



In the Matter of the Application of

**APA HEARING STAFF WITNESS LIST**  
**April 2, 2026**

**UNCONVENTIONAL CONCEPTS, INC.**  
**AND MICHAEL HOPMEIER**

APA Project No. 2021-0276

The APA hearing staff reserve the right to modify or supplement the below witness list as needed.

Name, Title	Brief Description of Testimony
<b>APA Staff</b>	
John Burth, Deputy Director of Regulatory Programs	<ul style="list-style-type: none"> <li>• Regulatory Programs' use determinations</li> <li>• Project Review Process</li> </ul>
Megan Phillips, Deputy Director of Planning	<ul style="list-style-type: none"> <li>• State Land Classifications</li> <li>• Potential impacts to use of nearby state lands</li> </ul>
Mary O'Dell, Biologist	<ul style="list-style-type: none"> <li>• Desktop Review of Habitats and Associated Species at the project site &amp; in the surrounding areas</li> </ul>
<b>Experts (CVs attached)</b>	
Dr. Timothy R. McAuley, Environmental Expert	<ul style="list-style-type: none"> <li>• Review of September 2023 sound study prepared by H2H Geoscience Engineering</li> <li>• Independent sound study</li> <li>• Noise Impact (to humans &amp; wildlife)</li> <li>• Environmental impacts, including potential pollutants impact to air, soil, and water</li> <li>• Possible mitigation strategies</li> </ul>
Paul V. Ciminelli	<ul style="list-style-type: none"> <li>• General knowledge of the immediate physical experience of being in proximity of an artillery gun discharging</li> <li>• The use, hazard and care of lubricants in the operation of artillery</li> <li>• Military standards for the transport and storage of ammunition and materials necessary for the operation of the artillery</li> <li>• Basic mitigation factors available to minimize the community effects of artillery</li> </ul>

**Education**

Ph.D., Air Quality, Human Health Exposure and Risk Assessment, Clarkson University, Potsdam, NY, 2006.

M.S., Chemistry, Clarkson University, Potsdam, NY, 2003.

B.S., Biochemistry, The College of Saint Rose, Albany, NY, 2001.

**Summary Biography**

Dr. Timothy R. McAuley is the Founder and Chief Executive Officer (CEO) of CHANGE Environmental, headquarters in Upstate, NY. Dr. McAuley is a leading authority and an award-winning global environmental leader and recognized expert in the fields of ambient and indoor air quality, noise impact assessments, environmental remediation strategies, air dispersion modeling, epidemiology, infectious disease, environmental toxicology, and human health exposure and risk assessment. He has directed, managed, and consulted on numerous cutting-edge domestic and global environmental consulting and research studies in his areas of expertise ranging from ethylene oxide (EtO) emissions, per- and polyfluoroalkyl substances (PFAS) investigations and human health risk assessments, aviation emissions, fires and explosions, insecticide and pesticide exposures, and lead exposures. His areas of expertise also include train derailments, cancer general and specific causation investigations, and traffic and industrial emissions, including all areas of personal exposures to vapors, gases, particulates, and various environmental toxins. As a result of his work and contributions to the environmental field, he has been invited to deliver several keynote speeches and has become a global resource for environmental forward thinking and a leader in his field. He is currently an elected member of several national committees.

Dr. McAuley is a highly sought-after expert because of his extensive background and strong record in particulate matter (PM) studies and exposures, including designing and managing dozens of particulate and gaseous studies and soil and water groundwater investigations, along with being a leader in his field around air quality and human health exposure assessment. He has been supporting several clients (attorneys and private clients) for more than 20 years. Over the years, Dr. McAuley has served as a key expert regarding viral exposures, including PFAS investigations globally (e.g., national COVID safety programs), and has provided his expertise regarding COVID-19 transmission and impacts on human health, as well as assessment of exposures (e.g., COVID-19, SARS). He has provided additional legal support by serving as an expert witness regarding bacteria and mold and their various impacts on health (i.e., inhalation, dermal, and ingestion exposures).

