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Victor, New York 14564
888-563-1340

**NYS Electronic Equipment Recycling & Reuse Act
6 NYCRR Subpart 368-3 - Regulations Update**

Dear Denise,

On February 8, 2022, the NYS Department of Environmental Conservation (DEC) filed a notice of adoption with the NYS Department of State to repeal and replace Part 368. The adopted rule, known as 6 NYCRR Subpart 368-3, includes regulatory changes to the NYS Electronic Equipment Recycling & Reuse Act (EERRA) and requires that we update and amend our existing electronics recycling agreement with Town of Hopewell. **The effective date for the above regulatory change is January 1, 2023.**

One of the major changes to the regulations is related to the fees that consumers and collection sites pay to recycle their electronics. The new regulations prohibit recyclers from charging fees to Collection Sites for Covered Electronic Equipment (CEE) and Collection Sites are prohibited from charging fees to consumers for CEE. **Starting January 1, 2023, the fees associated with electronics recycling will be covered by the Original Equipment Manufacturers (OEM's)** as this was the original intent of the EERRA.

The great news about this regulatory change is that you will still receive the exact same service from EWASTE+ that you have become accustomed to, including customized logistics, DEC reporting and account management. But you will no longer have to pay the same fees that you have paid in the past.

IMPORTANT - As a registered Collection Site, you likely received an email from the NYS DEC on or around August 15, 2022, that speaks to becoming a "Program Partner"; which is a new entity classification within the updated regulations. Program Partners can expect to have their recycling fees covered by OEM's. **EWASTE+ has already chosen to become a Program Partner under several OEM and Collective acceptance programs and has already secured collection and recycling contracts for 2023.**

As an existing registered Collection Site, an existing customer of EWASTE+ and an existing member of the EWASTE+ Alliance Network, Town of Hopewell can become an associated Program Partner with EWASTE+ and receive free electronics recycling services starting in 2023. **To accomplish the above, we need to amend our existing agreement to eliminate recycling fees effective January 1, 2023.**

EWASTE+ is committed to an ongoing relationship with Town of Hopewell and being your associate Program Partner through this transition and beyond. We are here to help with any questions you may have and will do our best to assist you in any way we can.

In the coming weeks, we will be in touch to discuss the steps we need to take to complete an amendment to our contract so we can provide free electronics recycling for Town of Hopewell starting in 2023.

Sincerely,

Brandon Scribner
Director of Client Services



Department of Health

KATHY HOCHUL
Governor

MARY T. BASSETT, M.D., M.P.H.
Commissioner

KRISTIN M. PROUD
Acting Executive Deputy Commissioner

Margaret Hilton
Hopewell Cons WD 1
2716 County Road 47
Canandaigua, NY 14424

New York State Community Water Systems
Serving 3,301 people or more

September 2022

Completing Water Supply Emergency Plans Updates

As part of the five-year update and submission process required by Public Health Law (PHL) §1125, please review your entire water supply emergency plan (WSEP). A complete WSEP consists of two separate documents: the vulnerability assessment (VA) and the emergency response plan (ERP). The following provides additional information about requirements as you update your documents.

Contact Information: PHL §1125(5) requires that updated communication and notification information be provided annually to the New York State Department of Health (Department). Please also take this opportunity to verify that your response partners, including your local health department (LHD), have your current contact information.

Updated Small System Templates: The small system VA and ERP templates have been revised to meet regulatory requirements. In accordance with PHL §1125(a), systems wishing to continue to use the small systems templates must use the 2022 version. The templates are available from your LHD or from the Department's webpage at: https://www.health.ny.gov/environmental/emergency/water/drinking/preparing_emergency_response_plans.htm.

Cybersecurity: The cybersecurity vulnerability analysis is a required component of the VA and must be submitted as part of the five-year update. The cybersecurity component should be reviewed and updated as needed. Proposed corrective actions which have been completed should be indicated as such. For corrective actions which have not been completed and the target completion dates have passed, new dates must be proposed.

Required Components: Public Health Law §1125 requires that several items be included in each WSEP. The following are required items frequently missing from plans:

- The VA must indicate which law enforcement agencies were consulted. PHL §1125(2)(k) requires the VA must be prepared after consultation with local and state law enforcement.
- The VA must include proposed corrective actions and target completion dates for identified vulnerabilities. PHL §1125(2) requires the WSEP to identify the steps necessary to ensure that potable water is available during a water supply emergency. Corrective actions must reduce or remove the risk posed to the system by the vulnerability. Target completion dates must not have passed. Where a system has

decided not to take corrective action for an identified vulnerability, that decision must be documented, and justification provided.

