

PUBLIC PARTICIPATION PLAN

Applicant:

Wheelabrator Hudson Falls LLC

Facility:

Wheelabrator Hudson Falls LLC
93 River Street
Hudson Falls, NY 12839

NYSDEC Application Number:

5-5344-00001/00016

As Required by:

NYSDEC Commissioner's Policy Guidance CP-29

Submitted to:

New York State Department of Environmental Conservation
232 Golf Course Road
Warrensburg, NY 12885

Prepared by:

Wheelabrator Hudson Falls LLC

Date:

7/14/2024

TABLE OF CONTENTS

- I. Introduction and Objective
- II. Project Description and Proposed Action
 - Project Overview
 - Nature of Proposed Project/Action and Purpose
 - Potential Impacts
- III. Stakeholder Identification & Contact List
- IV. Project Liaison
- V. Public Outreach Activities
 - Public Meeting(s)
 - Virtual Public Meeting Notice Preparation and Distribution
 - Fact Sheet Preparation and Distribution
 - Distribution of Notice of Complete Application
- VI. Document Repository
- VII. Submissions
 - Progress Report
 - Final Summary Report and Written Certification

Figures

- 1. Project Location and Potential Environmental Justice Area(s) Map
- 2. Site Plan
- 3. Outreach Radius Map

Appendix

- A. Contact List
- B. Virtual Public Meeting Notice
- C. Fact Sheet

List of Acronyms

Acronym	Definition
CP-29	Commissioner Policy 29, Environmental Justice and Permitting
NOCA	Notice of Complete Application
NYSDEC	New York State Department of Environmental Conservation
PEJA	Potential Environmental Justice Area
PPP	Public Participation Plan

I. INTRODUCTION AND OBJECTIVE

This Public Participation Plan (PPP) has been prepared by Wheelabrator Hudson Falls LLC (hereinafter referred to as “applicant”) to fulfill and comply with the requirements of New York State Department of Environmental Conservation **Commissioner Policy 29, Environmental Justice and Permitting (CP-29)** for their proposed Title V Permit Modification that requires a Title V Permit application and which has been determined by NYSDEC to potentially impact one or more potential environmental justice area (PEJA) (See Figure 1).

This PPP has been developed in accordance with the procedures established in CP-29 Section V.D and it aims to help ensure meaningful and effective public participation throughout the NYSDEC environmental permit review process. Public participation in the NYSDEC environmental permit review process means a program of activities that provides opportunities for stakeholders to be informed about and involved during the review of a proposed action.

The objective of this PPP is to outline and describe the program of activities that the applicant will implement to actively seek and enhance public participation during the application review process.