Dr. McAuley also provides additional consulting and expert services to dozens of attorneys and private and public companies across the United States and internationally. His experience and expertise span more than 20 years for various projects, including mergers, risk management, environmental due diligence, that include cases supporting attorneys for plaintiffs, defense teams, insurance companies and investment banks, private firms, community groups, and nonprofit and nongovernmental organizations.

Dr. McAuley received his Ph.D. in Environmental Science and Engineering and his M.S. degree in Chemistry from Clarkson University, along with a B.S. degree in Biochemistry from The College of Saint Rose, where he is also a member of the Board of Associates and a member of the Alumni of Prominence Cabinet.

**Professional Experience**

2008 to date. *Founder and CEO*, CHANGE Environmental, LLC, Saratoga Springs, NY.

# TIMOTHY R. MCAULEY, MS, PhD

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## Honors and Awards

Burj Global Power 100 CEO Award, Burj Global Committee, 2026  
Presidential Award Honoree, International Association of Top Professionals (IAOTP), 2026  
Achievement Excellence Award for Top Environmental Health Expert of the Year in the USA, *Expert Witness Magazine*, 2025  
Top Environmental Expert Witness Award, *Lawyers Monthly Magazine*, 2025  
Top Global Business Award, International Association of Top Business (IAOTB), 2025  
Top 50 Fearless Leader Award, IAOTP, 2025  
Environmental Health Expert of the Year Award, *Lawyer*, 2025  
Top Environmental Leadership Award, *Entrepreneur's Echo*, 2025  
Top Environmental Health Recognition Award, *Conglomerate Magazine*, 2025  
Top 50 Global Business Disruptors Award, *CEO Scoop*, 2025  
Top Innovator of the Year Award, IAOTP, 2025  
Global Recognition Award for Environmental Excellence, Global Recognition Group, 2024  
Influential Visionary Award Top 5 Best Leaders, *The Executive Lens*, 2024  
Best CEO Award 2024, *The CEO Views*, 2024  
Top Global Environmental CEO for the Decade, IAOTP, 2024  
Environmental and Motivation Leadership Award, *CIO Today*, 2024  
CEO Views Environmental Entrepreneurship and Leadership Award (CEO Views Magazine), 2024  
Top Global Environmental CEO Award, IAOTP, 2023  
Inspire Zones Cover Story, Inspire Company, 2023  
CEO Time Magazine Cover Story, *Time*, 2023  
Professional Achievement Award, *Albany Business Review*, 2023  
Top 100 CEO Environmental Industry Award, 2022  
Environmental Business Award for Global Leadership in Climate Change, *Environmental Business Journal*, 2021  
CHANGE Environmental, LLC, Best Environmental Strategy and Compliance Consultancy Award, *Corporate Business Magazine*, 2020  
Professional Achievement Award for Environmental Consulting and Leadership, *Albany Business Review*, 2020  
National Renewable Energy and Policy Climate Change Award, Environmental Business Journal International, 2019  
National Community Engagement and Business Achievement Award, Environmental Business Journal International, 2019  
Awarded, National Environmental Leadership and Excellence, Environmental Business Journal International, 2018  
Executive of the Year Award, the National Association of Distinguished Professional, 2018  
Distinguished Alumni Award, The College of Saint Rose, 2018

## Testimonial Experience of Core Expert Witness Support Areas

Since 2008, Dr. McAuley has served as a professional environmental expert witness. His support areas are as follows:

