

July 23, 2025

New York State Department of Environmental Conservation
232 Golf Course Road
Warrensburg, New York 12885
Attention: Beth Magee; Deputy Regional Permit Administrator

Via Email: beth.magee@dec.ny.gov

RE: Certification of Completion - ESMI of New York Fort Edward Public Participation Plan; NYSDEC Application Number: 5-5330-00038/00027

Dear Ms. Magee,

Environmental Soil Management of New York, LLC (ESMI), A Clean Earth Company (Clean Earth), submits the attached Certification of Completion Report (Certification Report) of enhanced public participation activities performed in accordance with New York State Department of Environmental Conservation (NYSDEC) Commissioner Policy 29 (CP-29) for ESMI's NYSDEC Research, Development, and Demonstration (RD&D) Permit Application Number 5-5330-00038/00027.

Clean Earth developed a Public Participation Plan (PPP) in compliance with CP-29 and approved for implementation by the NYSDEC Office of Environmental Justice on September 24, 2024 and is included in Appendix I to this Certification Report. Through various communications with NYSDEC, a virtual meeting format, meeting date, and postcard and mailing list for noticing the meeting were approved.

In accordance with the date and format agreed upon with NYSDEC, Clean Earth held a virtual Public Information Meeting (PIM) on December 4, 2024. Two hundred and sixty-nine community members participated in the December 4 PIM. During this PIM, 52 individual community members

commented by voice, and 101 community members commented through a chat function that was included as a component of the PIM. There were 429 comments submitted through the chat, of which 238 were questions.

After the PIM, Clean Earth summarized and responded to questions received before, during, and after the PIM in a 41-page written document entitled “Responses to December 4, 2024 Public Information Meeting Comments.” This document is posted on the PPP website and included as Appendix XVII of this report.

On January 14, 2025, NYSDEC informed Clean Earth that despite the high level of community participation in the NYSDEC-approved December 4, 2024 PIM, a second in-person PIM would be required. The second PIM was held on June 18, 2025, in the Hudson Falls High School Auditorium in accordance with an agreed-upon format as documented in a May 13, 2025 letter to the NYSDEC (see Appendix II). The June 18 PIM was joined by 87 in-person attendees and 21 virtual participants. Thirty-one participants asked questions or made oral comments during the meeting.

After the second PIM, Clean Earth summarized and responded to questions received during and after the PIM in a 49-page written document entitled “Responses to June 18, 2025, Public Information Meeting Comments.” This document is posted on the PPP website and included as Appendix XXXI of this report.

This Certification Report documents Clean Earth’s accomplishments through the implementation and completion of the PPP. This Certification Report includes a compilation of documents and communications demonstrating Clean Earth’s efforts to comply with CP-29 and the approved PPP. These documents include copies of NYSDEC emails providing directions and approvals. We would also like to highlight that this Certification Report includes maps visually showing the addresses to which the NYSDEC-approved PIM postcards were mailed. Addresses within the Potential

Environmental Justice Area (PEJA) in Hudson Falls, New York clearly received notification.

Per the request of the NYSDEC to include all information received about participants in the public meeting for completeness of the administrative record, this document contains personal identification information (PII) pertaining to members of the Fort Edward / Hudson Falls communities. The inclusion of this information is intended to fully demonstrate Clean Earth's thorough and successful implementation of its Public Participation Plan (PPP) in compliance with NY CP-29. As acknowledged by the NYSDEC, the state will maintain the confidentiality of the personal identifiers in the subsequent releases of the PPP report in response to the Freedom of Information Law.

Based on the information provided in this Certification Report, Clean Earth requests that NYSDEC acknowledge the metrics identified in the PPP have been completed and deem our RD&D permit application complete. Subsequently Clean Earth requests that the NYSDEC issue a Notice of Complete Application (NOCA) and a draft RD&D permit for public comment.