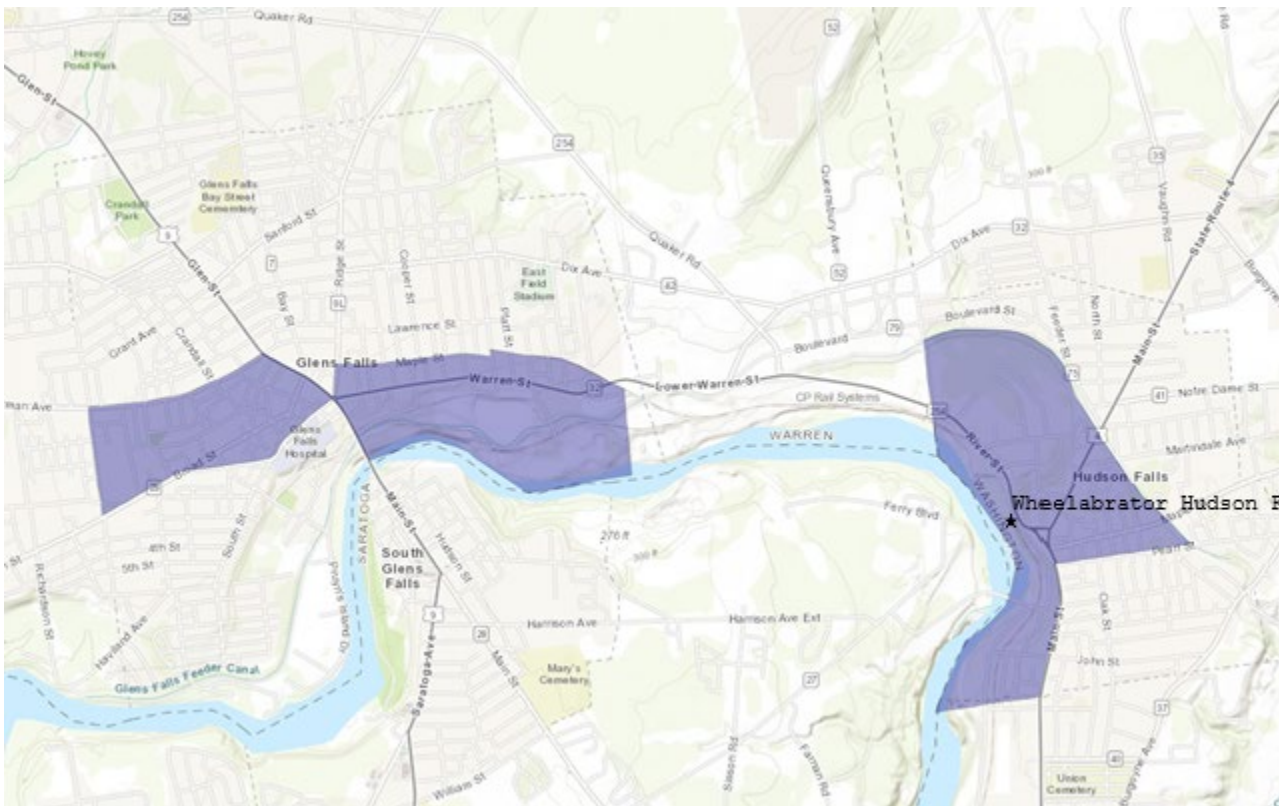


Figure 1. Project Location and Potential Environmental Justice Area(s)

II. PROJECT DESCRIPTION AND PROPOSED ACTION

Project Overview

Wheelabrator Hudson Falls (WHF) has submitted an application to modify and renew the Title V Operating Permit (TVOP) with a modification to reduce Nitrogen Oxides (NOx) emissions by more than 20% of its current permitted level. WHF is a waste-to-energy (WTE) facility that diverts waste from landfills and can convert up to 160,00 tons of waste from Warren County, Washington County and other communities into renewable electricity that powers the equivalent of more than 10,000 homes and businesses annually. WHF is located at 93 River Street, Hudson Falls, NY 12839 in Washington County.

Nature of Proposed Project/Action and Purpose

WHF is renewing and modifying its TVOP, which includes incorporating the requirements of 6 New York Codes, Rules and Regulations (NYCRR) Part 219-10, Reasonably Available Control Technology (RACT) NOx at Municipal and Private Solid Waste Incineration Units. These RACT requirements are part of the United States Environmental Protection Agency's (USEPA) approved New York State Implementation Plan to help the state achieve and maintain the National Ambient Air Quality Standard for ozone required by the Clean Air Act (CAA). The incorporation of the RACT requirements in the TVOP renewal will reduce the legal NOx limit from 205 parts per million (ppm) to 185 ppm per unit and a facility average of 165 ppm, thereby lowering annual facility NOx emissions by over 20%.

A mass air flow meter would be added to the Unit 0001 stack and to the Unit 0002 stack to assist in monitoring annual emission rates.

The modification of the TVOP will allow WHF to continue to locally dispose of Warren and Washington County's waste safely and reliably while reducing greenhouse gas emissions. Every ton of waste processed by WHF reduces greenhouse gases by 1.7 tons by diverting waste from landfills, avoiding the truck traffic required to reach landfills, recycling thousands of tons of metals and avoiding fossil fuels. The permit modification is required to be in compliance with the NOx RACT permit limits enacted by NYSDEC.