- EtO emissions assessments and air EtO studies
- Air dispersion modeling (toxic plumes, multi-media air impacts modeling, explosions)
- Oil refinery gaseous emissions monitoring, inventories, and exposures
- Noise Impact Assessments (i.e., designing and carrying out direct and multi-source noise investigations from munitions, aviation, railcar, construction)
- Noise modeling (i.e., assessment of point or area sources of noise using state of the art noise models for assessment of noise on environmental and public health.)
- Aviation and airport emissions impact assessments
- Environmental toxicology and forensic investigations
- Environmental epidemiology (exposures to insecticides and pesticides)
- EtO industrial permit and emissions (permitting versus fugitive sources of EtO)
- Chemical exposures and cancer outcomes (dermal, inhalations, ingestion)
- Particulate Matter studies
- Mold, Bacteria, Virus Epidemiology Investigations
- Air quality and traffic emissions modeling
- Soil and groundwater multi-pathway exposures and testing
- Gas and vapor impact assessment (e.g., carbon dioxide, nitrogen oxides, sulfur oxides)
- Fugitive and dust impact assessments
- Greenhouse gas emissions and climate mitigation strategies
- Epidemiology and infectious disease (e.g., transmission pathways of viral, bacteria, air pollution, environmental insurance and exclusion)
- Environmental toxicology of air, soil, and groundwater health risk assessment (benzene, chemical exposures, polychlorinated biphenyls [PCBs], PFAS, perfluorooctanoic acid [PFOA], perfluorooctanoic acid [PFOS], trichloroacetic acid [TCA], trichloroethylene [TCE], perchloroethylene [PCE], vinyl chloride)
- Pharmaceutical Product Liability
- Combustible dust
- Asbestos and silica dust exposures
- EtO exposures
- Toxicology
- Environmental epidemiology
- Environmental remediation exposure assessments/contamination
- Ambient and indoor air quality modeling and monitoring
- Stationary and mobile source modeling (GHGs, particulates, gases) of asbestos exposure and mesothelioma
- Lead assessments and exposure pathways
- Water quality exposures assessment (metals, gases, particulates)
- Silica dust monitoring, analysis, and human health assessments
- Mold impacts to health exposure and health effects

## **TIMOTHY R. MCAULEY, MS, PhD**

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- Multiple path exposure assessment (air, water, and soil)
- Medical records data review for exposure matching of symptoms
- Human health risk assessments (Resource Conservation and Recovery Act [RCRA], Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA])
- Data validation and third-party assessments
- Public health

# Paul Vincent Ciminelli

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[Paul.Ciminelli@outlook.com](mailto:Paul.Ciminelli@outlook.com)

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**Attorney, Teacher, Entrepreneur & Executive Senior Management Professional with 40+ years' experience in the general practice of law, staff leadership, team building and staff development and training in the public and private sector, P & L management, marketing sales, product design, manufacturing, procurement and order fulfillment in a global market.**

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STRATEGIC PLANNING ■ MANAGEMENT/LEADERSHIP ■ MARKET PENETRATION ■ CONSENSUS BUILDING

## SUMMARY OF QUALIFICATIONS

- As Counsel to the Sheriff, I acted as primary civilian advisor in a wide and varying portfolio of subjects involving development and execution of internal and external policy, operations and interagency cooperation and coordination for a 1200 person agency with a \$215m budget.
  - As a practicing attorney, prosecuted violent felons for more than six years; for the past two plus decades, in general & government practice, representing businesses, not-for-profits and private clients and government clients.
  - Primary focus of practice is the representation of businesses at all phases of business existence and risk management
  - Advised on complicated privacy issues associated with efforts to close threat management gaps with particular emphasis on HIPAA and FERPA requirements
  - Extensive experience and success building consensus in a multi-national, interagency setting.
  - Assumed senior leadership position in \$153,000,000.00 public municipal department to stabilize failing operation and chart course for future successful operation.
  - More than twenty years of teaching experience at the undergraduate level and in a multi-national setting.
  - Thirty years of service as a commander, leader, negotiator, consensus builder, and educator in peacetime and during armed conflict as a commissioned officer in the United States Army.
  - Serial entrepreneur responsible for start-up and growth of seven enterprises between 1991 and the present in manufacturing, family entertainment industry, law & consulting.
  - In a consulting capacity, business owners assisted in developing and implementing business plans in the family entertainment industry both domestically and abroad. Conducted analysis of failing businesses, developed and successfully executed rescue plans.
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## ~ SELECTED CAREER EXPERIENCE & ACCOMPLISHMENTS ~

