



NEW YORK STATE LEGISLATURE

April 8, 2014

Commissioner Joseph Martens
NYS Department of Environmental Conservation
625 Broadway
Albany NY 12233-1011

Dear Commissioner Martens:

We write today on an urgent matter that requires the immediate attention of the Department. As you are no doubt aware, Quasar Energy Group is operating in the Town of Wheatfield in Niagara County. The company uses waste from food as well as sewage sludge to produce energy through anaerobic digestion. This process produces a byproduct known as equate, and the Department has permitted the company to spread the equate on farm fields in Wheatfield and the surrounding area.

The company claims that the equate is safe, but such refrains have been heard in Western New York before only to be proven to be absolutely wrong. The Quasar facility and the targeted farm fields exist almost literally in the shadow of Love Canal, and with that as a backdrop it is unconscionable that you would allow this facility and the spreading of potentially dangerous equate to go forward. In addition Quasar is seeking permission to construct a storage tank which would hold dangerous sewage sludge and other noxious materials in a location that lies near the Niagara River. The risk of the construction of this tank is simply too high, and therefore we request that you act immediately to halt the current or future construction of this facility.

One major concern of residents is that the elements of human waste contained in the sewage sludge and therefore in the equate may contain dangerous pathogens that could be spread from the soil to the water supply and as a result endanger public health. At a meeting called by the company last night in Wheatfield, Quasar's Chief Operating officer Clemens Halene even admitted that running sewage sludge through the digester reduces pathogens by only 90-95%. This reveals that even by their own admission there is substantial and unacceptable risk of the spread of pathogens to the local community as a result of Quasar's actions. In fact DEC standards do not allow a pathogen transfer risk of greater than 5% which this potentially represents.

Another factor that the Department must consider is that Quasar has a history of violations in other states. One such incident took place in January of 2013 when the company was cited by the Ohio Environmental Protection Agency for non-compliance with state and federal regulations outlined in their permits. Specifically, EPA Environmental Specialist Paul Vandermeer stated that Quasar's Carroll storage lagoons were "nearly filled to overflowing with biosolids" during

an inspection conducted in September. Ohio EPA spokesman Mike Settles said the violations noted in the notice of violations written to Mel Kurtz, the President of Quasar, was enough to cause "serious concern." We have attached a press article on this situation for your review.

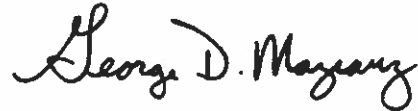
As a result of the information that has come to light over the last several months in combination with the bad track record of the company, we jointly request that you permanently revoke any permits issued to Quasar or any of its subsidiaries, including but not limited to any Limited Liability Companies (LLC's) in which it may hold an interest, controlling or otherwise, that may allow the spreading of equate, sewage sludge or any derivative product anywhere in Niagara County or in fact anywhere in Western New York. Initially Quasar did almost no community outreach to discuss its intentions and the recent public meetings called only to respond to public outrage, have raised many more questions than answers. The spreading permits must be revoked because we have no confidence in the claims made by the company and more importantly, residents almost unanimously share that view.

We look forward to your earliest action on this important request, because we truly believe that allowing Quasar to move forward with the spreading of this material will threaten public health and safety.

Sincerely,



John D. Ceretto
Assemblyman, 145th District



George D. Maziarz
Senator, 62nd District

CC: Melvin R. Kurtz, President Quasar Energy Group
enclosure