

3.9 UTILITIES COMMENTS AND RESPONSES

Comment 3.9-1 (Letter #1: Clifford H. Schwartz, December 10, 2008): Outside of Lake Louise Marie/Emerald Green, we in Rock Hill rely on the water that comes from our wells. Page 3-2 of the Schumaker Preliminary Water Supply Report in Appendix I refers to two wells that have sustainable water availability. On page 3-4 of that report, Schumaker Associates concludes that one of those wells has iron and arsenic levels that exceed drinking water standards. They suggest that the problem may be a temporary aberration and indicate that they will follow up with an addendum to their report. However, the addendum is not provided in the DEIS, so the applicant must follow up. There is also no indication that tests have been performed on nearby wells. Kenneth D. Hill, whose property is adjacent to the site, asserts that after exploratory test wells were drilled, sediment in his well "necessitated frequent calls to the plumber to change filters with the muck that was stirred up."

Response 3.9-1: *GeoLogic NY, Inc. has conducted a Pump Test on the proposed well field at the property that includes well TCW-1, and a newly (April 2009) installed back-up well (PTCW-2) to assess the available well yield. The Pump Test was reviewed and approved by both the NYSDEC and the NYSDOH and conducted in accordance with NYSDEC Recommended Pump Test Procedures for Water Supply Applications (contained as Appendix 10, TOGS 3.2.1 in the Public Water Supply Permit Program Application Processing). The preliminary findings (Appendix H) document the results of the pump tests and conclude that there is sufficient water to cover the proposed 91 gallon per minute demand for Phase 1 of the Proposed Action.*

A sample of groundwater for laboratory analysis obtained during the last hour of the 72-hour pump tests, as recommended by the NYSDEC will be analyzed for the water quality parameters established by the New York State Department of Health (NYSDOH). The findings of the laboratory analysis, including the iron and arsenic levels (if present), are in the Hydrogeologic Report prepared for the regulatory agencies.

Residential well surveys were sent to property owners care of the property street address via certified mail. The residential well surveys were sent to property owners located within an approximate radius of 1,000 feet of the pumping wells (Well PTCW-2 and TCW-1). In addition, included in the mailing were parcels that are close to, but greater than 1,000 feet from the pumping wells.

GeoLogic completed a residential well survey for the properties located in the vicinity of the well field. Adjacent property owner's wells were monitored during the pump test. Draw-down in an adjacent well was observed. The data gathered for any off-site private wells will be included in the Hydrogeologic Report.

The Applicant will assume the responsibility and cost to mitigate any impacts to existing neighboring wells as a result of the development, including but not limited to deepening the existing well, drilling a new well, filtering existing water or providing a connection to the project's water supply system. The impact will be evaluated and the appropriate mitigation will be determined by the Town Engineer with input from the impacted property owner considered.

Comment 3.9-2 (Letter #1: Clifford H. Schwartz, December 10, 2008): The plans for the treatment of wastewater are so uncertain that it is unclear how the project can be allowed to move forward at this time. Regardless of where the facility is built, it will create a potential liability for the community at large in the event that the developer cannot maintain the facility for whatever reason. The applicant should provide a business plan for the facility that will address its ability to be financially self-sustaining at each stage of development.

Response 3.9-2: As with most large, multi-phased developments, Proposed Action plans for the wastewater treatment along with much of the other infrastructure will not be finalized until the site plan is finalized. It is anticipated that the wastewater treatment plant and water supply infrastructure will be owned and managed initially by a transportation corporation. At an appropriate time after the project has been initiated, the ownership and management of this infrastructure may be turned over to an umbrella or parent Home Owners Association (HOA). This HOA will be responsible for providing all services to the development. The ownership and management of this infrastructure would be reviewed by applicable agencies and subjected to the review and approval of the Town Board. The managing entity would address projected costs and fees to be paid by users in the district that will offset those costs. Future ownership of the wastewater treatment system will be determined prior to final subdivision approval and the potential sale of lots.

Comment 3.9-3 (Letter #8: Kenneth D. Hill, December 10, 2008): The site of this development is directly on top of an aquifer and would have a detrimental effect on the supply and quality of water in the community of Rock Hill.

Response 3.9-3: GeoLogic has completed a 72-hour pump test at the property. Prior to completing the pump test, a Pump Test Plan was submitted to the NYSDEC and the NYSDOH for approval. The purpose of the 72-hour pump test was to evaluate the ability of the pumping well to meet the needs of the proposed development without adversely affecting others who may rely on the same aquifer.