### Strategic Thinking

- ❖ Primary Advisor to Elected Sheriff leading an agency of 1100 sworn and civilian personnel.
- ❖ Concept development and market identification of niches for machine parts within the golf industry
- ❖ Planning, development and startup of numerous businesses either as principal or in a consulting capacity.
- ❖ Successfully led multiple missions to Afghanistan to conduct strategic and operational reviews of multi-national and interagency activities in support of Operation Enduring Freedom.

- ❖ Worked with senior leadership of the City of Detroit, unions, community and department leadership to stabilize transportation services, reevaluate level of service and operations, develop and implement a strategic plan for effective and efficient operations and services.

### **Leading & Managing**

- ❖ Founder and senior manager of successful manufacturing, distribution and consulting businesses during the last two decades.
- ❖ Thirty years of service in the United States Army in positions of increased command responsibility from Platoon Leader to Battalion Commander assuming leadership positions numerous times and building cohesive, mission capable, highly trained Army units in peacetime and war.
- ❖ Directed Planning, Operations and Maintenance actions for the Detroit Department of Transportation during the City’s most severe financial crisis in history. Improved operational and readiness standards to the highest levels in decades while under severe financial and personnel constraints.
- ❖ Part of a team that established the first regionally targeted violence behavioral threat assessment committee integrating public, private, educational and not-for-profit sectors to identify and close threat management gaps while providing guidance on the mitigation of those threats.
- ❖ Using informal taskforces provided direct coordination with the District Attorney’s Office, Rochester Police Department, Monroe County Sheriff’s Office, City & County governments and community members to develop and implement initiatives to reduce crime and mitigate its effects on the community.

### **Team Building**

- ❖ I have deployed to Afghanistan building and leading multiple ad hoc teams of subject matter experts to conduct operational analysis, develop findings, submit and implement recommendations at the request of the Sec Def, CJCS and Commander, Central Command.
- ❖ Over thirty years of building and leading cohesive mission focused organizations multifaceted teams throughout the Department of Defense, multinational forces and interagency organizations.
- ❖ Rebuilt staff and organization and returned to financial stability of a multimillion-dollar not-for-profit serving several hundred children weekly.
- ❖ From 2001 to 2011 I was responsible for building teams of multinational officers and conducting an intense three-week NATO staff and operations training course for senior Eastern European and Mediterranean military officers.

### **Marketing, Sales & Communication**

- ❖ Creator and host of “*Valor Radio*,” a weekly one-hour radio show. Developed and implemented concept and procured advertising fully supporting show expenses and focused on small business advertising and marketing opportunities.
- ❖ Developed and implemented innovative marketing and sales campaigns for sale of equipment used in the golf range industry.
- ❖ Implemented integrated traditional print advertising, trade show, catalog, internet, direct mail, webmail, web campaigns developing metrics to measure success.
- ❖ Built a successful national sales representative force from scratch to promote and sell products manufactured and distributed by American Range Company.

## ~ PROFESSIONAL EXPERIENCE ~

<b>STARK LATUCCA</b>	<i>Of Counsel, 2023-Present</i>	<i>Rochester, NY</i>
<b>MONROE COUNTY SHERIFF’S OFFICE</b>	<i>Counsel to the Sheriff 2018-2025</i>	<i>Rochester, NY</i>
<b>CIMINELLI &amp; CIMINELLI, PLLC</b>	<i>Founder 1994-2018</i>	<i>Rochester, NY</i>
<b>VALOR RADIO-WYSL1040</b>	<i>Host &amp; Producer 2015-present</i>	<i>Rochester, NY</i>
<b>MONROE COMMUNITY COLLEGE</b>	<i>Adjunct Faculty 2013-2024</i>	<i>Rochester, NY</i>
<b>TRANSPRO CONSULTING, LLC</b>	<i>Senior Leadership &amp; Management Advisor</i>	
	<i>June, 2012 – December 2012</i>	<i>Detroit, MI</i>
<b>RANGE REPAIR WAREHOUSE, LLC</b>	<i>Founder / Managing Member 2008- 2013</i>	<i>Rochester, NY</i>