Sincerely,

Robert Martin
PFAS Technical Director
Email: rmartin@cleanearthinc.com

Attachment

Public Participation Plan Certification of Completion Report

**Public Participation Plan
Certification of Completion Report**

**Research, Development, and Demonstration
Application Number: 5-5330-00038/00027**

CleanEarthTM ●

304 Towpath Ln
Fort Edward, NY 12828

July 23, 2025

Note Regarding Redaction of Personally Identifiable Information (PII)

To protect the Personally Identifiable Information (PII) of the community members that participated in the outreach described in this PPP, this copy of the Certification Report has been redacted and the appendices have been removed from this copy of the Certification Report.

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Public Participation Plan

The Public Participation Plan (PPP) for this Research, Development, and Demonstration (RD&D) project is presented as Appendix I to this Certification of Completion Report (Certification Report). Copies of New York State Department of Environmental Conservation (NYSDEC) emails providing guidance and approval of the PPP, including the mailing list, and its implementation are presented in Appendix II.

Public Outreach and Notice

Environmental Soil Management of New York, LLC (ESMI), a Clean Earth Company (Clean Earth) held two separate Public Information Meetings (PIM). The public outreach and notice information associated with each meeting is discussed separately under the heading for each meeting.

Per the request of the NYSDEC to include all information received about participants in the public meeting for completeness of the administrative record (see Appendix II), this document contains personal identification information (PII) pertaining to members of the Fort Edward / Hudson Falls communities. The inclusion of this information is intended to fully demonstrate Clean Earth's thorough and successful implementation of its Public Participation Plan (PPP) in compliance with NY CP-29. As acknowledged by the NYSDEC, the state will maintain the confidentiality of the personal identifiers in subsequent releases of the PPP report in response to the Freedom of Information Law.

First Public Information Meeting

The first PIM was held on December 4, 2024. To maximize the opportunity for participation, the PIM was conducted virtually. The decision to hold a virtual meeting was made in consultation with and approved by the NYSDEC (see Appendix II).

As discussed in this document, public outreach was conducted in advance of the PIM to ensure identified stakeholders were informed of the project, the date of the PIM, and how to submit questions and/or comments. The outreach program was highly successful in reaching community members, as evidenced by the 269 people who attended the PIM. Elements of the outreach program are detailed in the sections below.

Meeting Notice/Direct Mailings

As required by the PPP, public notice, including date and time of the December 4, 2024 PIM, was mailed to the local community and arrived in mailboxes on or before November 19, 2024. NYSDEC was consulted regarding the mailing list area and the design of the postcard mailer. NYSDEC reviewed the postcard mailer and approved its content and design prior to mailing. Clean Earth mailed the postcard to entities and residences in accordance with guidance from NYSDEC. The stakeholder list (as approved by the NYSDEC) used for mailing the public notice is presented in Appendix B of the PPP (see Appendix I), the postcard mailer and proof of mailing are presented in Appendix III of this report. Appendix IV includes a visual representation of the Hudson Falls Potential Environmental Justice Areas (PEJA) and/or Disadvantaged Communities (DAC) overlaid on the mapping of the postcard mailer recipient addresses.

Public Posting

Public notice was made as stated in the project's PPP (see Appendix I). A copy of the notice is provided in Appendix D of the PPP. Hardcopy notices were posted at:

- Fort Edward Public Library, 23 East St, Fort Edward, NY 12828
- Fort Edward Village Office, 118 Broadway, Fort Edward, NY 12828
- Fort Edward US Post Office, 126 Broadway, Fort Edward, NY 12828
- Stewart's Shops, 378 Broadway, Fort Edward, NY 12828

Website and Public Repository

As part of the public notice, interested parties were directed to a [PPP website](#). This website made available the project's PPP, RD&D Permit Application, comments, and responses to comments between NYSDEC and Clean Earth, project fact sheet, and other pertinent information as required by the PPP and requested by the public.

The website also contained information for pre-registering for the December 4, 2024 PIM and for making comments directly to ESMI/Clean Earth via phone, email, or the website itself.