- The ERP must indicate the location of the version of the ERP available for public review. PHL §1125(3) requires that a version of the ERP be available for public review and comment. However, any information determined by the water supplier to pose a security risk to operation of the water supply shall be exempt from public disclosure. Unless specifically requested by your LHD, please do not submit the public version of your ERP.
- The VA and ERP must address pandemic and supply chain shortages. PHL §1125(2) requires the WSEP to identify the steps necessary to ensure that potable water is available during a water supply emergency. NYSDOH has determined that pandemics and supply chain shortages are reasonably anticipated emergencies which must be addressed in the WSEP.

America's Water Infrastructure Act (AWIA) of 2018: The risk and resilience assessments (RRA) and emergency response plans (ERP) required by AWIA must include several items not required by the NYSDOH WSEP program. While water systems are responsible for ensuring their documents meet the requirements of AWIA, the Department will require revisions when we identify AWIA requirements that are not met. The following are items specifically required by AWIA that may not already be in your water supply emergency plan:

- The documents must be prepared in consultation with the Local Emergency Planning Committee to the extent possible.
- VA must include an assessment of the monitoring practices of the system.
- VA must include an assessment of the operation and maintenance of the system.
- ERP must include actions, procedures, and equipment which can obviate or significantly lessen the impact of malevolent acts or natural hazards, including:
 - The construction of flood protection barriers
 - The relocation of water intakes
- ERP must include strategies that can be used to detect malevolent acts or natural hazards that threaten the security or resilience of the system.

Emergency Planning and Community Right-to-Know Act (EPCRA): AWIA amended Section 312(e) of EPCRA to grant community water systems access to EPCRA Tier II information, also known as hazardous chemical inventory data, for facilities within their source water area. Water systems are encouraged to access this information and, where stored chemicals pose additional risk, update their water supply emergency plans accordingly. Instructions to obtain access to Tier II chemical inventory information using E-Plan are available at: https://www.health.ny.gov/environmental/emergency/water/drinking/docs/nys_tier_II_access_for_commercial_water_supplier.pdf. The data may also be accessed by contacting the New York State Division of Homeland Security and Emergency Services (DHSES) directly at SERC.OEM@dhSES.ny.gov.

Document Submission: Updated WSEP must be submitted to your LHD.

- Water systems must provide two (2) copies of the VA and two (2) copies of the ERP. To meet the requirements of PHL §1125(5), one copy of your VA will be provided by the Department to DHSES.

If you need assistance completing your updates by your submittal deadline, please contact your LHD. Technical assistance may be available from your LHD, the Department's Bureau of Water Supply Protection, or for systems serving less than 10,000 persons, from the New York Rural Water Association.

**NOTIFICATION
TOTAL TRIHALOMETHANES**

Date: 10/19/2022

To: Customers/Residents of: Hopewell Consolidated WD1

From: Town of Hopewell Water Districts

Required water quality tests conducted quarterly and averaged as a locational running annual average for the previous twelve months indicated the presence of total trihalomethanes at 86 micrograms per liter (ug/l), which is above the maximum contaminant level (MCL) allowed in a public water supply of 80 micrograms per liter (ug/l). This is a maximum contaminant level violation of the State Sanitary Code Section 5-1.52 Table 3. This violation requires public notice be provided to all customers on a quarterly basis for as long as the violation exists.

The New York State Department of Health sets drinking water standards and has determined that the presence of total trihalomethanes is a possible health concern. Trihalomethanes are a group of chemicals that includes chloroform, bromoform, bromodichloromethane, and chlorodibromomethane. Trihalomethanes are formed in drinking water during treatment by chlorine, which is the most commonly used disinfectant in New York State. Chlorine reacts with certain acids that are naturally-occurring organic material (e.g., decomposing vegetation such as tree leaves, algae or other aquatic plants) in surface water sources such as rivers and lakes. The amount of trihalomethanes formed in drinking water during disinfection can change from day to day, depending on the temperature, the amount of organic material in the water, the amount of chlorine added, and a variety of other factors. Drinking water is disinfected by public water suppliers to kill bacteria and viruses that could cause serious illnesses. For this reason, disinfection of drinking water by chlorination is beneficial to public health.

Some studies suggest that people who drink chlorinated water (which contains trihalomethanes) or water containing elevated levels of trihalomethanes for long periods of time may have an increased risk for certain health effects. For example, some studies of people who drank chlorinated drinking water for 20 to 30 years show that long term exposure to disinfection by-products (including trihalomethanes) is associated with an increased risk for certain types of cancer. A few studies of women who drank water containing trihalomethanes during pregnancy increased risks for low birth weights, miscarriages and birth defects. However, in each of the studies, how long and how frequently people actually drank the water, as well as how much trihalomethanes the water contained is not known for certain. Therefore, we do not know for sure if the observed increases in risk for cancer and other health effects are due to trihalomethanes or some other factor. The individual trihalomethanes chloroform, bromodichloromethane and dibromochloromethane cause cancer in laboratory animals exposed to high levels over their lifetimes. Chloroform, bromodichloromethane and dibromochloromethane are also known to cause effects in laboratory animals after high levels of exposure, primarily on the liver, kidney, nervous system and on their ability to bear healthy offspring. Chemicals that cause adverse health effects in laboratory animals after high levels of exposure may pose a risk for adverse health effects in humans exposed to lower levels over long periods of time.

