



# The Environmental Justice Report

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Department of  
Environmental  
Conservation

## FEATURED NEWS

### IMPROVING YOUR KNOWLEDGE - UNDERSTANDING DEC'S PERMITTING PROCESS

Whether you are concerned about electric generating facilities in an overburdened environmental justice (EJ) community, or the potential impacts to Indian Nation territory from various industries, residents and community organizations can engage in major projects where they live through the New York State Department of Environmental Conservation's (DEC) permitting process. DEC's process is an important tool for protecting environmental quality and it requires public participation.

DEC's Division of Environmental Permits manages a wide range of environmental permit types through the Uniform Procedures Act (UPA). Under the UPA, DEC protects New York's air, water, mineral and biological resources. When administering these permits, DEC is required to inform the public concerning:

- Certain permit applications
- Opportunities to review and comment on proposed projects
- Opportunities to review and comment on application documents, environmental impact statements, draft permits and other materials that may become part of an application
- Participation in any hearings concerning these applications



Typically, a project manager conducts a comprehensive environmental analysis, considers public comments and issues a decision on the application based on environmental protection with social considerations. DEC may issue a permit that includes conditions for conserving natural resources and environmental quality.

For example, these conditions may include pollutant limits on wastewater discharges, installation of sediment and erosion controls or air-monitoring requirements. Should an applicant seek approval for an action that cannot be modified to minimize environmental impacts or that DEC cannot reconcile with the laws protecting natural resources and environmental quality, the application will be denied. When this happens, the applicant may request a hearing.

In addition to the permitting responsibilities described above, the Division of Environmental Permits oversees DEC's implementation of the State Environmental Quality Review Act (SEQR). SEQR was enacted in 1978 and implemented by regulations that require all state and local government agencies to consider environmental impacts equally with social and economic factors during permit decision-making. These agencies must assess the environmental significance of all actions they are authorized to approve, fund or directly undertake.

So what does DEC's permit process mean for minority and low-income communities that are often overburdened by the effects of various industries? If a proposed project is in or near an EJ community, DEC's project manager and the applicant must take additional steps outlined in Commissioner Policy 29, Environmental Justice and Permitting (CP-29) (<http://www.dec.ny.gov/public/36929.html>). This is a DEC policy written to provide guidance for incorporating EJ concerns into DEC's environmental permit review process and the DEC application of SEQR.

Currently, permit applications are subject to CP-29 when a proposed project is in or near a potential EJ area and falls under one of the following permit types:

- Titles 7 and 8 of article 17, state pollutant discharge elimination system (SPDES)
- Article 19, air pollution control
- Title 7 of article 27, solid waste management (including increases in tonnage beyond the approved design capacity or increases in the amount of putrescible solid waste beyond the amount that has already been approved in the existing permit)
- Title 9 of article 27, industrial hazardous waste management
- Title 11 of article 27, siting of industrial hazardous waste facilities

If the permit application is for a renewal, registration or a general permit, CP-29 does not apply. The project manager will determine whether the permit application is subject to CP-29, and, if it is, permit applicants will have to actively seek public participation throughout the permit review process. They must develop a public participation plan as part of the complete application to address how they will communicate to residents of the affected EJ community.

The public participation plan provides opportunities for residents to have a voice in the proposed project and to address any concerns they may have. This level of dialogue can help permit applicants gain a deeper understanding of the surrounding community and can cause the applicant to either alter plans to address community concerns or even withdraw the permit application.

DEC provides detailed information about permit applications on its website, including the status of applications issued, denied or currently under review. For information on a specific permit application, visit DEC's website at: <http://www.dec.ny.gov/permits/96374.html>.

## WEATHERIZATION ASSISTANCE PROGRAM (WAP)

New Yorkers face a chilling reality every year – winter months bring higher heating bills. While residents cannot escape the frost of winter, they can take steps to ensure their dwelling is more energy efficient, which may lead to lower heating bills.

