



Adirondack Park Agency

SHERMAN CRAIG
Chairman

TERRY MARTINO
Executive Director

DRAFT MINUTES
Public Awareness and
Communication Committee
July 12, 2018
Agency Meeting
WHT:KPM:mp

PUBLIC AWARENESS AND COMMUNICATION COMMITTEE **July 12, 2018**

The Public Awareness and Communications Committee convened at 9:25 am.

Committee Members Present:

Daniel Wilt, Bradley Austin (DED) and Lynne Mahoney (DOS)

Absent and Excused - William Thomas, Committee Chair. Chairman Craig sat in as a voting member in Mr. Thomas' absence.

Other Members or Designees Present:

Sherman Craig, Chairman, Chad Dawson, John Ernst, Karen Feldman, Arthur Lussi, and Robert Stegemann (DEC)

Local Government Review Board Present:

Frederick Monroe, Executive Director

Agency Staff Present:

Terry Martino, Sarah Reynolds, Keith McKeever, Mary Palmer

Public Outreach Report

Mr. McKeever noted two upcoming public outreach events: Common Ground Alliance on July 19th where he will be on a panel discussing the importance of private lands in the Park. In August, he and Matt Kendall will meet with the Duane Town Board. They will discuss Park subdivision regulations and clarify lot size/jurisdiction.

J & L Presentation

Judy Drabicki (DEC) gave a brief introduction for Gary McCullouch (DEC). Mr. McCullouch gave an overview of the remediation activities from the oil spill at the J & L property in Clifton, New York.

Mr. Stegemann asked if staff were able to find out where the oil originated from, and if the DEC was able to recover any of the \$30 million dollars that has been spent on the remediation. Mr. McCullouch said there is a theory that in the facilities' early stages it was a steam fired plant and used a lot of oil. The Attorney General's Office filed suit against J & L and were only able to recover about \$1 million.

Dr. Dawson asked if there was any economic benefit using the recovered oil to run a generator, or if it was metered. Mr. McCullouch said it was only used on-site and they burned 1,000 gallons per week.

Chairman Craig thanked Agency staff for their participation in this effort. Not meaning this disrespectfully, but when staff deals with environmental protection issues such as this, he expressed confusion at the lack of interest of environmental groups in what has been the second biggest oil spill in the State of New York. Hopefully there will be some interest in the future for this site.

Mr. Ernst said the history of this project is amazing and important and hopes someone does a book about it. He asked if there were any conclusions going forward with national regulations being lightened, or bonds available for people interested in an industrial site. Ms. Drabicki said this spill happened before there were strict federal regulations that became state laws. She emphasized DEC will continue to do their part.

Mr. Ernst asked if the flooded water in the mine was toxic. Mr. McCullouch said it was not toxic but there are some barriers to biologic activity at the site.

Ms. Feldman asked if there has been any recent testing of the water and fish. Mr. McCullouch said there has been some, and there should be some follow-up. Things look healthy and once the oil is gone the fish recover.

Mr. Monroe noted the Environmental Protection Agency's (EPA) position that it is not involved with waters of the United States is puzzling. They had an expansive definition of waters of the US, which included streams and drainage ditches. Was it ever challenged that they considered it unnavigable even by canoe. Mr. McCullouch said the EPA gains its authority for oil and hazardous waste in different ways. Through the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) known also as Superfund, they are able to look at the impacts to ground water. For petroleum it follows a water act, which are direct threats to navigable water.

Former Town Supervisor Mr. Hall said to clarify that the J & L site is about 54 acres, which includes the buildings and where the oil spill originated. There is the privately owned Benson Mines property which is 3,500 acres. The pit that is located on the property has been impacted by the oil spill.

Old Business

None

New Business

None

Adjournment:

Chairman Craig, adjourned the Committee at 10:25 am.