

## **Omya Community Issue Team – Plant Issues**

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### **January 28, 2008 Meeting Summary**

**Location:** Maclure Library, Pittsford, VT

**Date:** January 28, 2008

**Time:** 6:00 p.m. – 7:30 p.m.

#### **Meeting Attendees (in alphabetical order):**

Ernie Brod – Florence resident  
Peg Flory – State Representative  
Dave Markowski – Florence resident and local business owner  
Kathleen Ramsay – Pittsford Town Manager  
Umberto “Pat” Rosato – Florence resident  
Sean Alvarez – Safety Manager, Omya  
Jim Morale – Production Superintendent, Omya

#### *Note Taking:*

MaryKaye Macaulay – Administrative Assistant, Omya  
Dave Thayer – CLF Ventures

#### *Absent:*

Ed Eugair – Florence resident  
Jack Orvis – Florence resident  
Jane Orvis – Florence resident

### **I. Welcome and Introductions**

Issue Team co-facilitators Sean Alvarez (Safety Manager) and Jim Morale (Production Superintendent) welcomed the Team to the third meeting of the Plant Issue Team. Ernie Brod (Pittsford resident) was introduced to the team. Sean explained the proposed agenda for the evening. The Team agreed that the meeting format and agenda is acceptable.

### **II. Old Business**

Sean provided a short review of the previous meeting (November 8, 2007). Team Members were asked if they had any changes or additions to the meeting minutes of November 8, 2007. The addition of Omya titles in the Attendees section was requested by a member. No other edits were requested. Team accepted the minutes for posting online at [www.omyainvermont.net](http://www.omyainvermont.net).

### **III. Discussion of Prioritized Issues**

#### **Surface and Stormwater Management**

To address the questions from last meeting on surface and stormwater management, Jim provided clarification on the terms *settling basins* and *settling cells*. He explained

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that the *settling basins* relate to stormwater and the *settling cells* relate specifically to tailings management. Another concern raised was could water flowing from the Verpol plant could pick up particulates from chemically-treated marble and end up into the Town's water supply.

Jim addressed each question as listed in the notes from November 8, 2007.

**1. How often do the stormwater settling basins fill up? Do they overflow?**

- Omya's permitted stormwater treatment systems are designed in accordance with the requirements of the Vermont Stormwater Management Rules (<http://www.vtwaterquality.org/stormwater.htm>). Stormwater from Omya's settling basins are pumped to the onsite water system for use in the plant process. Therefore, stormwater from these basins are not discharged offsite even though it is allowed under Omya's stormwater permit. Basin overflows can only occur if stormwater inflow exceeds the designed pumping capacity.

**2. What is the settling basin cleanout frequency?**

- Stormwater basins are cleaned as warranted by the semi-annual inspections. Typically, maintenance is necessary once per year.

**3. How much upkeep and maintenance do the settling cells require?**

- Tailings *settling cells* are used to decant water from tailings solids. Omya operates two alternating tailings settling cells that have tailings solids removed from each of them once per year. Removed tailings are placed in the onsite in the Tailings Management Areas. While each tailings settling cell is inspected annually, they are former rock quarries and hence do not need structural maintenance.

**4. What are the testing requirements at the settling basins?**

- The stormwater settling basins are engineered, designed, permitted and constructed in accordance with Vermont Stormwater Management Rules. The permitted design ensures adequate treatment of stormwater during a 2-year (old regulations) or 10-year (new regulations) storm event prior to offsite discharge of stormwater. Stormwater effluent sampling and analysis is not required as a condition of Omya's permit.

**5. What is the NPDES (National Pollutant Discharge Elimination System) monitoring frequency? Who does the monitoring?**

- Per Omya's NPDES permit, process water is required to be monitored for flow, turbidity, total suspended particulates and pH per discharge event. Whole effluent toxicity testing must be done once-per-year during a discharge event. In 2007 Omya discharged process water offsite in January and April from the PIQ. NPDES Monitoring is done by Omya personnel.