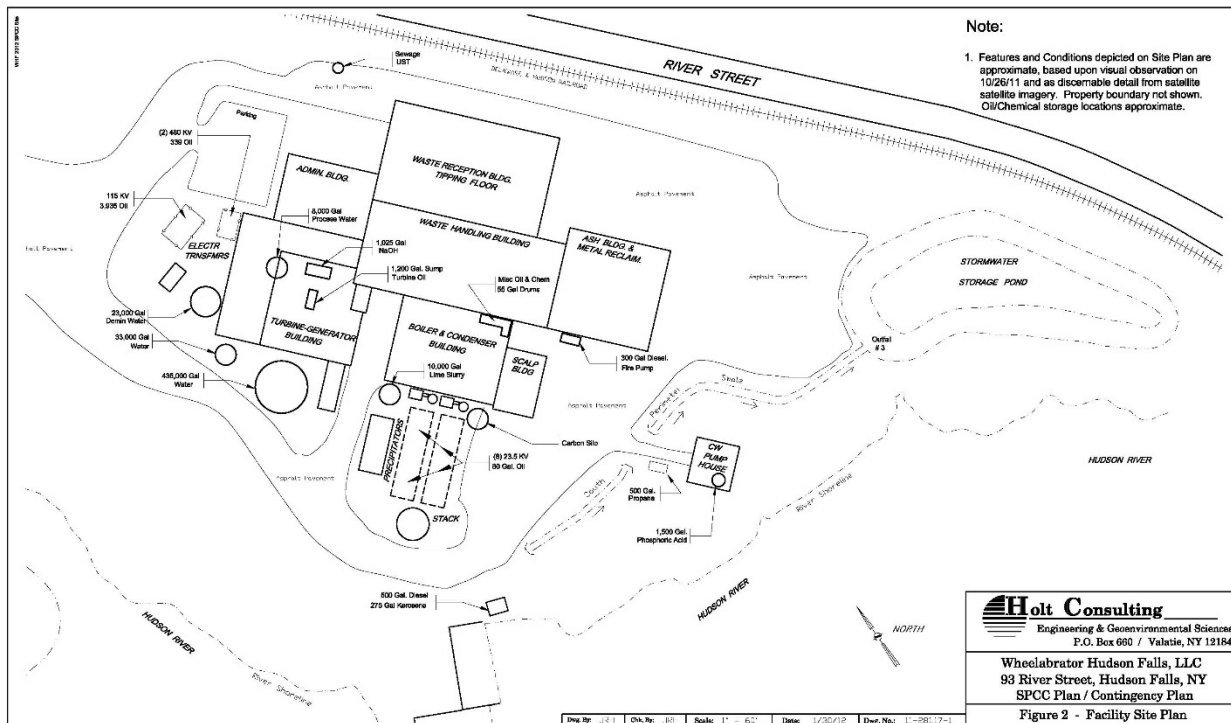


Figure 2. [Site Plan]

Potential Impacts

There are no potential impacts associated with the Title V renewal project. WHF will continue to operate in compliance with all current permit conditions and requirements. The new lower NOx limit from 205 parts per million (ppm) to 185 ppm per unit and a facility average of 165 ppm, thereby lowering annual facility NOx emissions by over 20% of its current permitted levels.

III. STAKEHOLDER IDENTIFICATION & CONTACT LIST

A contact list consisting of the names, addresses, phone numbers, or email addresses of stakeholders to the proposed action is provided in Appendix A. The contact list includes individuals and organizations with a direct stake in the proposed action and individuals and organizations that have expressed interest in WHF or similar projects that affect the same neighborhood or community.

As detailed in Appendix A, WHF's draft contact list includes:

- NYSDEC,
- local municipalities,
- local school districts,
- city & county elected officials, and
- businesses, residences, civic, and service groups within the local project area.

The current contact list has been developed in consultation with NYSDEC by identifying stakeholders from the following categories: local government and elected officials; business owners, residents, and occupants; local civic, community, environmental and religious organizations; local news media;

administrator/operator of any school or daycare that lives, works, and/or represents a neighborhood or community within our host community of Hudson Falls, NY.

WHF will use this contact list to communicate and disseminate information about the proposed project/action and permit application review process to the affected community and stakeholders. At minimum, this includes distribution of the written information and outreach materials described in Section V to inform the community about upcoming public meetings and opportunities for public participation.

The contact list will be reviewed periodically and updated as appropriate throughout the permit application review process. WWLP will update the contact list with any new stakeholders identified during the public meeting or execution of other PPP components. In addition, individuals and organizations will be added to the contact list upon request. Such requests should be submitted to the project liaison identified in Section IV. Other additions to the contact list may be made at the discretion of WWLP or at the request of the NYSDEC project manager in consultation with other NYSDEC staff, as appropriate.

IV. PROJECT LIAISON

A representative from the project team will be available during business hours at:

- Maurice Holcomb – Plant Manager
- (518) 747-2390
- mholcomb@win-waste.com
- 93 River Street, Hudson Falls, NY 12839

Impacted residents and interested stakeholders can contact the project liaison listed above to provide input to the project team, discuss any issues or concerns and/or to ask questions or request information. The project liaison shall respond in a timely manner and in the manner appropriate to question or information request received. The project liaison will be responsible for tracking and documenting public input, inquires, questions, and information requests received, along with responses provided.

