

# NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3  
21 South Putt Corners Road, New Paltz, NY 12561-1620  
P: (845) 256-3054 | F: (845) 255-4659  
[www.dec.ny.gov](http://www.dec.ny.gov)

## IMPORTANT NOTICE TO ALL PERMITTEES

The requested transfer has been issued. Enclosed is the corresponding "Application for Permit Transfer" executed by the New York State Department of Environmental Conservation (DEC), a copy of the most recent administrative renewal (effective 8/27/20), a copy of the Department-initiated modification (issued 4/15/04) which contains updated requirements for 6 NYCRR 750-2, and copy of the most recent permit (issued 3/11/86) containing effluent limits. A copy of this approval must be attached to the referenced permit. The DEC permit number & program ID number (if applicable) which are noted on the transfer form are important and should be retained for your records. These numbers should be referenced on all correspondence related to the permit, and on any future applications for permits associated with this facility/project area.

Please review all permit conditions carefully, including any monitoring requirements and/or compliance schedules that may be required. In particular, identify your initial responsibilities under the permit in order to assure timely action and avoid late reporting if required. Since failure to comply precisely with permit conditions may be treated as a violation of the Environmental Conservation Law, you are requested to provide a copy of the permit to the project contractor, facility operator, and other persons directly responsible for permit implementation.

Please note the expiration date of the permit. Applications for renewal of the following permits must be submitted to the Regional Permit Administrator:

- 180 days or more prior to the expiration date for Major Air Pollution Control, Solid Waste, and Hazardous Waste Permits; or
- 30 days or more prior to the expiration date for all other operational permits, except SPDES.

Applications for renewal submitted to the Regional Permit Administrator must be sent via electronic copy to [dep.r3@dec.ny.gov](mailto:dep.r3@dec.ny.gov), and one hard copy set mailed to the above address.

Application for renewal of SPDES permit must be submitted on forms prescribed by the department and sent both via hard copy to the Chief Permit Administrator, Division of Environmental Permits, 625 Broadway, Albany, NY 12233-1750, and via electronic copy via [deppermitting@dec.ny.gov](mailto:deppermitting@dec.ny.gov). Renewal applications must be submitted 180 days or more prior to the expiration date.

DEC encourages the regulated community to utilize both environmental compliance audits and environmental management systems to ensure all environmental compliance requirements are satisfied. If this permit transfer involves an ownership change, DEC has special terms that allow you to disclose violations you discover during the course of acquiring the new facility. If you satisfy the terms contained in the new owner's provision (Section V.J) of DEC's Environmental Audit Incentive Policy, you will be eligible to disclose and correct discovered violations. In most instances penalties can be completely waived. Please refer to the DEC website at <https://www.dec.ny.gov/regulations/93791.html> for more information on how to take advantage of these special incentives for new owners.

If you have any technical questions regarding the permit, please contact the applicable DEC program staff included on the permit transfer distribution. For general questions, you may contact me.

*Victoria Lawrence*  
Victoria Lawrence  
Division of Environmental Permits

Attachments: Transfer form, executed 12/7/23  
SPDES Renewal # 3-3356-00015/00003, effective 8/27/20, expiring 7/31/25  
SPDES Modification # 3-3356-00015/00003, issued 4/15/04  
Last Conditioned SPDES Permit #3-5154-00270/00001, issued 3/11/86

Ecc: E Tetz & Sons LLC  
E Tetz & Sons Inc  
Joe Fung, NYSDEC DOW  
DOW CO Bureau of Water Permits  
US EPA, Region 2  
Orange County Department of Health  
Town of Wawayanda



**Department of  
Environmental  
Conservation**

**Application For Permit Transfer  
and Application for Transfer of Pending Application**

NOTE: Please read ALL instructions before completing  
this application. Please TYPE or PRINT clearly in ink.