Comment 3.9-4 (Letter #8: Kenneth D. Hill, December 10, 2008): After exploratory test wells were drilled, sediment in my well necessitated frequent calls to the plumber to change filters with the muck that was stirred up. It also required me to install 4 additional filters- for a total of 5 filters- in order to restore the flow of water. Water shortage/flow issues are just one environmental impact but quality issues specific to sanitation are also at greater risk of being a pervasive issue.

Response 3.9-4: Responses to 3.9-1 and 3.9-3 apply to this comment.

Comment 3.9-5 (Letter #8: Kenneth D. Hill, December 10, 2008): Due to the geological formations of the area and the aquifer itself, disturbances to the area cause a rippling affect to the area -- the quality of water is affected, the water which this community drinks.

Response 3.9-5: Responses to 3.9-1 and 3.9-3 apply to this comment.

Comment 3.9-6 (Letter #8: Kenneth D. Hill, December 10, 2008): Just one faulty sewer system can affect almost the entire town of Rock Hill and cause them to become sick. Although not probable, the impact would be significant.

Response 3.9-6: *The location of the proposed STP was carefully thought out and analyzed for impacts to the surrounding environment. Upon review, and based on comments from the Planning Board and the State, the wastewater treatment facility has been located to the west side of Glen Wild Road.*

As noted in the FEIS, the STP will be designed to comply with the requirements set forth by NYSDEC for community water systems and sanitary sewer system and will be permitted, which will require review by the NYSDEC. The sanitary collection system and treatment facilities would be designed by licensed professional engineers and reviewed by the appropriate Town, County and State agencies for approval and permitting. Further, the construction of the sanitary system would be overseen by those approving authorities and not permitted to operate until all conditions and regulation have been met. All effluent discharges from the plant will meet NYSDEC standards and will be evaluated on a regular basis to protect the Fowlwood Brook and Delaware River.

Comment 3.9-7 (Letter #8: Kenneth D. Hill, December 10, 2008): Who is going to pay for the Rock Hill community to have clean, potable and safe water? Is it the taxpayers' burden? Or the developers of the construction that are disrupting the natural flow of the aquifer?

Response 3.9-7: *The proposed action must demonstrate that there is adequate potable water on-site without causing any degradation in service to existing wellheads off-site in the vicinity. The Applicant will bear the cost associated with obtaining sufficient well water volume to support the project. As noted previously, a pump test has been conducted in compliance with all regulatory requirements to validate that impacts will not result from the proposed withdrawal of water from the aquifer.*

Comment 3.9-8 (Letter #10: Susan Roth, AICP, Hudson Valley Planning and Preservation, December 9, 2008): Prior to finalization of the permitted uses, a well test should be performed that includes monitoring of neighboring private wells.

Response 3.9-8: *Responses to 3.9-1 and 3.9-3 apply to this comment.*

Comment 3.9-9 (Letter #10: Susan Roth, AICP, Hudson Valley Planning and Preservation, December 9, 2008): The DEIS contains a hydrological report that does not contain any evidence that surrounding wells were monitored. One neighbor believes that his well has been affected by the pump tests conducted for this project. The report excluded information on additional wells that would be developed to provide backup in case of failure, as required by NYSDEC. There was no discussion of the timing of the test, in relation to rainfall events, which can significantly impact the results of the well tests. As a result, the number of unknown factors that could potentially affect the water supply indicates the need to re-evaluate the viability of the project's unit count.

Response 3.9-9: *Responses to 3.9-1 and 3.9-3 apply to this comment.*

A back-up well, well PTCW-2 was installed approximately 100 feet south of the proposed pumping well (TCW-1) between April 7 and 8, 2009.

The Pump Test Plan done by GeoLogic includes the acquisition of data, including pre-pumping depth to water measurements in wells and measurement of precipitation events, for the seven days prior to the pump test, for the entire period of the pump test,

and for the entire well recovery period (minimum of twelve hours after the termination of pumping).

Comment 3.9-10 (Letter #10: Susan Roth, AICP, Hudson Valley Planning and Preservation, December 9, 2008): I compared the number and type of proposed households with the estimated water usage of all the dwelling units as described in section 3.9. The needs of the residential units are based on a water supply of approximately 75 gallons per bedroom, which is somewhat low, especially for suburban households. For comparison, the DEIS reports on page 5-7 that the water district of Emerald Green Lake Louise Marie Water Company serves approximate 684 households and on average uses 460,000 gallons wpd for peak use. This amounts to approximately 672 gallons per home in this nearby water district.