V. PUBLIC OUTREACH ACTIVITIES

WHF will use a range of engagement strategies and conduct various public outreach activities to facilitate participation, involvement, and direct communication with the affected community during the permit application review process. WHF will implement the public outreach activities outlined below upon finalization and approval of this PPP by NYSDEC.

In compliance with the requirements of CP-29, WHF will hold public meeting(s) to keep the public informed about the proposed action and the environmental permit review process. At minimum, WHF will prepare, distribute, and post written information and materials, including a meeting notice and fact sheet, to encourage dialogue and solicit input from interested stakeholders during the permit application review process. In addition, to complement the minimum requirements, the applicant will develop a project website at winwastehudsonfalls.com. All public outreach materials and information will be prepared and presented in an easy-to-read, understandable format, using plain language free of legal terminology and geared towards a non-technical audience.

The public meeting notice and fact sheet will be made available and disseminated in both English and TBD. In addition, the public can contact the project liaison about the availability of language

assistance and to request that the notice and fact sheet be translated into another language for comprehension by non-English speaking or limited proficiency stakeholders.

Public Meeting(s)

At the discretion of NYSDEC, WHF will hold one or more virtual public meeting(s) to satisfy the intent of CP-29. A meeting is typically required to inform the public about: the status of, or, if applicable, the availability of, final application materials and draft permits for review; the pending NYSDEC public comment period, and the deadline to submit written comments to NYSDEC, if established; and the eventual final decision.

WWLP will facilitate a virtual public meeting on August 8, 2024 at 6 p.m. to:

- inform the public about the proposed project/action and permit application review status;
- provide the opportunity for stakeholders to ask questions and express concerns about the project and identify how to obtain information or answers to questions after the meeting has concluded;
- hold a dialogue with the public and attempt to address concerns and consider modifications to project, if possible, during the project design process; and
- inform attendees how they may submit written comments on the permit application to the NYSDEC during the public comment period and, if available, identify any applicable deadlines.

Necessary Meeting Discussion Points and Requirements

The virtual public meeting will be facilitated by WWLP representatives via Microsoft Teams. During the meeting, WWLP will present a brief overview of the project, including any relevant background information, details on the permitting action, scope of work, schedule, and community impacts. The second part of the meeting will include a question- and answer-portion where the floor will be open for attendees to ask questions, make remarks, and/or express concerns. In addition, the following discussion points will be addressed:

- Provide an update on the permit application review process and identify outstanding application requirements and future milestones in the application review process.
- Make it clear that the meeting is being held prior to NYSDEC's permitting decision for the project/action.
- Identify the location of the online document repository and provide directions on how attendees may obtain and review materials relevant to the application, documents related to the meeting, and other public participation plan components.
- Identify and provide contact information for the project liaison and announce procedures for how attendees may obtain answers to questions after the meeting has concluded and interested stakeholders can submit questions, express concerns, or request additional information by telephone, email, and in writing.
- Announce any future outreach, opportunities for public participation, and /or required follow-up with attendees, including but not limited to additional meetings and future mailings, including but not limited to the Notice of Complete Application.

Attendance will be recorded during the virtual meeting by logging the names of people entering the virtual meeting. The applicant will track the number of attendees for all meetings held during implementation of this PPP and, where feasible and applicable, identify any affiliation of participants and interests represented at the meeting. In addition, the applicant will be responsible for

documenting meeting notes or minutes, along with a record of comments and questions raised in the meeting and respective responses and answers provided. Attendees not identified on the contact list will have the option to be added in the event of future meetings or information sharing.

Virtual Public Meeting Notice Preparation and Distribution

Information regarding the details of the virtual public meeting and how to participate via computer and/or telephone is contained in the reader-friendly meeting notice shown in Appendix B. The notice has been prepared in English. Through this notice, the public will be invited and encouraged to attend the virtual public meeting scheduled on August 8, 2024, at 6 p.m.

Once the PPP has been approved by NYSDEC the public meeting notice will be posted and available in the online document repository described in Section VI of this document. At least two weeks in advance of the public virtual meeting, the notice will be published in The Post Star, which is a newspaper printed, published, and circulated daily in Warren and Washington County. In addition, the public meeting notice will be emailed or mailed to the stakeholders identified in the contact list in Appendix A at least two weeks prior to the public virtual meeting

Fact Sheet Preparation and Distribution

Factual information about the proposed project/action, including an overview, purpose statement, and potential impacts, is outlined in the reader-friendly fact sheet shown in Appendix C. In addition, the fact sheet outlines how interested stakeholders can participate in the permit application review process; access the online document repository to review relevant application materials prior to the public meeting; and contact the project team to obtain additional information. The fact sheet has been prepared in English and will be translated into TBD by a certified translator.