The following areas have been affected: St Rt 21, Schutt Rd, Johnson Rd, Pinetree Dr, Latting Rd, Standpipe Rd.

The following steps are being taken to correct this violation: Flushing Water Mains

At this time no additional precautions by customers/residents are necessary. If you have any questions, please contact Hopewell Water Dept. at 585-394-3960.

TTHM in DRINKING WATER: INFORMATION FOR CONSUMERS

What are TTHM?

Total trihalomethanes (TTHM) are a group of disinfection byproducts that form when chlorine compounds that are used to disinfect water react with other naturally occurring chemicals in the water. They are colorless, and will evaporate out of the water into the air. There are four significant TTHM potentially found in disinfected drinking water and their combined concentration is referred to as total TTHM.

Levels of TTHM generally increase in the summer months due to the warmer temperatures, but can also be affected by seasonal changes in source water quality or by changing amount of disinfection added. Water systems often can experience temporary increases in TTHM due to short-term increases in chlorine disinfection. Chlorine disinfection increases can occur when there is a water main break, when water systems are under repair, or when there is a potential microbial (example: bacteria) problem or threat.

All water systems that use chlorine to disinfect the water are required by federal and state law to sample for TTHM on a regular basis (quarterly, or once every three months).

Why is chlorine added?

Chlorine is used to disinfect drinking water. Disinfection of water supplies is necessary to prevent illness from waterborne disease-causing bacteria; it is a federal and state requirement. The practice of disinfection has nearly eliminated most acute waterborne diseases in the United States.

Disinfection of the water first kills any microorganisms that it may contain. Then, a small amount of disinfectant is needed in the water as it travels through the pipes in the distribution system. This prevents regrowth of microorganisms, or contamination for an outside source, such as during a water main break.

What is the Drinking Water Standard for TTHM and how is compliance determined?

Drinking water standards are called maximum contaminant level (MCLs). MCLs are set to limit risks to people from chemicals in drinking water. Some MCLs limit the daily amount consumed (for chemicals that pose an immediate risk), and some limit the amount averaged over a long period of time (for chemicals that pose a long-term risk). The TTHM MCL is set at a level that balances the immediate risk of bacterial contamination should the water not be adequately disinfected and the long-term risk of health effects, such as cancer, potentially associated with long term exposures to TTHM. The USEPA has set an MCL for TTHM of 80 parts per billion (ppb) or micrograms per liter (ug/L) as an annual average. Federal and State compliance with the MCL requires that the running annual average of four samples (i.e., quarterly, or once every three months over a year) not exceed the MCL at each sampling location.

How can consumers be exposed to TTHM in drinking water?

People may be exposed to TTHM in drinking water from ingestion (i.e., drinking the water and ingesting it in foods and/or ice prepared with the water). In addition, TTHM vaporize readily into the air so inhalation exposure to TTHM can be significant, especially when showering and bathing, as can exposure from absorption through the skin.

TTHM in DRINKING WATER: INFORMATION FOR CONSUMERS

What are the health risks associated with using water containing TTHM?

The MCL for TTHM is based on potential cancer risks following lifetime of drinking the water. TTHM are considered to be possibly carcinogenic to humans by USEPA because of evidence of carcinogenicity in experimental laboratory animals and limited evidence in people. Some of the individual chemicals that comprise TTHM have also caused other effects in experimental laboratory animals following high levels of exposure, including toxicity to the liver, kidneys, neurological and reproductive systems. Various adverse reproductive and developmental effects have been observed in experimental laboratory animals following exposure to disinfection byproducts (which include TTHM). In some, but not all, studies in people, similar effects have also been reported. In general, young children may be more susceptible to the effects from any chemical exposure, such as TTHM, because their ability to metabolize chemicals is not mature and because their exposures may be greater for their size than in adults. More research is being conducted to better understand the potential risks from using water containing TTHM.

Based on the available information, long term consumption of TTHM in drinking water above the MCL may increase the risk of certain types of cancer (e.g., bladder, colon, and rectal) and other adverse effects in some people. The degree of risk for these effects will depend on the TTHM level and the duration of exposure. Consumption of water with TTHM levels somewhat above the MCL for limited durations, for example, while corrective actions are being taken to lower the levels, is not likely to significantly increase risks of adverse health effects for most people. Because some data indicates that disinfection byproducts may increase the risk of developmental effects, women who are pregnant or may become pregnant may wish to avoid consuming water containing TTHM and other disinfection byproducts exceeding the drinking water standard.