<b>WORLDWIDE GOLF DEVELOPMENT, LTD</b>	<i>Founder / CEO &amp; President 1991 – 2008</i>	<i>Rochester, NY</i>
<b>DBA AMERICAN RANGE COMPANY</b>	<i>Major Felony Bureau 1988-1994</i>	<i>Rochester, NY</i>
<b>MONROE COUNTY DISTRICT ATTORNEY</b>	<i>Colonel, Commissioned Officer 1981-2011</i>	<i>US &amp; abroad</i>
<b>UNITED STATES ARMY</b>	<i>Municipal Hearing Examiner 2000-2018</i>	<i>Rochester, NY</i>
<b>CITY OF ROCHESTER (Appointed-Part-Time)</b>		

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**~ EDUCATION ~**

<b>JURIS DOCTOR</b>	<i>Rutgers University School of Law</i>	<i>Camden, NJ</i>
<b>MASTERS STRATEGIC STUDIES</b>	<i>United States Army War College</i>	<i>Carlisle, PA</i>
<b>BACHELOR OF ARTS, POLITICAL SCIENCE</b>	<i>University of Rochester</i>	<i>Rochester, NY</i>

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**~ LICENSES, CERTIFICATIONS, PROFESSIONAL & COMMUNITY AFFILIATIONS ~**

*Member in Good Standing: New York Bar, New Jersey Bar, District of Columbia Bar, United States Supreme Court, United States Court of Appeals for the Second Circuit & District of Columbia, and United States Court of Appeals for the Armed Forces, Federal District Courts, accredited to Prepare, Present, Prosecute and Appeal claims for Veteran Benefits before the Department of Veteran Affairs, Certified Instructor, National Rifle Association*

**Professional & Military Affiliations**

Monroe County Bar Association: Ethics Committee [2000-2004], Professional Performance Committee [2002-2007], Academy of Law [2002-2004] & Veterans Committee [2015-2025] ■ Phi Alpha Delta Law Fraternity ■ Thomas More Law Center ■ Civil Affairs Association, Life Member [National Board of Directors, 1996-2009] ■ Senior Reserve Commanders Association ■ Association of the United States Army (AUSA) Life Member ■ United States Army Armor Association, Life Member ■ Disabled American Veterans, Life Member ■ Reserve Officers Association, Life Member ■ Veterans of Foreign Wars, Life Member ■ American Legion, Life Member ■ National Rifle Association, Life Member ■ La Societe des Quarante Hommes et Huit Chevaux 40 & 8 Monroe Voiture 111, Member [2016-present]

**Community Affiliations**

Co-Founder & Board of Trustees, Rochester Police Foundation, Inc. 2012 – 2018 ■ Chairman, Monroe County Veterans Advisory Committee 2010-13, Committee Member 2013-2025 ■ Veterans Outreach Center Finance Committee, 2011- 2014 ■ Asbury Day Care Center, Inc. President, Board of Directors 1997-1999, Secretary, Board of Directors 1996-1997, Board of Directors 1995-2000 ■ Penfield Strikers Youth Travel Soccer General Counsel 2007-2010, Board of Directors 2007-2009 ■ Rochester Regional Veterans Business Council, 2007- 2018, Exec Board & Program Committee Chairman 2008-2010, 2<sup>nd</sup> Vice President 2010-2012 ■ Monroe County Office of the Aging Advisory Committee 1992-1998 ■ Boy Scouts of America, Merit Badge Counselor ■ CYO Soccer Coach, ■ Genesee Conservation League, VP-Legal, Board of Directors- 2015 – 2019, Member, 2012-2025.

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