Once the PPP has been approved by NYSDEC, the fact sheet will be posted and available in the online document repository described in Section VI of this document. No later than 2 weeks prior to the public meeting, WHF will distribute the fact sheet to provide stakeholders with relevant background on the proposed project/action and facilitate meaningful participation during the meeting. The fact sheet will be distributed together with the public meeting notice via email or mail.

The fact sheet(s) will also be posted within the vicinity of the project site and visible to the public. For example, they may be posted on bulletin boards located in the lobby of public facilities such as libraries, schools, or community centers within proximity of WHF.

Distribution of Notice of Complete Application

Once NYSDEC determines the application(s) for the proposed action/project is complete and provides the Notice of Complete Application (NOCA) to the applicant, the applicant will distribute the NOCA and draft permit, if applicable, to the meeting attendees and any identified interested parties, to provide notification regarding the start of the NYSDEC public comment period and to announce the deadline for submission of written comments to NYSDEC. If the NOCA is available at the time of the meeting, the applicant will distribute the NOCA at the public meeting. If the NOCA is not available at the time of the meeting, the applicant will provide explicit instructions on how to access the online repository and inform the attendees that, once available, the NOCA will be posted to the online document repository and will be distributed to attendees via email or mail as soon as possible, but no later than the date that the NOCA is published by the applicant in the print edition of a paid local

newspaper that is circulated at least weekly and available in the municipality in which the project is located.

VI. DOCUMENT REPOSITORY

An online document repository has been established for the community and interested stakeholders to access and review information about the project. The online repository available at www.winwastehudsonfalls.com will provide information and documents relating to the project and permit application.

The repository will be updated throughout the application process with project-related information and written materials (i.e., application forms and supporting materials, draft permit, fact sheet, statement of basis (where applicable), the Notice of Complete Application provided by the NYSDEC, etc.).

VII. SUBMISSIONS

Final Summary Report and Written Certification

Upon completion of the enhanced public participation plan, the applicant will submit written certification to NYSDEC to certify that it has fully executed and complied with the approved PPP. The certification shall be signed by the applicant, or the applicant's agent, and submitted to NYSDEC prior to a final decision on the application.

As part of the certification, WHF shall submit a final summary report documenting the implementation of this PPP. The report will summarize the activities that occurred in accordance with the PPP and will identify any substantive concerns raised by stakeholders during the public meeting, or, at any time throughout the permitting process and detail the applicant's response(s) to any such concerns or questions. WHF will include, or append, any documentation that supports the final summary report, such as: the meeting sign-in sheet(s), record of attendees/participants, meeting presentation, notes or minutes, summary of questions and answers, and copy of newspaper notice or other proof of publication. In addition, the report will identify any changes or modifications to the proposed project that were made or considered by the applicant to address or reduce concerns surrounding the permit application.

The final summary report and written certification will become part of the application record and will be posted to the online document repository so that it is readily available to the public.

APPENDIX A
Contact List

APPENDIX B
Virtual Public Meeting Notice

YOU ARE INVITED

Virtual Public Meeting August 8, 2024 at 6:00 pm Wheelabrator Hudson Falls LLC Title V Application

Wheelabrator Hudson Falls LLC has submitted an application to the New York State Department of Environmental Conservation (NYSDEC) for a Title V Air Operating Permit (TVOP) modification to reduce Nitrogen Oxides (NOx) emissions by more than 20% of its current permitted level and renew the five-year TVOP for the Wheelabrator Hudson Falls renewable waste-to-energy facility. A Public Participation Plan has been developed in accordance with NYSDEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29). The purpose of this meeting is to inform the public about the project and to involve the community during the Title V permit application review process.

To Join Our Virtual Meeting:

Click the following link: https://teams.microsoft.com/join/19%3ameeting_ODQ1YmFjMzltNzgzMC00ZGFjLTIIYzEtMTliZjcyOWZmZGM%40thread.v2/0?context=%7b%22Tid%22%3a%22d073e85-ae90-49b8-a1b2-1a511faa1c94%22%2c%22Oid%22%3a%22ac18f14c-b083-49d6-89c4-2940967289f8%22%7d

Meeting ID: 232 780 909 212
Passcode: LE3cyc

Agenda:

- Project Overview: Renew Title V permit for reduced emission levels
- Background: Waste-to-Energy and its role in sustainable waste management
- Scope of work: Reducing NOx emissions to future permitted level
- Project schedules: Scope of work and timing
- Community Impacts: No community impact based on emission reductions
- Questions and Answers: Responses from WIN Waste team and engineers

Your Attendance is Important!