**PART 1 - TRANSFEREE (New Owner/Operator/Lessee/Applicant) Completes:**

1. List Permit Number(s) And Their Effective And Expiration Dates 3-3356-00015/00003 8/27/2020 - 7/31/2025	List Pending Application Number(s)	
2. Name Of Transferee E Tetz & Sons LLC Mailing Address 172 Prospect Hill Rd Post Office City, State, Zip Code Brewster, NY 10509	Telephone Number (Daytime) (914) 949-2000 Email kdes@peckham.com	Transferee Is a/an (check all that apply) <input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Lessee <input type="checkbox"/> Applicant If other than an individual, provide Taxpayer ID Number 06-1002084
3. Name Of Facility/Project State Hill Mine Location (or Street Address, P.O. City, State, Zip Code, if applicable) US RTE 6 - S Side - W of Seward Rd, Middletown, NY 10940	4. Facility Contact Name Kevin DeSilva Mailing Address 763 Schuyler Turnpike	Telephone Number (Daytime) (518) 945-1120 Email kdes@peckham.com
Town / Village / City Middletown	County Orange	Post Office City, State, Zip Code Athens, NY 12015
5. Has Work Begun On The Project? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If "No," proposed starting date _____	Approximate completion date _____	
If there will be any modifications to the current or proposed operation or construction, the transferee must attach a statement specifying the details		
6. CERTIFICATION: This certifies that the Transferee seeks to be the legally responsible party for operations or project development either authorized by the permits identified above or proposed in applications identified above. The Transferee has a copy of the permit(s) and/or application(s) and understands and will comply with all conditions in the referenced permit(s) and supports the content of referenced application(s). Facility operations/project scope/discharges/emissions will remain the same as authorized or as proposed in pending applications. Further, I hereby affirm that under penalty of perjury that information provided on this form and all attachments submitted herewith is true to the best of my knowledge and belief. False statements made herein are punishable as a Class A misdemeanor pursuant to Section 210.45 of the Penal Law		
Printed Name and Title of Transferee Bob Yaremko, Vice President		
Signature of Transferee <u>Bob Yaremko</u>		Date 6/26/2023

**PART 2 - TRANSFEROR (Present or Former Owner/Operator/Lessee/Applicant) Completes:**

1. Name Of Transferor E Tetz & Sons Inc Mailing Address 130 Crafty Rd Post Office City, State, Zip Code Middletown, NY 10941	Telephone Number (Daytime) (845) 692-4486 Email deniseetz@etz-sons.com	If other than an individual, provide Taxpayer ID Number 06-1002084
2. Name Of Facility/Project, if different from Facility Name in Part 1:		

3. CERTIFICATION: This certifies that ownership, operation, or a lease for the facility identified in Part 1 of this form  will be /  was conveyed to the party identified as the Transferee on June 2, 2023 (date). I affirm that this conveyance includes the rights and obligations of the permits, approvals, or applications identified above.

Printed Name and Title of Transferor Denise Tetz, Vice President Treasurer

Signature of Transferor Denise Tetz Date 6/27/23

**PART 3 - PERMIT TRANSFER VALIDATION SECTION - Department Of Environmental Conservation Completes:**

Transfer of permit approved, effective as of 12/07/2023. Transferee subject to conditions of original permit, without exception.  
 Transfer of permit approved, with the following modifications or contingencies related to this Permit Transfer:

FOR DEC USE ONLY

FOR DEC USE ONLY

See attached revised permit page(s).  
 Transfer of application approved. See attached for additional information required.  
 Transfer denied, new application required. Please complete the enclosed permit application and return it to the undersigned Regional Permit Administrator at the address listed on the reverse side of this form.

Rebecca S. Crist

Rebecca S. Crist

12/07/2023

NYSDEC PERMIT ADMINISTRATOR

SIGNATURE

DATE

copies to:

# New York State Department of Environmental Conservation

## Division of Environmental Permits

NYSDEC HEADQUARTERS

625 BROADWAY

ALBANY, NY 12233

(518) 402-9167



### SPDES PERMIT RENEWAL

8/27/2020

**E TETZ & SONS INC  
130 CROTTY RD  
MIDDLETOWN NY 10941**

**Permittee Name: E TETZ & SONS INC  
Facility Name: SLATE HILL MINE  
Ind. Code: 1442 County: ORANGE  
DEC ID: 3-3356-00015/00003 SPDES No.: NY0149497  
Permit Effective Date: 8/27/2020  
Permit Expiration Date: 7/31/2025**

Dear Permittee,

The State Pollutant Elimination System (SPDES) permit renewal for the facility referenced above is approved with the new effective and expiration dates. This letter together with the previous valid permit for this facility effective on 06/01/2015 and any subsequent modifications constitute authorization to discharge wastewater in accordance with all terms, conditions and limitations specified in the previously issued permit(s).

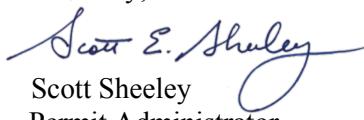
As a reminder, SPDES permits are renewed at a central location in Albany in order to make the process more efficient. All other concerns with your permit, including applications for permit modification or transfer to a new owner, a name change, and other questions, should be directed to:

Regional Permit Administrator  
NYSDEC Region 3 Headquarters  
21 S Putt Corners Rd  
New Paltz, NY 12561  
(845) 256-3041

If you have already filed an application for modification of your permit, it will be processed separately by that office.