New York State's Weatherization Assistance Program (WAP) assists income-eligible families and individuals by reducing their heating (and cooling) costs and addressing health and safety issues in their homes through energy-efficient measures. Weatherization services reduce the amount of energy required to heat homes and provide hot water, thus reducing energy consumption while minimizing the impact of higher fuel costs on low-income families. These actions could result in annual savings of more than 20 percent on energy bills!

WAP providers conduct an "energy audit" of a residence or building to identify specific measures to increase energy efficiency. Based on the audit's results, services may include; sealing cracks and holes to reduce air infiltration; insulating attics and walls; repairing or replacing heating systems; insulating hot water tanks and pipes; installing energy-efficient lighting and refrigerators; repairing and replacing windows or outside doors; and mitigating energy-related health and safety issues, such as correcting ventilation problems that can lead to mold growth or identifying lead paint hazards. Work on one to four-family houses may be free if the homeowner also qualifies for the program.

Households with incomes at or below 60 percent of the state's median income are eligible for assistance. Services are available to homeowners, renters and rental property owners, with priority given to senior citizens, families with children and persons with disabilities. If a household includes a member who receives supplemental security income (SSI), public assistance, food stamps, or Home Energy Assistance Program (HEAP) benefits, it is automatically eligible for WAP services. Use the link here to locate a WAP provider in New York State, and get started on reducing your energy bills this winter: <http://www.nyhousingsearch.gov/weatherization/NYWeatherization.html>

## GREAT WINTER HIKES IN YOUR AREA!

Cross-country ski, snowshoe or hike in your region this winter. Check DEC's hiking safety tips and visit one of the places described below. *Please note that without snowshoes or skis, hiking in deep snow can make even an "easy" hike very difficult.*

### Region 2:

#### **New York City's Central Park, Manhattan**

**Trails:** The best places to ski are the Sheep Meadow, the Great Lawn and the park's other large meadows. Hike the 90-acre North Woods or 38-acre Ramble to evoke the feeling of woods in the midst of a metropolis.

### Region 3:

#### **Willowemoc Wild Forest, Livingston Manor (Sullivan County)**

**Trails:** Long Pond Trail is particularly good for youngsters and beginners, and the foot trails from the Frick Pond trailhead are especially suited to cross-country skiing.

### Region 4:

#### **Partridge Run Wildlife Management Area, Berne (Albany County)**

**Trail:** The trails at Partridge Run offer scenic winter views of the Catskills. Snowshoers, cross-country skiers and snowmobilers travel through pine forests, past small lakes and streams. Some trails are part of the Long Path, a 343-mile trail from Fort Lee, New Jersey to Altamont, outside of Albany.

### Region 5:

#### **Buck Mountain Trail, Lake George Wild Forest, Lake George (Washington County)**

**Trails:** Buck Mountain Trail from the Pilot Knob Trailhead

### Region 6:

#### **Barnes Corners Ski Trails, Tug Hill State Forest, Towns of Rodman and Pinckney (Lewis and Jefferson counties)**

**Trail:** Nowhere in the East gets more snow than the Tug Hill Plateau. It also has nine ski trails of varying lengths and skill levels. Experienced skiers should not miss the Inman Glide and John Young trails, with their dramatic views of Inman Gulf (a 300-foot-deep canyon) and Rainbow Falls, draped in sparkling ice. Oak Rim Trail provides a similar vista for snowshoers only.

### Region 7:

#### **Connecticut Hill Wildlife Management Area, Catherine and Enfield (Schuyler and Tompkins counties)**

**Trails:** The Bob Cameron and Van Lone Hill loop trails are popular in winter, as is a significant section of the scenic Finger Lakes Trail that crosses the property.

### Region 8:

#### **Rattlesnake Hill Wildlife Management Area, Dansville (Livingston County)**

**Trails:** Ski or snowshoe through mature woodland, overgrown fields, conifer plantations, old-growth apple orchards and open meadows. Don't miss a very scenic route that enters from the intersection of Dannack Hill and Ebert.