Binders with the information found on the website were stationed at the following locations:

- Fort Edward Public Library, 23 East St, Fort Edward, NY 12828
- Hudson Falls Free Library, 220 Main Street, Hudson Falls, NY 12839

Community Groups

Prior to the December 4, 2024 PIM, ESMI/Clean Earth personnel engaged local residents and community groups and answered their questions about participation in the hearing via phone and email. These residents and local community groups then distributed information about the PIM on their social media and other publicly available networks (e.g., [Facebook1](#) and [Facebook2](#), screenshots presented in Appendix V).

Press Coverage

Clean Earth reached out to local newspapers and TV stations to encourage additional notice of the December 4 PIM. Coverage included the following (see Appendix VI for copies):

- [November 18, 2024 - Times Union](#)
- [November 26, 2024 - WRGB \(CBS\)](#)
- [November 30, 2024 - Times Union](#)
- [December 4, 2024 \(6:07 pm\) - WTEN \(ABC\)](#)

Pre-registration

Participants were offered the opportunity to pre-register for the December 4, 2024 PIM. This pre-registration was available on the public participation website approximately 15 days before the PIM. Registration was permitted at any time, including after the PIM start time. The number of people who pre-registered for the PIM totaled 312. This total was calculated by counting the unique names and email addresses of those who pre-registered. Duplicates were not counted. The pre-registration list is presented in Appendix VII.

December 4, 2024 Public Information Meeting

In response to concerns expressed by local stakeholders, Clean Earth, prior to the event, notified the public via the PPP website and via email that the scheduled meeting time would be extended from one hour to two hours.

The PIM began at 7:00 pm with introductions and a project overview presentation (Appendix VIII). Following the presentation, the floor was opened to the public for comments and questions. A transcript of the PIM is

provided in Appendix IX. Despite the PIM running well past the scheduled finish time, at the end of the meeting, two speakers, who had already spoken, were given a second opportunity, with an unlimited amount of time, to make additional comments. When adjourned, the PIM had been extended by an additional 43 minutes (for a total meeting time of 2-hours and 43-minutes).

Attendees

The participants who joined the PIM through the internet are listed in Appendix X and are summarized in Table 1. There were 269 unique logins to the PIM. Based on background conversations occurring during some of the oral comments, it appears that multiple people were present at single unique logins and thus individual “participants” often represented more than one person. Additionally, please note that duplicate names in the internet participant list have been excluded from the attendance count since these duplicates are likely to represent the same participant logging in more than once via multiple devices.

Table 1 Public Information Meeting Statistics December 4, 2024			
Participants - pre-registered	312		
Participants - Who Joined the Public Information Meeting - Local to Fort Edward		Participants who made oral comments	Participants who made written comments (in chat)
Fort Edward	120	29	
Hudson Falls	70	18	
Queensbury	15	1	
Glens Falls / South Glens Falls	7	1	
Moreau	6		
Fishscale		1	
Monroe		2	
Sub Total - Local to Fort Edward	218		
Participants – From other Localities	51		
Total Participants - Who Joined the Public Information Meeting	269	52	101

Participants were also able to join the December 4, 2024 PIM through a call-in number. Those joining the meeting through the call-in function are listed in Appendix XI.

Analysis of the participation data indicates that 218 of the 269 unique logins self-identified as living in Fort Edward or a nearby community.

Comments and Questions

All participants were provided with the opportunity to ask questions through a call-in number and through a webchat function. Oral questions were responded to in real time during December 4, 2024 PIM, as recorded in the transcript. In order to provide an opportunity for as many participants as possible to speak, a time limit of three minutes per speaker was used. This time limit was pre-approved by NYSDEC.

Additional questions were submitted through the PIM web chat function, the PPP website, United States mail, voicemail, and email (see Appendices XII, XIII, XIV, XV, and XVI respectively).