Response 3.9-10: *Based upon the revised layout which increased the number of residential units, the water usage was recalculated. The daily water usage, including the commercial area is 426,000 gpd; this usage number was rounded to 430,000 gpd. The peaking factor was calculated to be 3.3 which produces a peak flow of 1,419,000 gpd or 985 gpm. Using the figure of 1,613 units, the peak daily water usage per unit is 880 gallons.*

Comment 3.9-11 (Letter #10: Susan Roth, AICP, Hudson Valley Planning and Preservation, December 9, 2008 and Kenneth Hill, Public Hearing, December 10, 2008): An alternative location should be discussed for the proposed Wastewater Treatment facility. It is our understanding that discussions have been held to relocate the plant. Those discussions should be part of the FEIS.

Response 3.9-11: *Upon further review and based on comments from the Planning Board and the State, the wastewater treatment facility has been relocated to the west side of Glen Wild Road.*

Comment 3.9-12 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): As stated earlier, the DEIS discusses two possibilities for disposal of sanitary sewage generated at the site. The first (and a preferred choice by the developer) is for an on-site sewage treatment plant for all the sewage, with a discharge to Fowlwood Brook. The alternative presented involves construction of a system of pump stations and force mains to send sewage to the adjacent Rock Hill Sewer District for treatment at the Emerald Green Sewage Treatment Plant, both of which are Town owned. Appendix H of the DEIS includes a "Preliminary Wastewater Treatment Feasibility Report" which explains the basis for the developer's preference for an on-site sewage treatment plant.

Please note that this Department, for much of its history, has encouraged centralized sewer systems, when appropriate, that would be owned/operated by municipalities rather than a scattering of independent private sewage treatment systems. The Department believes this ensures a more stable financial and administrative structure which can provide the necessary maintenance and oversight to prevent pollution of streams from poorly maintained, operated or underfunded private treatment plants.

Response 3.9-12: *Comment noted. While the Applicant prefers and the Feasibility Report identifies the on-site treatment plant as the preferred option, the Applicant is open to working with the approving agencies to construct a sanitary system in the best interests of all parties involved.*

Comment 3.9-13 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): The DEIS states that the pump station and force main in the Rock Hill Sewer District do not have sufficient capacity to accept sewage from the full buildout of this development. It also states that the Emerald Green Sewage Treatment Plant is already overcapacity during maximum flow days, and has insufficient land available to expand the "footprint" of the plant to meet the full buildout of this development. Staff believes that this information needs to be verified and updated before staff can make a decision on the environmental impacts of each alternative. The DEIS needs to explain when compared to construction and operational impacts of each alternative.

Response 3.9-13: *Upon review of the capacity of the Emerald Green Sewer Plant as documented in The Preliminary Wastewater Treatment Feasibility Report produced in November 22, 2006 and revised on May 29, 2007 and April 2, 2008 by Keystone Associates, along with its expansion ability it is evident that the effluent for this project can not be accommodated by the plant.*

Also, diverting a portion of the effluent to the Emerald Green Sewer Plant is not practical or cost effective. Furthermore, the Town Board concurs with this assessment. See the attached correspondence dated February 9, 2009 from Anthony P. Cellini, Supervisor, to Mr. John Sansalone, PE of the NYSDEC. The letter states "The developers have proposed to construct a private wastewater treatment facility to support this project. The Town has considered this request and authorized me to send you this letter in support of the developer's request for a private wastewater treatment facility."

In addition, as noted in the March 31, 2009 letter from the Town Engineering Consultant (McGoey, Hauser & Edsall Consulting Engineers P.C.), both scheduling and financing issues limit the ability to treat the Rock Hill Town Center wastewater at the Emerald Green Sewer Plant.

Refer to the letters in Appendix D herein for additional information regarding this subject.

Comment 3.9-14 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): Staff also believes that by assuming all sewage must go to only one treatment plant the DEIS avoids a possible multi-plant solution to solve this problem. The DEIS acknowledges that a development of this size will be constructed in a number of phases. A look at the layout and topography of the site indicates that it may be possible to separately collect and treat sewage at different locations around the site. The more southerly portions might connect to the adjacent Rock Hill Sewer District's collection system. The central and northern portions of the site are more problematic and need more study to fully assess and compare the impacts of either a separate private plant or connection to the nearby municipal plant. It is also not clear why the first phases of construction are so far from the more accessible Rock Hill Sewer District collection system. Please explain what standards and goals were used in establishing the phasing of construction.