Project personnel will be available to answer questions from the community. For additional information on the proposed project:

- Contact: Maurice Holcomb by phone at 158-747-2390 ext. 215 or by email mholcomb@win-waste.com. Visit the repository at: www.winwastehudsonfalls.com

Contact the project liaison to request reasonable accommodation for a disability or interpreter services in a language other than English, so that you can participate in the call and/or to request a translation of any of the event documents into a language other than English.

APPENDIX C

Fact Sheet

Wheelabrator Hudson Falls

Permit Renewal and Modification

Fact Sheet

- **Project:** Decrease Nitrogen Oxide permit limits
- **Applicant:** Wheelabrator Hudson Falls LLC
- **Facility:** Wheelabrator Hudson Falls LLS, 93 River Street, Hudson Falls, NY 12839
- **NYSDEC Application Number:** 5-5344-00001/00016
- **A Public Participation Plan (PPP) has been developed in accordance with NYSDEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)**

What is the Proposed Project?

Wheelabrator Hudson Falls LLC (WHF) has submitted an application for a Title V Air Operating Permit (TVOP) modification to reduce Nitrogen Oxides (NOx) emissions by more than 20% of its current permitted level and renew the five-year TVOP. The TVOP permit renewal will incorporate the requirements of 6 New York Codes, Rules and Regulations Part 219-10, Reasonably Available Control Technology (RACT) NOx at Municipal and Private Solid Waste Incineration Units. WWLP is a waste-to-energy (WTE) facility that diverts waste from landfills and instead, converts up to 160,000 tons of waste from Warren County, Washington County and other communities into renewable electricity that powers the equivalent of more than 10,000 homes and businesses annually. To implement the proposed project, WWLP has submitted an application for a Title V permit renewal to the NYSDEC to continue its essential operations and reduce emissions. The purpose of this fact sheet is to inform the public about the proposed project and involve the community during the NYSDEC permit application review process.

Why does Wheelabrator Hudson Falls LLC need to modify the Title V Air Permit?

The renewal of WHF's Title V air operating permit will allow WWH to continue to safely, reliably, and locally dispose of Warren and Washington County's waste while reducing greenhouse gas (GHG) emissions. Every ton of waste received at the facility eliminates approximately 1.7 tons GHG emission by diverting waste from landfills, avoiding the truck traffic required to reach them, recycling thousands of tons of metals and avoiding use of fossil fuels. WHF has been an essential component of Washington County's sustainable waste ecosystem since it began in 1991 and has continuously achieved emissions levels well below state and federal standards. This permit modification will reduce WWLP's NOx limit from 205 ppm to 185 ppm per unit and a facility average of 165 ppm, a more than 20% reduction.

How might the project affect the surrounding community?

There are no potential impacts associated with the Title V renewal project. WHF will continue to operate in compliance with all current permit conditions and requirements. The new lower NOx limit of 185 ppm per unit and a facility average of 165 ppm, a more than 20% reduction of its current permitted levels. Since 1991, WHF has continuously achieved emission levels well below state and federal standards, and WHF will continue to operate without adverse impacts to air quality or the community.

How can I participate in the permit review process?

- Attend the upcoming virtual public meeting scheduled for August 8, 2024, at 6pm to learn about the project, ask questions and/or express concerns about the project.
- [Meeting Link](#)
- Ask questions, express concerns, provide input or submit by comments in writing, by phone or email to the project contact person identified below.

Where can I get more information about the proposed project?

- Visit the online document repository at: www.winwastehudsonfalls.com to obtain application materials, relevant documents, and information about the project.
- Contact Maurice Holcomb by phone at: (518) 747 2390, by email at: mholcomb@win-waste.com or in writing at 93 River Street, Hudson Falls, NY 12839 for information on the project, instructions on how to attend the upcoming virtual public meeting, or to find out about the status of the permit application and public comment period.

Who is responsible for reviewing the Permit Application?

NYSDEC Region 5 Headquarters, 232 Golf Course Road, Warrensburg, NY 12884, is responsible for reviewing and issuing the required permits. Tel: (518) 623-1200; email: DEP.R5@dec.ny.gov