**6. What are wells on Omya's property tested for? How often?**

- The 19 onsite groundwater monitoring wells are tested semiannually for over 200 compounds including volatile & semi volatile organics and metals.

#### **7. Who pulls the samples? Who does the analysis?**

- Sampling is performed by Heindel & Noyes (Hydrogeology consultant in Burlington, VT) in accordance with a State-approved monitoring plan. Laboratory analysis is performed by TestAmerica Labs (formerly Severn Trent) in Burlington, VT & Sacramento, CA and Endyne Labs in Williston, VT.

#### **8. What is the long term plan beyond Section 5?**

- The VT Agency of Natural Resources will amend existing permits or require new permits based on the findings & conclusions of the Section 5 Study. Omya will comply with the conditions of its permits. Omya will continue and improve its communications with the local community.

Additional detail to the above questions will be provided with the Final Section 5 Study.

### **Section 5 Study**

There were a number of questions raised at the previous meeting regarding the Section 5 Study and its findings. To address these questions, Jim provided the following information to the Team.

#### **1. What is Section 5 testing for? What is it not testing for?**

- Pursuant to H.532, Section 5, the study has reviewed, collected, assimilated, and interpreted data to assess “the human health and environmental effects of mineral processing of calcium carbonate,” by Omya. Section 5 studies have:
  - a. reviewed existing environmental studies and data conducted by or for Omya;
  - b. identified areas and issues requiring further investigation;
  - c. conducted field investigations in 2007 to gather additional data;
  - d. assimilated and interpreted the data to assess environmental and public health impacts; and
  - e. rendered opinions on issues specified in the legislation and related topics: Groundwater and Hydrogeology, Stormwater and Surface Water, Hazardous Air Pollutants, Dust, Toxicology, Health Impacts, Noise and Quality Assurance / Quality Control.

#### **2. How will Section 5 results be shared with the community?**

- A Draft Report was submitted to the Legislature on January 15, 2008. The Final Report and associated appendices will be submitted to the Vermont Legislature on February 19, 2008. The final document will be made available to the public on the [omyainvermont.net](http://omyainvermont.net) website and at the Pittsford Town Office. A community presentation of the study findings has been scheduled for February 25, 2008 at 6:00pm at the

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Lothrop School and is sponsored by The Town of Pittsford Select Board. Kathleen Ramsay handed out copies of the announcement to team members. The Town of Pittsford will circulate the announcement widely throughout the community and area news guides.

#### **3. Was there testing that preceded Section 5? What did these tests indicate about the impact of the plant?**

- Testing that preceded Section 5 included:
  - a. Semiannual monitoring & analysis of groundwater, water supplies and surface waters for over 200 chemical compounds with no exceedences found based on Vermont regulatory standards.
  - b. Monitoring & analysis of process water discharges in accordance with NPDES permit requirements showed no exceedences of permit effluent limitations. Discharges only occur during high-water months. Typically, three or less months per year.
  - c. Semiannual Monitoring, inspections and reporting in accordance with Stormwater permit requirements showed compliance with permit limitations.
  - d. Continuous monitoring, control device maintenance, routine inspections and quarterly reporting with air permit requirements – modification and compliance with Vermont air standards.

#### **4. Will there be ongoing monitoring once Section 5 is complete? What is the plan for testing? Who will determine the type of testing and procedure that will take place afterward?**

- The VT Agency of Natural Resources, where applicable, will regulate or amend existing permits and monitoring requirements based the Section 5 Study findings.