Following the PIM, Clean Earth received repeated requests from community organizers for registration information from the December 4, 2024 PIM (see December 10, 2024; January 11, 2025; and January 15, 2025; emails from [REDACTED] to Rob Martin in Appendix XVI). Requests for a complete record of all comments and questions submitted during the meeting were made by [REDACTED] on January 9 and 13, 2025 (see Appendix XVI). On January 13, 2025, after Clean Earth had expressed concerns about the release of potential PII, NYSDEC requested that Clean Earth make the requested information available, including names and contact information for all participants (see Appendix II). On January 22, 2025, Clean Earth posted the requested information to the PPP website.

Response to Questions

After the hearing, to provide clear, comprehensive, and concise responses to the questions, Clean Earth created a written document entitled "Responses to December 4, 2024 Public Information Meeting Comments." This 41-page document is posted on the PPP website and included as Appendix XVII of this report. Questions from the PIM received online through the chat function, emails, or phone calls are addressed by this document. Similar questions were summarized. Questions not directly

relevant to this RD&D Permit or seeking information confidential in nature (e.g., personal information about our team members) were not addressed.

Second Public Information Meeting

Despite prior approval of all aspects of the December 4, 2024 PIM, and the participation of 269 community members, NYSDEC required Clean Earth to hold a second PIM. To ensure NYSDEC satisfaction with this second PIM, guidance regarding the meeting notice, format, length, and location was sought from NYSDEC and memorialized in a May 13, 2025, letter sent by Clean Earth. NYSDEC agreed to these guidelines with an email response (see Appendix II).

In advance of the second PIM, public outreach was made to ensure identified stakeholders were made aware of the date and location of the second PIM, and how to submit questions and/or comments. Elements of the outreach program are detailed in the sections below.

Meeting Notice

Prior to distribution, the draft PIM postcard (postcard) was shared with local community members, interest groups, and governments. Only one response was received from the local community which stated, "This is a drastic improvement from the card sent for the December meeting!" Following the community and local government review, the postcard was shared with NYSDEC and was approved on May 22, 2025. A copy of the postcard is provided in Appendix XVIII.

Direct mailings

Public notice, in the form of the approved postcard, which prominently included the date and time of the second (PIM), was mailed to the local community and arrived in mailboxes on or before June 3, 2025. The postcard was sent, with NYSDEC approval, to the address list used for the December 4, 2024 PIM (see Appendix II regarding NYSDEC approval, Appendix I for the mailing list, which is presented in Appendix B of the PPP, and Appendix IV for a visual representation of the Hudson Falls PEJA and/or DAC overlaid on mail list recipient addresses).

Public Posting

Public notice of the second PIM was posted at the following locations on June 4, 2025 (see Appendix XIX):

- Fort Edward Public Library, 23 East St, Fort Edward, NY 12828
- Fort Edward Village Office, 118 Broadway, Fort Edward, NY 12828
- Fort Edward US Post Office, 126 Broadway, Fort Edward, NY 12828
- Stewart's Shops, 378 Broadway, Fort Edward, NY 12828

Website and Public Repository

As part of the public notice, interested parties were directed to a [PPP website](#). This website made available the project's PPP, RD&D Permit Application, comments, and responses to comments between NYSDEC and Clean Earth, project fact sheet, and other pertinent information as required by the PPP and requested by the public.

The website also contained information for attending the June 18, 2025 PIM in-person or virtually and for making comments directly to ESMI/Clean Earth via phone, email or the website itself.

Email Outreach

Clean Earth also collected the emails of those interested in the December 4, 2024 PIM and created an email distribution list to be used with a dedicated company email account: Information@CleanEarthInc.com. Emails were sent describing all updates to the website and providing an electronic version of the June 18, 2025 PIM postcard. In all emails, instructions to either join or unsubscribe from the mailing list were included. Following the June 18, 2025 PIM, all new emails were added to the distribution list for future updates.

Community Groups

An information handout (see Appendix XX) describing the permit request and agenda for the PIM was emailed on July 14, 2025, to local interest groups, local governments, and community members who had previously provided an email address to Clean Earth. Residents and local community groups once again shared information about the second PIM through email and on their social media (see Appendix XXI).