Response 3.9-14: *Please refer to Response 3.9-13. The only "nearby" municipal wastewater treatment plant is the Emerald Green plant as previously mentioned. Due the constraints with the available capacity and the area that the plant could be expanded upon at that plant the Applicant, along with the Town's support, is pursuing a privately owned on-site treatment plant. The phasing of the project site has no correlation to the Rock Hill Sewer District collection system. The initial construction phase begins at the*

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main site access off of Rock Hill Road and progresses into the site and terminating adjacent to Glen Wild Road.

Comment 3.9-15 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): Please also note however, that staff has a serious problem with the location of residential units near the proposed on-site sewage treatment plant. It appears to be just over 100 feet from the nearest proposed residential units, which is far less than the Department's recommended 500 foot setback. With a development of this size, every effort must be made to make sure that the new residents are able to enjoy their surroundings without unacceptable noise, visual or odor impacts.

Response 3.9-15: *Proposed residential units are sited beyond the 500 recommended setback around the waste water treatment plant. Existing residences to the north and south of the proposed WWTP would be located within that recommended setback distance.*

To offset the potential impacts associated with the location of the WWTP, the proposed sewage treatment plant will incorporate covered tanks and odor control equipment to lessen the noise and odor from the facility. The plant façade will incorporate walls to hide equipment; it will be aesthetically pleasing. Landscaping, such as fencing and evergreens, along the road and between the plant and the existing residences will be provided to screen and lessen the visual and noise impacts associated with the operation of the plant. The Applicant will work with the NYSDEC as part of the permitting process to refine the mitigation plan.

Comment 3.9-16 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): Please also include a discussion of the assimilative capacity of both Fowlwood Brook (Class B) and McKee Brook (Class B-t) to assimilate effluent from some or all of this development.

Response 3.9-16: *The anticipated level of treatment will be equal to the existing Emerald Green Treatment Plant.*

Table 3.9-1 SPDES Permit Effluent Limitations		
	<i>Effluent Limitation</i>	<i>Basis</i>
<i>Flow</i>	<i>0.42 MGD</i>	<i>30 day arithmetic mean</i>
<i>CBOD₅</i>	<i>5 mg/l</i>	<i>Daily Maximum</i>
<i>Total Suspended Solids (TSS)</i>	<i>10 mg/l</i>	<i>Daily Maximum</i>
<i>Settleable Solids, daily maximum</i>	<i>0.1 ml/l</i>	<i>Daily Maximum</i>
<i>Ammonia (as NH₃)</i>	<i>1.1 mg/l</i>	<i>30 day average</i>
<i>June 1 – October 31</i>	<i>2.2 mg/l</i>	<i>30 day average</i>
<i>November 1 – May 31</i>		
<i>Total Phosphorus (as P)</i>	<i>0.5 mg/l</i>	<i>30 day average</i>
<i>Dissolved Oxygen</i>	<i>7.0 mg/l</i>	<i>Daily Minimum</i>
<i>pH</i>	<i>6.5-8.5 SU</i>	<i>Range</i>
<i>Effluent Disinfection</i>	<i>Required from May 15 to October 15</i>	
<i>Total Residual Chlorine</i>	<i>0.1 mg/l</i>	<i>Daily Maximum</i>

Source: Keystone Associates; 2009.

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An assimilation study was performed on June 5th, 2009 based on current flows in Fowl Wood Brook. The depth of water in the brook was 6 inches which equated to a flow of 32.71 cubic feet per second. The estimated discharge from the proposed plant will be 0.69 cubic feet per second. This dilution ratio then is 1:47.

No more units will be constructed than can be supported by the proposed STP or the alternate NYSDEC approved sewage treatment method.

Comment 3.9-17 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): Lastly the Delaware River Basin Commission (DRBC) has jurisdiction over large discharges of sanitary waste within the Delaware River Basin which includes the Neversink River Basin. They appeared to be missing from the listing under "Permits and Approvals" in Section 1.4.

Response 3.9-17: *Comment noted. The DRBC regulates both wastewater discharge and potable water withdrawal in the Delaware River Basin. As such, the DRBC has been added to the "Permits and Approvals" section of Chapter 1.0 and the approvals noted.*

The Applicant understands that the DRBC initiates their review of a project's plans after the environmental review is complete and when preliminary plans have been vetted by the Town during the site plan review process. The project will comply with the Delaware River Basin Commission (DRBC) guidelines and the Applicant will seek a docket from the Commission as required.