#### **5. How does Omya's water use affect or relate to infrastructure in Florence and Pittsford? Will people eventually have to get on town water because of Omya's impact?**

- Omya's primary source of water is from the onsite Pittsford Italian Quarry (PIQ). When water levels in the PIQ are low, Omya relies on Town supplied water which is limited by contract. Increased onsite water recycling and system improvements will further reduce Omya's periodic reliance on the Town water system / infrastructure.
  - Through discussion of this question and answer, a question was asked about whether Omya's drawing down of water on its site could possibly affect the neighborhood wells, particularly in a dry season. A general discussion followed on dry conditions and the effects on individual wells. It was noted that Pittsford and Florence have had studies done on such conditions in the past and that information is likely available from the Town. Jim

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pointed out that the Groundwater and Hydrogeology studies completed as part of the Section 5 process might have useful information around this question. Jim will provide more info at next meeting.

A member noted that Omya has bottled water delivered on site for drinking. Jim acknowledged that bottled drinking water is brought in for use by Omya employees. Jim stated that Omya does have potable water from on-site wells and that there is no prohibition against using tap water on site for drinking. A member asked how many drinking water wells Omya has on site and what are they tested for.

### Noise

The issue of plant noise was addressed for the first time in detail at this meeting. The noise emitted from the Verpol plant is primarily from in-plant crushing and grinding machinery, drying equipment and yard operations. Vermont's Act 250 Permit requires that Omya's Verpol operation "not generate noise in excess of 70dba as measured at the property line". Noise levels ranging from 37 to 50 dba have been measured at or beyond the property line by external noise consultants, including the Section 5 Study noise expert. Nuisance noise has been reported to Omya during the last few years. Based on recommendations from noise control engineering consultants, sound reduction measures have been implemented, including the installation of clam-shell style silencers, reconfiguration of exhaust ducts and erection of sound barriers.

Omya has pursued the noise issue with a supplemental noise study as a collaborative effort between Omya, community stakeholders and the Section 5 Study noise consultants to identify the sources of nuisance noise and provide reduction solutions. As part of this study, Omya purchased a sophisticated noise monitoring system in early 2007 to collect large periods of detailed data. This data is evaluated by the external noise consultants and presented to community stakeholders at onsite meetings that commenced in August 2007. Subsequent meetings have been held in October and December. A fourth meeting is scheduled for February 2008. It is anticipated that the February meeting will include a presentation on noise modeling to confirm target areas and mitigation options. A Noise Study update will be shared with the Plant Issue Team at the next meeting.

The team discussed the frustration that some neighbors have with noise and there was a general understanding that the issue is complex and that weather conditions affect it greatly. One team member mentioned that at times, due to low pressure air systems, he has heard the Rutland City "10 of 9 whistle" from Pittsford, yet he himself rarely hears the Plant.

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### IV. New Issues and Next Steps

#### New Issue:

Several questions were raised from the discussion of the information Jim provided in Section III. Jim and Sean will provide answers to the following questions at the next meeting.

1. Do chemicals from tailings get into the stormwater settling basins?
2. Are AEEA and Arsenic tested for and have they historically been tested for?
3. How many wells does Omya have on site used for drinking water? What are these wells tested for?
4. In dry year conditions can Omya drain down the water quantity from neighbors' wells? Has this been addressed in the Section 5 Study?
5. Has Section 5 identified the sources of Noise? Have any specific recommendations come from the Section 5 Study regarding Noise?

In closing remarks of the meeting, one member posed the question: Has Omya's Section 5 Study experience created a new precedent that other businesses in the state will have to endure? What is the effect on businesses looking to come into the state? No conclusions were made.

#### Next Steps

For the next meeting the team requested:

1. A summary of the Section 5 Report as it pertains to Water and Noise.
2. An update on the findings and recommendations of the noise study.
3. Answers to the (4) new questions from the evenings' discussion as noted above.

The Teams' list of prioritized issues continues to be (1) Surface and Stormwater Management, (2) Noise Management, (3) Tailings Management and (4) Sense of Community.

### V. Wrap Up

In closing, the team approved that the topics to be addressed at the next meeting. The date set for the fourth Plant Issues Team meeting is Monday, March 24, 2008 at 6:00PM in the Maclure Library.