If you have questions concerning this permit renewal, please contact Michael R Schaefer at (518) 402-9167.

Sincerely,

  
Scott Sheeley  
Permit Administrator

CC:

RPA  
BWC

RWE  
File

BWP  
EPA

# New York State Department of Environmental Conservation

## Division of Environmental Permits, 4<sup>th</sup> Floor

625 Broadway, Albany, New York 12233-1750

Phone: (518) 402-9167 • FAX: (518) 402-9168

Website: [www.dec.state.ny.us](http://www.dec.state.ny.us)

RECEIVED

APR 21 2004

NYS DEC - REGION 3  
TARRYTOWN OFFICE



Erin M. Crotty  
Commissioner

April 15, 2004

E TETZ & SONS INC  
MARIA-ACCOUNTS PAYAB  
130 CROTTY RD  
MIDDLETOWN, NY 10941

Re: Department Initiated Permit Modification  
DEC ID: 333560001500003  
SPDES Number: NY 0149497

Dear Permittee:

The purpose of this correspondence is to notify you of a Department initiated modification to the above-referenced State Pollutant Discharge Elimination System (SPDES) permit. This modification is undertaken in accordance with the provisions of the Uniform Procedures Act [6 NYCRR 621.14(a)(4)] and is due to the amendment of the existing regulation governing the administration of SPDES permits (6 NYCRR 750). The amendments incorporate provisions of the 'Part II General Conditions' supplement that serves as an additional set of conditional requirements to your SPDES permit. These amendments may be found in the enclosed copy of 6 NYCRR 750 in Section 750-2, entitled 'Operating in Accordance with a SPDES Permit.' You may also access this regulation from the internet on the Department's website at <http://www.dec.state.ny.us/website/regs/750.htm> for html format or <http://www.dec.state.ny.us/website/dow/part750.pdf> for a two sided format suitable for binding and copying.

The amendment of 6 NYCRR 750 duplicates many of the provisions of the 'Part II General Conditions' supplement, and includes some revisions and additions to those conditions. The following is a general list of locations within section of 6 NYCRR 750-2 that contain new and significant information pertaining to your permit.

- 750-2.1 General Provisions of a SPDES Permit  
(b), (f), and (k)
- 750-2.3 Inspection and Entry  
(f)
- 750-2.4 Operator and Permittee Liability  
750-2.5 Routine Monitoring, Recording, and Reporting  
(a)- (2)-(iii) and (v); (4); (5)  
(b)- (1); (2); (3)  
(c)- (1); (2)-(vii)  
(d)- (1)-(i) and (ii); (2); (3)-(iv)
- 750-2.6 Special Reporting Requirements for Dischargers that are not POTWs
- 750-2.7 Incident Reporting
- 750-2.8 Disposal System Operation and Quality Control

- (a)- (1); (2)-(i); (5); (6)
- (c)- (2)
- (d)
- (e)
- (f)
- 750-2.9 Additional Conditions Applicable to Publicly Owned Treatment Works
  - (a)- (2); (4)
  - (b)- (1); (2); (3); (4); (5); (6); (7)
  - (c)
- 750-2.10 Special Provisions- New or Modified Disposal Systems or Service Areas
  - (a); (b); (d); (e); (f); (g); (h); (i)
- 750-2.11 Closure Requirements for Disposal Systems

Also, please note that the telephone number designated by the Regional Water Engineer to receive after business hours reports (as set forth in 6 NYCRR 750-1.2(a)(73) is now (518)-457-7362.

The Department initiated modification to your permit deletes the 'Part II General Conditions' and all references to them from your permit, and further amends the permit requiring you to comply with 6 NYCRR 750-2. The specific language of the modification is contained in the attached modification page that is to be appended to your existing permit.

The Department's Uniform Procedures Act affords permittees the right to comment on Department initiated permit changes [6 NYCRR 621.14(d)]. After reviewing the content of 6 NYCRR 750-2 and its effect on your SPDES permit, should you have any objections to the permit modification, you may submit a written statement to the Department giving reasons why the permit should not be modified, request a hearing, or both. Any statement or request for hearing must be made within 15 calendar days of the mailing of this letter. Failure to submit a timely request or statement will result in the modification of your permit, becoming effective May 01, 2004.

If you have any questions on this action, please contact Andrea Sheeran at the above address, or by telephone at (518) 402-9179.