Advertisements

Clean Earth advertised the June 18, 2025 PIM in the Chronicle, Times Union, and Post-Star on May 29, June 2, and June 3, 2025, respectively (see Appendix XXII).

Press Coverage

The Times Union ran an article about the PIM on June 13, 2025 (see Appendix XXIII). Additionally, WTEN and Fox 23 broadcast a news segment about the PIM on June 18, 2025 during the evening news, which began at 5:00 pm. A video archive is available here: [Fort Edward waste management company seeking permit to destroy PFAs](#).

June 18, 2025 Public Information Meeting

To maximize opportunities for participation by the Hudson Falls PEJA and/or DAC, this in-person PIM was held at the Hudson Falls High School Auditorium. Participation was also available by attending the meeting on-line or through an audio-only conference call.

The information handout, which had been emailed to the community groups prior to the PIM, was also given to all attendees upon entering the June 18, 2025 PIM. Additionally, information about the project was presented on seven easels in front of the doorway, along the auditorium entrance pathway (see Appendix XXIV).

Clean Earth hired a former NY state judge born in the area to serve as a moderator for the second PIM. The PIM began at 6:00 pm with introductions and a project overview presentation (Appendix XXV). Following the presentation, the floor was opened to the public for comments and questions. A transcript of the June 18, 2025 PIM is provided in Appendix XXVI, and a digital recording of the meeting is available on the PPP website and [here](#).

Despite the PIM running well past the scheduled 8:00 pm finish time, all participants wishing to speak were provided the opportunity to do so. To provide an opportunity for as many participants as possible to speak, a time limit of three minutes per speaker was used. This time limit was pre-approved by NYSDEC.

The PIM was extended by an additional 1-hour and 26-minutes (total meeting time of 3-hours and 26-minutes) to accommodate all community members wishing to comment or ask questions related to the RD&D permit application.

Attendees

Participants attending in-person were asked to provide their name on a sign-in sheet (see Appendix XXVII). A separate sign-up was maintained for those wishing to speak during the PIM (see Appendix XXVIII). The participants who joined the PIM virtually are listed in Appendix XXIX. Attendance is summarized in Table 2. Demographic information was not collected from the second PIM participants, so the type of analysis provided for the December 4, 2024 PIM (Table 1) is not available for this meeting.

Table 2 Public Information Meeting Statistics June 18, 2025	
In-Person Participants	87
Virtual Participants	21
Total Participants	108
Participants that asked questions or made comments	31

Comments and Questions

All participants were provided with the opportunity to ask questions. Oral questions were responded to in real time during June 18, 2025 PIM, as recorded in the transcript and as viewed in the PIM video posted to the [PPP website](#). Additional questions were submitted after the meeting through the PPP website, voicemail, and email (see Appendix XXX).

Feedback

One of the attendees noted in a June 19, 2025 email, "With regards to process and procedure, I thought that last night's meeting was very well-run, and I have no concerns at all. Zero. As you have probably noticed from previous email correspondence, I do have an eye for details, so for me to not have any procedural "areas of improvement" is impressive! 😊" (see Appendix XXX June 19, 2025 email from [REDACTED]).

Response to Comments and Questions

After the hearing, to ensure clear and concise responses to the questions raised, Clean Earth created a written document entitled “Responses to June 18, 2025 Public Information Meeting Comments.” This 49-page document is posted on the PPP website and included as Appendix XXXI of this report. Questions from the June 18, 2025 PIM, received through emails and phone calls are also addressed by this document. Similar questions have been summarized. Questions that were not directly relevant to this RD&D Permit or seeking information that is confidential in nature (e.g., personal information about our team members) were not addressed. For the reader’s convenience and to provide more complete background and contextual information, the document includes both questions raised during the June 18, 2025 PIM and those that were previously answered in the “Responses to December 4, 2024 Public Information Meeting Comments.” New questions asked at or after the June 18, 2025 PIM and the answers have been added at the end of each topical section. All questions and answers discussed at the June 18, 2025 PIM or submitted afterwards are highlighted for easy identification.