### Region 9:

#### **Reinstein Woods Nature Preserve and Environmental Education Center, Depew (Erie County)**

**Trails:** The center offers snowshoe and cross-country ski adventures and rents skis at a nominal cost for adults and kids 10 and up. Snowshoes are available for very small children through very large adults.

For more information about these sites and more, visit DEC's Great Winter Hikes webpage: <http://www.dec.ny.gov/outdoor/87264.html>





## COMMUNITY SPOTLIGHT

Since 2002, For the Good (FTG) has been on a mission to aid Utica's low-income residents to overcome poverty through self-sufficiency. Since its inception, FTG has grown exponentially and has invested in an array of programing efforts to help Utica's neighborhoods.

In 2012, FTG received a \$48,000 Environmental Justice Community Impact Grant from the New York State Department of Environmental Conservation's Office of Environmental Justice, enabling it to expand its Linwood Place community garden and establish a second one. This grant also assisted FTG in enhancing outreach and education efforts, conducting a community survey around desired garden enhancements and improvements, and hiring local residents to reach its goals.

"FTG benefited greatly from the grant. The gardens flourished with adequate staff to tend the gardens and recruit members," said Cassandra Harris-Lockwood, president and CEO of For the Good.

The Linwood Place garden is an oasis for the community, serving as a refuge from the blacktop and concrete and a place for city children to pick berries, pull carrots and play in the sandbox. This past summer, FTG used the garden as a work site for Oneida County Summer Youth Employment, providing invaluable agricultural work experience for area youth. The garden has also become a regular site for Hamilton College students to volunteer, and it has been used by the Oneida County Probation Department for community service projects as an alternative to incarceration.

Harris-Lockwood acknowledged, "You can see from the smile on the children's faces in the sandbox that the garden is a safe and happy place for the neighborhood kids who flock there during the summer months." At FTG, children learn useful lifelong skills and regularly enjoy the fruits of their labor by taking home food to their families that they have grown!

DEC will offer grants again soon for organizations that want to address multiple environmental harms and risks in their communities. To receive updates on the program, sign up on DEC's homepage under DEC Delivers at [www.dec.ny.gov](http://www.dec.ny.gov). After you enter your e-mail address, select environmental justice.

## TIPS

### Holiday Recycling

The holidays are upon us, and the Office of Environmental Justice is reminding residents to be good recycling stewards this season. Whether you are engaging in a gift exchange for Christmas, Hanukkah or Kwanzaa or whether you need advice on what to do with the live Christmas tree that once filled your house with the aroma of fresh pine, we want to gift you with a few helpful tips below. Happy holidays!



### Recycle Christmas Trees

Some communities recycle Christmas trees by chipping and mulching them for compost or landscaping materials. Trees must be free of tinsel, decorations, nails, tacks and any other foreign materials. Check with your municipal offices to see whether a tree recycling program exists in your area. Recycle tree trunks for firewood or split them for kindling. Use branches as mulch under acid-loving bushes and shrubs, such as rhododendrons and evergreens.

### Batteries

Invest in rechargeable batteries.

### Donate Old Things to Charity

Gifts often replace items that still have a useful life. Collect these things and donate them to Goodwill, the Salvation Army, local churches, day care centers or charities.

### Recycle Cardboard and Boxes

The holiday season creates a tremendous amount of cardboard waste. Check to see whether your area has a collection site that accepts cardboard and ask how it should be prepared for recycling.

### Reduce, Reuse and Recycle Gift Wrap

Avoid using wrapping paper. Just add bows to holiday shopping bags or gift boxes. Better yet, wrap gifts in brown paper bags or newspaper, especially the cartoon section with its bright colors. Or use festive fabric, dishtowels or bandannas, which can simply be washed and reused. Give gifts in baskets, tins or jars. Save bows, ribbons and paper to reuse. Shred used wrapping paper to use as filler or instead of tissue paper. If you must buy gift wrap, look for recycled paper with the highest post-consumer content you can find. And use only the amount of wrapping paper that you need.

For more tips, see DEC's fact sheet: Reduce, Reuse & Recycle This Holiday Season: <http://www.dec.ny.gov/chemical/8829.html>.

