



ESTABLISHED 1975

October 17, 2023

Kathleen Tylutki
Department of Agriculture and Markets | Division of Land and Water
10B Airline Drive
Albany, NY 12235

Re: AML §305-a Review of Town of Thurston Local Law No. 3

Dear Ms Tylutki:

I am in receipt of your comments specific to the department deferring Casella's AML 305-a(1)(b) review request pending the outcome of the farm review. I am not confident that Casella's concerns will be addressed in the farms pending review and therefore kindly request that Department of Agriculture and Markets view Casella's application request as in independent request. The review and outcome is significant as the Town of Thurston is proposing to ban land application biosolids in the Town of Thurston, in addition to the Town of Thurston Cameron has also been presented this law to propose the same land application ban in The Town of Cameron.

New England Waste Management Services of ME, Inc d/b/a Casella Organics purchased 124 acres from Dickson's Environmental Services, Inc. on 7/21/22, now this facility is known as Bonny Hill Organics Facility. The footprint consists of several buildings, composting pad, 92 acres of tillable crop land, woods, and storage lagoons for food waste. The 92 tillable acres are being actively farmed in AG district #2. Bonny Hill Organics facility, like all farms in New York State, are protected by Ag and Markets Right to farm Law and Environmental Conservation Law. Bonny Hill Facility, is a NYS permitted facility - Permit ID 8-4699-00012/00001 is a permitted facility that is regulated under part 360 Regulations of NYS DEC.

The acquisition also includes a 10-year lease on 2700 acres of farmland owned by Leo Dickson & Sons, Inc. The location of the 2700 acres of farmland in the Towns of Cameron, Thurston, and Bath are in Ag Districts 1 and 2. These permitted farms provide the pathway for WWTP facilities as an option to land apply class B biosolids generated at the WWTP's in addition provides organic fertilizer to the farmland.

Today, several digested biosolids (suitable for land application) are being landfilled. Land application of biosolids promotes beneficial reuse, reduces green house gas emissions, and diverts landfilling reducing the volumes going to landfill. Bonny Hill Facility land application program supports the goals of CLCPA and NY State Solid Waste Management plan.

Casella has been engaged with area farmers to learn of their interest in our Class B, or Class A products. Our ability to move forward with those relationships hinge upon our ability to take those next steps at Bonny Hill Organics Facility. The proposed Thurston Local Law #3 will have irreversible effects stemming to our customers and our local farms whom we support throughout the county and

state. This ban will ultimately have statewide implications through farming communities across New York State. I urge you and your department to review Local Law #3 and provide a timely response.

Please contact me with any further questions you may have regarding my request.

Best Regards,

 Recoverable Signature

X Mary C Rayeski

Mary C Rayeski

Divison Manager

Signed by: Mary C Rayeski