If you are concerned and would like to reduce your exposure to TTHM, what can you do?

If you are concerned about TTHM and want to reduce your exposure, you can do the following:

- Use bottled water.
- Use water filters (e.g., a pitcher style or a point of use treatment filter that can be mounted on the faucet, under the sink, or on the counter top) or install a point-of-entry whole-house filtration system.
- To reduce overall TTHM exposure risk:
 - Ventilate the bathroom when bathing or showering;
 - Operate room exhaust fans or ventilate room (open window) when boiling water, washing with hot water or running the dishwasher;
 - Reduce the length of showers and baths;
 - Reduce the temperature on hot water heaters; and
 - Limit time spent in or around chlorinated pools or hot tubs.

RESOLUTION # 22
PUBLIC SPACE DESIGNATION
OF TOWN OF HOPEWELL PROPERTY

WHEREAS, The Town of Hopewell is committed to protecting the rights of citizens under the First Amendment of the United States Constitution, while implementing policies and procedures that protect the health, safety, welfare, and personal privacy of the Town's employees and the general public who do business with or use the services of the Town; and

WHEREAS, The annexed policy ("Policy") is intended to delineate the portions of Town Property (as defined therein) that are accessible to and observable by the general public from those portions that are accessible on a limited basis; and

WHEREAS, The Town Supervisor recommends the adoption of this resolution; now, therefore, be it

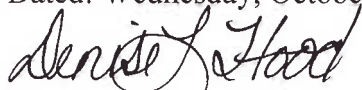
RESOLVED, Each department shall designate their Town spaces using the terms, guidelines, and definitions within the Policy annexed hereto; and further

RESOLVED, That copies of this resolution shall be transmitted by the Town Clerk to each department.

I, Denise L. Hood, Town Clerk of the Town of Hopewell do hereby certify that the aforementioned Resolution was adopted by the Town Board of the Town of Hopewell on October 19, 2022, by the following vote:

	Aye	Nay
Supervisor, William Namestnik	<u> X </u>	<u> </u>
Council Member, Erin Everson	<u> X </u>	<u> </u>
Council Member, Andrew Faust	<u> X </u>	<u> </u>
Council Member, Adam Sanford		Necessarily Absent
Council Member, Jeff Trickey	<u> X </u>	<u> </u>

Dated: Wednesday, October 19, 2022



Denise L. Hood

Town of Hopewell Town Clerk

PUBLIC SPACE DESIGNATION OF TOWN PROPERTY POLICY

PURPOSE

The Town of Hopewell is committed to protecting the rights of citizens under the First Amendment of the United States Constitution, while implementing policies and procedures that protect the health, safety, welfare, and personal privacy of the Town's employees and the general public who do business with or use the services of the Town.

This policy ("Policy") is intended to delineate those portions of Town Property (as defined herein) that are accessible to and observable by the general public from those portions that are accessible on a limited basis.

Each department shall designate their town spaces using the following terms and guidelines:

Traditional Public Forum - a place that has a long-standing tradition of being used for, is historically associated with, or has been dedicated by government act to the free exercise of the right to speech and public debate and assembly. (Examples: streets, sidewalks, common areas inside/outside public buildings). Restrictions cannot be based on content or viewpoint; unrestricted forums.

Designated or Limited Access Public Forum – Spaces not traditionally regarded as a public forum but which the government has intentionally opened up for that purpose. The space is not generally open to or occupied by the public; is open to or occupied by the public on only a limited, as-needed, or by invitation basis; or is in an area generally open to or occupied by the public in close proximity to where private third parties conduct business with Town employees. (Example: conference rooms).

Nonpublic Forum – a space that is not traditionally a forum for public communication with flexibility to craft rules limiting speech. Regulations on speech must be reasonable and not an effort to suppress expression merely because of opposing views. (Examples: private work areas - personal offices, workstations, courtrooms, waiting rooms, secure locations, etc. – can be marked and treated as nonpublic forums).

Special attention must be taken when determining forum rules to ensure the public's rights are upheld.

Reasonable justifications for excluding general public from designated nonpublic forums on government property are:

- Protecting the private information of citizens;
- Prevention disruption of government business
- Public safety

Examples of protecting private information of citizens include, but are not limited to, private screening rooms for protected interviews, spacing limitations to remove view of private information, etc.

Each department will establish forum designations based on the definitions within this policy. Limited Access Areas and Nonpublic Forum spaces may be designated by doors, physical barriers, building design features, signage, reception desks or stations, stanchions, ropes, fencing, bollards, or other visible indications. The lack of visible indications shall not prevent the Town from considering or treating an area as a Limited Access Area. The Town shall retain the right to verbally instruct third parties that an area is a Limited Access Area.