Please note, the DRBC was provided a copy of the DEIS for their information. The Applicant will work with the Commission as well as the State to develop sewage treatment plant and water supply designs that comply with all regulatory requirements.

Comment 3.9-18 (Letter #17: Michael Merriman, NYSDEC, January 23, 2009): The Department has reviewed the Water Supply section of the DEIS and Appendix I, the "Preliminary Water Supply Report." Although the site appears to have sufficient groundwater to serve the full buildout of this development, the Department does have several concerns about the details of this proposed water supply system.

1. There should be no development (buildings, roads, buried utilities, etc.) within 200 feet of any well used to serve water to this water supply system. This protection is needed in order to prevent present and future sources of pollution in that wellhead area.
2. The Department recommends that all future pump testing and any retesting of previously pumped wells be done in accordance with the Department's recommended "Pump Test Protocols" which are available on our website: <http://www.dec.ny.gov/lands/5003.html>. This will ensure greater compliance with the requirements of this Department's Public Water Supply permit regulations. There appears to be a brief but passing mention of these protocols on Page 3-4 of the Appendix.
3. The Delaware River Basin Commission (DRBC) has jurisdiction over large takings of water for water supply purposes within the Delaware River Basin (DRBC) which includes the Neversink River Basin. There appeared to be only a passing reference to the DRBC on page 4-3 of the appendix, and they are not listed under "Permits and Approvals" in Section 1.4 on page 1-36 or 1-37.

Response 3.9-18:

1. Both the NYSDEC Water Well Program and the NYSDEC Recommended Pump Test Procedures for Water Supply Applications (contained as Appendix 10, TOGS 3.2.1 in the Public Water Supply Permit Program Application Processing) refer to the NYSDOH Subpart 5-1 standards, specifically Appendix 5D for Public Water Systems. Part of this standard states:

“a. Wells serving public water systems shall be located such that the owner of the water system possesses legal title to lands within 100’ of the well and the owner controls by ownership, lease, easement or other legally enforceable arrangement the land use activities within 200’ of the well. Hydrogeologic evaluations and source water assessments should be used to determine appropriate separation from potential contaminant sources. Where no evaluations are available, the minimum separation distance shall be those specified for public water system wells in Table 1.”

As shown on the site plan for the proposed development Well TCW-1, located off Glen Wild Road, is sited within approximately 150 feet of a proposed roadway. In regards to the above standard, the homeowners association will have legal ownership of both the well and the proposed utilities within the roadway. Development of buildings, roads, and buried utilities are not specifically listed as having a minimum separation distance from wells (Table 1). However, to protect the well head area from potential leaks, the buried sewer line will be contained in a watertight conduit.

2. GeoLogic has completed a 72-hour pump test at the property. Prior to completion of the pump test, a Pump Test Plan was submitted to the NYSDEC for their approval. The Pump Test Plan was prepared in accordance with NYSDEC Recommended Pump Test Procedures for Water Supply Applications.

3. In addition, the Project lies within the jurisdiction of the Delaware River Basin Commission (DRBC). The DRBC is responsible for managing and developing water resources within the Delaware River Basin and has permitting requirements for the withdrawal of groundwater or surface water within the basin. The proposed pump test activities following the NYSDEC protocol addressed the pump test requirement of the DRBC as well. Refer also to Response 3.9-17.

Comment 3.9-19 (Letter #18: William J. Pammer, Jr., PhD, Sullivan County Division of Planning and Environmental Management, December 19, 2008): The groundwater recharge calculations seem to rely heavily on the surrounding parcels remaining undeveloped. Meanwhile, with storm water runoff and a groundwater usage of 410,000 gallons a day -- with 417,445 gallons per day piping into a creek — any property to which groundwater currently flows from the project site will eventually experience changes in its water table.

Response 3.9-19: Future changes in the use of lands surrounding the project area are unknown. To assume conditions aside from the current condition would be speculative. The groundwater recharge calculations were based on rainfall on-site only. Refer also to response 3.9-7.

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Comment 3.9-20 (Letter #20: Robert Geneslaw, Robert Geneslaw Co, December 31, 2008): The DEIS/DGEIS indicates that test wells have been drilled to evaluate adequacy of water on the property, but that evaluation of nearby off-site wells during testing has not been carried out and would be performed after the conclusion of the SEQR process. This is not consistent with the requirement that a "hard look" be taken of potential environmental impacts. The loss of potable water of adequate pressure and quality in existing wells serving off site be carried out prior to the completion of the FEIS/FGEIS. We are not commenting at this time on water and sewer issues as we have not seen the report of the Town Engineer.

