



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

BRIAN M. KOLB  
Minority Leader

March 9, 2018

The Honorable Andrew Cuomo  
Governor, State of New York  
Executive Chamber, State Capitol  
Albany, NY 12224

Mr. John B. Rhodes, Sitting Board Chair  
New York State Department of Public Service  
Agency Bldg. 3, Empire State Plaza  
Albany, NY 12223

Mr. Richard L. Kauffman, Chair  
New York State Energy Research  
& Development Authority  
17 Columbia Circle  
Albany, NY 12203

Mr. Howard Zemsky, Commissioner  
Department of Economic Development  
Empire State Development Corp  
633 3rd Avenue, 37th Floor  
New York, NY 10017

Mr. Howard A. Zucker, Commissioner  
New York State Department of Health  
Corning Tower, Empire State Plaza  
Albany, NY 12237

Mr. Basil Seggos, Commissioner  
New York State Department of Environmental  
Conservation  
625 Broadway  
Albany, NY 12233

Mr. Richard Ball, Commissioner  
Department of Agriculture and Markets  
10B Airline Drive  
Albany, NY 12235

Dear Governor Cuomo, Mr. Rhodes, Mr. Kauffman, Mr. Zemsky, Mr. Zucker, Mr. Seggos, Mr. Ball:

The Finger Lakes Region is being threatened by impending application under Article 10 of the Public Service Law by the company Circular EnerG, LLC to construct a waste-to-energy plant on 48 acres of land at the former Seneca Army Depot in the Town of Romulus. Our local governments and residents strongly oppose this incinerator, which would be detrimental to the region and our public health. We thereby urge the State Board on Electric Generation Siting and the Environment to reject this application.

The operation, if it were to be approved, would involve importing 2,640 tons of municipal solid waste (MSW) per day to be burned and shipping 176 tractor-trailer loads of MSW per day on local roads, or 30 rail cars of MSW through the City of Geneva per day. This would create new

sources of air pollution in the region, put additional strain on our roads and bridges, and be unsightly and unhealthy for residents and tourists alike.

Additionally, the proposed incinerator would be located within a mere 14 miles of two other landfills, Seneca Meadows and Ontario County Landfill. Seneca Meadows is the largest landfill in the state, which is permitted to bring in 6,000 tons of waste per day. This, combined with the 2,999 tons Ontario County's landfill processes daily, is already a source of residents' complaints and concerns and puts a strain on the environment in the region.

Few, if any, areas of New York State are as dependent on vibrant natural resources as the Finger Lakes Region. Our unique natural landscape supports business and industry, helps drive our economy, brings visitors into the region, and allows residents to enjoy an exceptional quality of life. Being located only 3.9 miles from Seneca Lake and the Cayuga Shoreline, this operation would compromise the character and safety of the region for both residents and tourists and would result in devastating impacts that we simply cannot allow to occur.

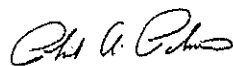
At this time, the Special Use Permit application before the Town of Romulus Planning Board for the facility has been withdrawn and Circular EnerG LLC has stated its intention to submit an application to the State Board on Electric Generation Siting and the Environment under Article 10 of the Public Service Law. The reason Circular EnerG, LLC is applying under Article 10 is due to unanimous opposition from residents, businesses, and local officials.

We request that once submitted, the application under Article 10 be denied. We agree with the various groups that have already reached out, including Seneca County, Ontario County, the Romulus School Board, the Wine Industry, and the Craft Brewers that the approval of such a project would have horrific long- and short-term ramifications that threaten the future prosperity of the Finger Lakes Region and must be stopped.

Sincerely,



**Brian M. Kolb**  
Assembly Minority Leader



**Philip A. Palmesano**  
132<sup>nd</sup> Assembly District



**Pamela A. Helming**  
54<sup>th</sup> Senate District

BMK/cmb