

The Village of Saugerties

Incorporated 1831

December 16, 2014

James E. Quigley 3rd, Supervisor
Town of Ulster
1 Town Hall Drive
Lake Katrine, NY 12449

Martin Brand, Regional Director
NYS Department of Environmental Conservation Region 3
21 South Putt Corners Road
New Paltz, NY 12561

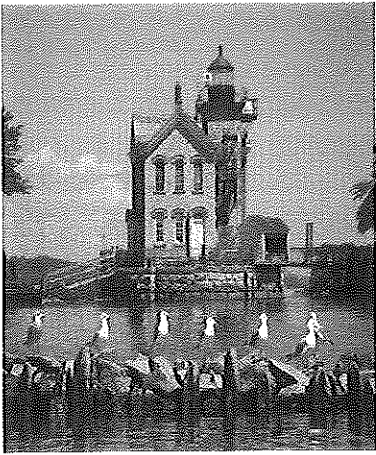
Re: SEQRA Review for Niagara Water Bottling

Dear Supervisor Quigley and Regional Director Brand,

Thank you for ensuring that the proposed Niagara Bottling project will receive a thorough environmental review. As a community downstream of the proposed project site, the Village of Saugerties is interested and wishes to participate in the review process because of concern about the proposed action as it pertains to the Esopus Creek. We respectfully request to be contacted during the course of the SEQR process as a courtesy to keep us informed. Please circulate pertinent documents and public notices to the Village including notices of availability and completion of draft and final EISs and hearing notices.

As a municipality with an active waterfront, including a public swimming beach, fishing pier, boat launches, and marinas, the Village of Saugerties has an interest in maintaining the visual appeal of the creek as well as a healthy fisheries and aquatic habitat. We expect that you will explore the full extent of potential impacts of the proposed facility on the Esopus Creek, a designated inland waterway.

One area of concern with potential impact on the creek is the handling of plastic pellets at the proposed bottling facility. Pellets are the preproduction plastic resin materials that are molded into finished plastic products. Plastic pellets are an environmental concern because of the harm they can cause if stormwater runoff carries them to waterways, wetlands, or estuaries where they may be ingested by fish, waterfowl, and other wildlife. EPA stormwater



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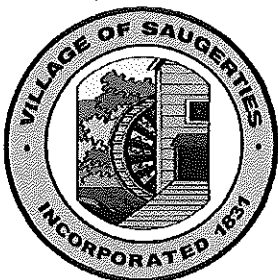
Donald Hackett

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regulations classify plastic pellets as "significant materials," and therefore the discovery of a single pellet in stormwater runoff is subject to regulatory action.

The environmental review should make sure that the site is properly designed to prevent plastic pollution and facilitate clean-up. Due to the pollution potential, a facility that handles plastic pellets should have specific stipulations in the stormwater permit regarding storage and containment of preproduction plastic, implementation of best-management practices for handling, transport, and disposal of preproduction plastic, inspections for compliance, and enforcement including required clean-up and abatement orders in the event of spills of preproduction plastic.

The industry standard "zero pellet loss" requires that the containment system at a facility be designed to handle 100-year flood conditions. The relation of the proposed facility to the 100-year flood zone of the Esopus Creek creates particularly difficult challenges for containment system design. The environmental review should explore the question of whether or not the "zero loss" standard can be adequately met at this particular site.

As a community with a Local Waterfront Revitalization Plan, the Village of Saugerties has an interest in preventing or mitigating any potential impacts of this proposed facility on the Esopus Creek. We look forward to opportunities to participate as an interested stakeholder in the SEQR process to ensure that our concerns are heard and addressed.

Thank you again for taking the lead and initiating the EIS process. We appreciate your consideration.

Regards,



Patrick Landewe, Trustee
Village of Saugerties

CC: Denise Caldwell, NYSDOS Consistency Coordinator
Daniel Whitehead, NYSDEC Region 3 Permit Coordinator
Kate Hudson, Riverkeeper Watershed Program Director
Greg Helsmoortel, Town of Saugerties Supervisor
Mary McNamara, Esopus Creek Conservancy Board Member