: Most treatment plants don't treat either of these well.
- Ed Smith will be at the next board meeting to discuss this issue in relation to its effect on the WTP. Questions / discussion topics we would like to pose to him to help further our understanding of this issue include:
 - Discuss the WTP's capacity in relation to current loading and expected growth in the town.
 - Explain the plants filtration method?
 - Will increasing the limit result in extra cost to operate the WTP?
 - This is just not a limit increase for Ball, but for all users. Has the effect of other industrial users also increasing their TS / TDS also been studied?
 - How often has the WTP been in non-compliance with their discharge limits? Have the causes of the various non-compliances been discovered and remedied? Could increasing the TS limit increase the likelihood that the WTP will be in non-compliance again?

- Discuss the conclusions in a report of demand and capacity prepared by Stuart Turner & Associates and Eustance & Horowitz, P.C. dated May 27, 2002.
- Wetland laws
 - New Paltz has passed their wetland laws (basis of the recommendations that we made).
 - They made some changes to their law since we reviewed it before creating our recommendations, so we need to review those changes and update our recommendations.
 - Once he settles into his job, we would like to have wetland inspector from New Paltz come speak to us.
 - Public hearing on Dan Depew's Shawangunk Kill protection proposal 12/8/05.
 - General consensus of members attending – support Mr. Depew's proposal as an “interim” measure, but restate our commitment for a town wide law.
- Kate invited Mr. Lippert to the meeting this week.
 - She could not speak directly, but spoke to his secretary.
 - He will be meeting with the town board concerning the rail trail before attending our meeting.
 - We are not sure what the rail trail has to do with him coming to our meeting, but we will continue to attempt to get him to attend a meeting.
- Master plan
 - Draft EIS is out
 - Public hearing is this Thursday
- Globe Contracting
 - To the planning board this week (Wednesday)
 - Very minor changes to the plans
 - Our recommendation won't change

Future Projects

- Tree cover – Mike will investigate / spearhead.
 - Kevin brought in copies of urban forestry grant from City of Middletown.
 - Mike took the bundle to incorporate into his investigation.
 - Mike brought copies of “Planning for an ordinance” from the Phytosphere website.
- Sidewalks – Sal will investigate / spearhead.
- Reduction of pollutants in storm water runoff
- Pace on-line course for land use.

Adjourned

Motion to adjourn by Kevin. Seconded by Mike. 9:45.

Copies:

- Mike – 7 copies of 3 page meeting notes and 5 page tree ordinance document.
- Sal – 7 copies of 12 sheets of Agenda.
- Kevin – 30 sheets for urban forestry grant information.
- Sal also made several copies of documents for town officials, but didn't have an exact count at this time.