Response 3.9-20: Responses to 3.9-1 and 3.9-3 apply to this comment. Refer also to the Geologic Pump Test Report in Appendix H.

Comment 3.9-21 (Kenneth Hill, Public Hearing, December 10, 2008): Of course, water is the most widely distributed stuff we got in the world. But our potable water is, throughout the world, is decreasing very fast. Now, I'm not thinking about tomorrow or the next day, but I'm thinking five years, 10 years, 30 years from now. With this development, we're going to lose potable water.

Response 3.9-21: GeoLogic has completed a groundwater availability analysis and presented the findings in the Hydrogeologic Evaluation included in the Pump Test Report (Appendix H).

Comment 3.9-22 (Kenneth Hill, Public Hearing, December 10, 2008): And as the gentleman there was speaking, where they did some test wells in this area, if I remember right, and I might be a little bit wrong, it was right in here, this area where they did the test wells. And I'm down over in here. Last spring, when I came back from Florida, I had the power come back to return water into my house because I drain the water when I'm away in the wintertime. Came back to turn the water back on. I had to call him back five times to put filters, filters, filters in because the filters were plugged up. And I finally got a filter in and the water cleared up. Now, I don't know how many other people suffered from that, but it's thinking that it could well have been, or maybe somebody didn't notice it or whatever.

Response 3.9-22: Responses to 3.9-1 and 3.9-3 apply to this comment.

Comment 3.9-23 (Kenneth Hill, Public Hearing, December 10, 2008): Now, I don't know how they determined their test wells and how much water they're going to get from there, but actually, that land up there, there's no water, a river, spring or anything. It only gets its water from rainfall. When rain falls on concrete, falls on blacktop, falls on houses, and well, all that kind of stuff, it has to draw it away. It don't go in the ground, that don't permeate down the rock formations. Where are they going to get the water?

Response 3.9-23: The characteristics of the bedrock aquifer at the property is addressed in GeoLogic's Hydrogeologic Report in Appendix H.

Comment 3.9-24 (Kenneth Hill, Public Hearing, December 10, 2008): And are we, in the Town of Thompson, going to be taxed in the future for a big thing about providing us with fresh water?

Response 3.9-24: Refer to response 3.9-7.

Comment 3.9-25 (Kenneth Hill, Public Hearing, December 10, 2008): And is there -- when they had went to all this extent, have they had a geologist to check the underlying strata to see where all this strata is going to run off.

Response 3.9-25: *It should be noted that strata does not runoff. It is a term used to describe a sequence of discrete rock layers. Responses to 3.9-1 and 3.9-3 apply to this comment.*

Comment 3.9-26 (Susan Roth, Public Hearing, December 10, 2008): Prior to the finalization of the permitted uses, a well test should be performed that concludes monitoring of neighboring private wells. When I read the hydrological report that was submitted, it didn't contain any evidence that surrounding wells were monitored. And at least one member believed that his well has been affected by the pump tests that have been conducted as of this date.

Response 3.9-26: *GeoLogic has completed a 72-hour pump test at the property. Prior to completion of the pump test, a Pump Test Plan was submitted to the NYSDEC for their approval. The Pump Test Plan was prepared in accordance with NYSDEC Recommended Pump Test Procedures for Water Supply Applications (contained as Appendix 10, TOGS 3.2.1 in the Public Water Supply Permit Program Application Processing). One component of the Pump Test Plan included completing a residential well survey for the surrounding properties and requesting permission to collect data from the private wells during the pump test.*

Comment 3.9-27 (Susan Roth, Public Hearing, December 10, 2008): Also, the report indicated that more study needed to be undertaken in order to confirm the yield of both wells. And there's no discussion of backup wells that are required to be put into service in case there's well failure on the site for the potable water use at the site, and there was no discussion.

Response 3.9-27: *Responses to 3.9-3 and 3.9-9 apply to this comment, refer to the Geologic pump test report in Appendix H.*

Comment 3.9-28 (Susan Roth, Public Hearing, December 10, 2008): Another thing that there wasn't is that there's no discussion the time of the tests in relation to the rainfall events which can significantly impact the testing of wells. So therefore, before the 72-hour pump test is conducted, if it hasn't been conducted already, it should include a survey of the surrounding wells and participation of those well owners that are willing to have their wells monitored to ensure that those new wells aren't going to affect the old wells.

Response 3.9-28: *Responses to 3.9-1 and 3.9-9 apply to this comment, refer to the Geologic pump test report in Appendix H.*