## IMPROVE ENERGY EFFICIENCY THIS WINTER

Here are some helpful tips to improve energy efficiency and reduce energy consumption this winter:

- Close draperies at night to keep in the heat - open them during the day to let the sun warm the inside of your home.
- Improve and maintain the efficiency of your existing furnace by checking the filters at least once a month during the heating season and changing them if necessary. Follow the maintenance guidelines in your furnaces' manual.
- Prevent heat loss by caulking and weather-stripping doors and windows.
- Lower your thermostat – turning the temperature down, especially at night and when no one is home, can save energy and money with most types of heating systems.
- Use kitchen, bath and other ventilating fans sparingly. In just one hour, these fans can blow away a house full of warmed air. Turn them off immediately after use.
- Improve Insulation - Up to 20 percent of your heating energy can be lost through an under or uninsulated ceiling. The following minimum R values are recommended for your home: R-30 ceilings (R-38 for mountain homes and electric heated homes), R-13 walls and R-19 floors over unheated areas.



## I FLUSHED. NOW WHAT?

### Information about sewage pollution

When you flush your toilet, where does the waste go? What happens to water that goes down the drain after you wash dishes? In many communities, the water from homes and businesses (known as “wastewater” or “sewage”) goes through a wastewater treatment system that treats (cleans) the water before it is returned to a local river, lake or ocean.

### Sewage becomes pollution when it doesn't reach the treatment system

Most of the time, the treatment system and the pipes that carry wastewater from homes and businesses work fine. But sometimes these pipes break or become blocked, and waste flows out onto streets and into waterways. These are known as “sewage spills.”

### Why should you care about sewage pollution?

Sewage spills contain harmful bacteria that can result in illness and impact the local environment, causing beach closures or fish consumption advisories.

### DEC requires wastewater treatment plants to report to DEC when sewage spills occur.

In 2013, the Sewage Pollution Right To Know law was passed, requiring wastewater treatment plants to provide information to the public and neighboring municipalities on the timing and location of spills and how much sewage was spilled.

### Sewage spills are reported through NY-Alert—a free, statewide public notification system.

Register for NY-Alert to receive sewage spill notifications via text message or e-mail. For more information on creating a NY-Alert account, visit DEC's website: <http://www.dec.ny.gov/chemical/90315.html#spill>.

### Avoid contact with water impacted by sewage pollution.

- Swim at regulated beaches only.
- Don't swallow water while swimming.
- Don't swim in cloudy or discolored water.
- Wash your hands after swimming or fishing, especially before eating.

### You can help to prevent sewage spills!

Don't dump fats, oils or grease down drains. They accumulate and clog pipes, causing sewage to back up inside. Running hot water and using soap while pouring fats, oil or grease into drains does not dissolve or break them up. Pour cooled fats, oils or grease into a can, wipe greasy surfaces with paper towels, and throw the can and paper towels in the trash.

### Avoid flushing certain items.

Don't flush baby wipes, “flushable” wipes, disposable diapers or personal care products. Many of these dissolve slowly or not at all, and they can block pipes and damage wastewater treatment system equipment. Throw these items into the trash.

## NY-Alert: QUICK AND EASY SIGN-UP INSTRUCTIONS

### New to NY-Alert?

#### To sign up for a NY-Alert account:

1. Go to <http://www.nyalert.gov/>
2. Click on “Sign Up for NY-Alerts” in left navigation column.
3. Click the “Enroll” button.
4. Enter your information and click “Create Account.”
5. Follow the directions from NY-Alert to confirm your account and set up your personal notification profile.
6. To set up your account to receive sewage spill alerts, follow the directions below.

#### Add sewage spill alerts to your account if you already receive other alerts:

1. Sign into your NY-Alert account at <http://www.nyalert.gov/>.
2. Click the “Add Additional Alerts” button.
3. Click the “Customized Notification” button.
4. Select the “Environmental” warning category to receive sewage spill alerts.

#### Contact us:

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