As noted previously, in response to multiple requests from community members, Clean Earth posted information regarding December 4, 2024 Public Information meeting participants to the PPP website. Following the June 18, 2025 meeting, Clean Earth posted registration, sign-in, and virtual participation information. On June 27, 2025, the NYSDEC reversed its previous guidance and asked Clean Earth to remove all participant registration and sign-up information from the PPP website (see Appendix II). Clean Earth complied with this request, and the information is no longer available on the website, although it is included in this report to demonstrate compliance with community involvement.

Key Themes Raised

Clean Earth produced two successful PIMs, during which it accepted and responded to public questions and comments about the proposed RD&D project. The following key themes were identified in the questions and comments during and after the two meetings.

Clean Earth Has Been a Good Neighbor

At both the December 4, 2024 and June 18, 2025 PIMs the public noted that “Clean Earth has been flying under the radar (paraphrase).” Clean Earth would like to note that we have been operating in the local community since 1995. Over this period, Clean Earth has been a good steward to the local community and environment while remediating more than 4-million tons of contaminated soil and placing that soil back into the economy as a product. The facility’s compliance record and lack of complaints against the facility (until the time of the RD&D permit submittal and the PPP process) demonstrate that Clean Earth has been a good neighbor.

Proper Notice of Public Information Meeting

As indicated in this Certification Report, stakeholders were identified in the PPP and were given proper and timely notice, provided the opportunity to learn about the RD&D project, ask questions, and submit comments. The Certification Report includes maps visually demonstrating that addresses within the PEJA in Hudson Falls, NY received the NYSDEC approved postcards announcing both the first and second PIM. The exceptional hearing attendance and stakeholder engagement for both PIMs further validate the success of Clean Earth’s efforts to alert and engage the public.

Public Information Meeting Participation and Sufficiency

The December 4, 2024 PIM had higher attendance numbers than similar meetings in the local area. The virtual meeting format, approved by NYSDEC, proved to be a successful method of informing the public as 269 citizens participated. Despite NYSDEC’s initial approval of the virtual meeting format and the high level of community participation, NYSDEC reversed its direction and requested that Clean Earth hold an additional, in-person PIM. On June 18, 2025, an in-person PIM was held in Hudson Falls to provide local community members and those within the PEJA an opportunity to attend in-person. The second PIM had an attendance of 108 participants, most of which were in-person.

Independent Third-Party Oversight

An independent third-party laboratory will analyze all air and soil samples. As part of the RD&D permit application process, NYSDEC will review and approve the sampling and analysis plan. Within 90 days of receipt of the final

laboratory analytical report, Clean Earth will submit to the NYSDEC a project summary report, at which time the NYSDEC will assess the results.

PFAS Emissions

Air emissions modeling was conducted using the US EPA AERMOD software. Modeling shows that the anticipated PFAS emissions from the two-week RD&D project do not represent a risk to the local community and are a fraction of NYSDEC criteria. Once soil is selected for the project, Clean Earth will update the emissions modeling based upon actual soil concentrations.

PFAS Leaching from Soil

Clean Earth will be storing PFAS-contaminated soil received for the RD&D project in the facility's soil storage building. Based on building controls, there is no reasonable basis for the migration of PFAS to local soil and water sources. Post-treated soil, as has been an approved practice, is stored outside in dedicated storage areas at the facility. Should this project be approved, Clean Earth would be willing to place silt socks around the storage piles until analytical testing results confirm treatment. When the treated soil is sent for final disposition, Clean Earth is willing to remove an additional 6-inches of soil underneath the piles to ensure removal of all remediated soil associated with this RD&D permit.

PFAS Contaminated Soil for RD&D Project

Since beginning operations in Fort Edward, the facility has received and treated more than four million tons of soil in compliance with state permits. Clean Earth will work with the NYSDEC to identify a source of PFAS-contaminated soil within the state and as local to the Fort Edward facility as reasonably possible. If such soil cannot be identified within the State of New York, Clean Earth will identify a source in the Northeast or Mid-Atlantic state.

Scientific Justification for the Proposed RD&D Project

Many well-meaning questions were raised about the science supporting this RD&D project. Clean Earth has worked hard to interpret these questions and supply easy to read, plain language responses in our "Responses to December 4, 2024 Public Information Meeting Comments" (Appendix XVII), "Response to Questions – June 18, 2025 PIM" (Appendix XXXI), and Clean Earth's "RD&D Permit Application: 6 – NYSDEC Information Request May 22 (Appendix XXXII). Clean Earth believes the existing peer-reviewed science

supports the proposed RD&D project as presented in the permit application delivered to NYSDEC.

Importance of this RD&D Project to the State of New York

This RD&D project will generate important scientific data on the at-scale thermal destruction of PFAS compounds. This data will assist the NYSDEC as it develops policies for PFAS destruction, the use of landfills for disposal, and a comprehensive state-wide PFAS management program. For obvious reasons, the destruction of PFAS is the preferred solution but also many believe that the state's landfills will not be able to bear the burden of the PFAS contaminated soil that will require remediation. The New York State Association of Counties, in its November 21, 2024 [comments](#) to the Assembly Committee on Environmental Conservation notes that "[c]urrent projections indicate only 16-20 years of remaining landfill capacity in New York State . . ." In addition, forcing potentially responsible parties (including state and local governments) to send PFAS-contaminated material to distant locations for disposal will force those entities to unnecessarily incur extra costs, potentially resulting in unintended consequences, including selection of a less optimal, higher risk clean-up strategy, financial decisions resulting in fewer job opportunities, and even bankruptcy. Finally, as has been demonstrated in other situations (e.g., the February 2023 East Palestine, OH train derailment), states are hesitant or unwilling to take another state's waste. Clean Earth does not believe that the NYSDEC can properly address widespread in-state PFAS contamination and properly develop an economically viable management program, without benefit of this important thermal destruction research.

Future Operations

Potential requests for future modifications to the facility's air and waste permits would be based on the information collected during this RD&D project, require a permit modification application, and the creation and implementation of a new Public Participation Plan to address concerns associated with a longer-term operation. The potential for modifications to future operations at the Fort Edward facility should not be a factor in the NYSDEC's decision on this RD&D permit application. This two-week RD&D project should be evaluated on its own merit, its own submittal, its own timeframe, and the data it will generate to support future decisions for the technology's application to PFAS remediation and destruction.

Recommendations

Clean Earth has implemented the approved PPP to promote the robust involvement of all community members in the NYSDEC environmental permit process, consistent with CP-29 and the guidance provided by NYSDEC. The implementation of the PPP has opened a healthy dialogue between Clean Earth and the public. The public's input is now being incorporated into the execution of this project and ongoing communication is recommended to occur directly between Clean Earth and community members as the RD&D project matures. Documents will continue to be added to the on-line repository as appropriate, including draft permits from NYSDEC when issued. No additional public meetings are recommended prior to the publication of a draft RD&D permit.

The NYSDEC decision to authorize work as outlined in RD&D Permit Application Number 5-5330-00038/00027 should be based on an evaluation of all data submitted in support of this RD&D Project while considering related comments received from the community. In the RD&D permit application, Clean Earth has demonstrated that the impact on and the potential risk to the public of the proposed approximately two-week operation will be negligible. This RD&D project will give the NYSDEC an opportunity to participate in and gather at-scale scientific data to support future NYSDEC PFAS management decisions. We recommend that NYSDEC draft the requested RD&D permit and post it for public comment.

To protect the Personally Identifiable Information (PII) of the community members that participated in the outreach described in this PPP, the appendices have been removed from this copy of the Certification Report.