Sincerely,

*William R. Adriance*

William R. Adriance  
Chief Permit Administrator

cc: RPA  
RWE  
BWP  
file

**New York State Department of Environmental Conservation**

**Division of Environmental Permits, 4<sup>th</sup> Floor**

625 Broadway, Albany, New York 12233-1750

**Phone:** (518) 402-9167 • **FAX:** (518) 402-9168

**Website:** [www.dec.state.ny.us](http://www.dec.state.ny.us)



Erin M. Crotty  
Commissioner

**STATEMENT OF STATE POLLUTANT DISCHARGE ELIMINATION  
SYSTEM (SPDES) PERMIT MODIFICATION**

**TO BE KEPT WITH SPDES PERMIT NUMBER NY 0149497.**

**SLATE HILL SAND & GRAVEL INC  
DEC ID 333560001500003  
EFFECTIVE DATE MAY 01, 2004**

Per Department of Environmental Conservation amendment to the regulations governing the administration of the State Pollutant Discharge Elimination System Permit, this permit is hereby modified to mandate compliance with New York State Environmental Conservation Law, 6 NYCRR Part 750 entitled State Pollutant Discharge Elimination System (SPDES) Permits.

This Department initiated modification to your permit deletes the former 'Part II General Conditions' requirements and all references to them from your permit, and further amends the permit requiring you to comply with 6 NYCRR 750-2, entitled Operating in Accordance with a SPDES Permit.

## State Pollutant Discharge Elimination System (SPDES)

## DISCHARGE PERMIT

## Special Conditions (Part 1)

Industrial Code 1442  
 Discharge Class (CL) 01  
 Toxic Class (TX) 1  
 Major D.B. 13  
 Sub D.B. 06

Facility IDNumber: NY- 0149497  
 UPA Tracking Number: 3083-0814  
 Effective Date (EDP): December 1, 1984  
 Expiration Date (ExDP): December 1, 1989  
 Modification Date(s): March 11, 1986  
 Attachment(s): General Conditions (Part II, 2/85)

This SPDES permit is issued in compliance with Title 8 of Article 17 of the Environmental Conservation Law of New York State and in compliance with the Clean Water Act, as amended, (33 U.S.C. §1251 et. seq.) (hereinafter referred to as "the Act").

Attn: Mr. Edward Tetz, Jr.  
President

Permittee Name: Slate Hill Sand & Gravel, Inc.

Street: RD #2, Crystal Run Road

City: Middletown State: New York Zip Code: 10940

is authorized to discharge from the facility described below:

Facility Name: Slate Hill Sand & Gravel, Inc. - Slate Hill Plant

Location (X,T,V) Wawayanda (T) County: Orange

Mailing Address (Street): RD#2, U.S. Route 6

Mailing Address (City) Middletown State: New York Zip Code: 10940

from Outfall No. 001 at: Latitude 41° 24' 03" & Longitude 74° 27' 12"

into receiving waters known as: unnamed pond tributary to Catlin Creek Class D  
(H-139-13-62-2)

and: (list other Outfalls, Receiving Waters & Water Classification)

in accordance with the effluent limitations, monitoring requirements and other conditions set forth in this permit.

This permit and the authorization to discharge shall expire on midnight of the expiration date shown above and the permittee shall not discharge after the expiration date unless this permit has been renewed, or extended pursuant to law. To be authorized to discharge beyond the expiration date, the permittee shall apply for permit renewal as prescribed by Sections 17-0803 and 17-0804 of the Environmental Conservation Law and Parts 621, 752, and 755 of the Departments' rules and regulations.

PERMIT ADMINISTRATOR	DATE ISSUED	ADDRESS
<u>WILLIAM E. STEELE</u>	<u>MARCH 12, 1986</u>	<u>21 South Putt Corners Rd.</u> <u>New Paltz, New York 12561</u>

Distribution: P. Doshna/B. Chew  
✓ R. Hannaford, BWFD  
Orange Co. Health Dept.  
R. Baker, EPA  
L. Powell, Eustance & Horowitz, P.C.

  
 WILLIAM E. STEELE  
 SIGNATURE

FINAL EFFLUENT LIMITATIONS AND MONITORING REQUIREMENTSDuring the Period Beginning December 1, 1984and lasting until December 1, 1989the discharges from the permitted facility shall be limited and monitored by the  
permittee as specified below:

Outfall Number & Effluent Parameter	Discharge Limitations			Units	Minimum Monitoring Requirements	
	Daily Avg.	Daily Max.	Measurement Frequency		Sample Type	
<u>001 - PROCESS WASTEWATER</u>						
Flow	monitor	monitor	GPD	Monthly	Instantaneous	
Suspended Solids	25	45	mg/l	Monthly	6 Hr. Composi	
Settleable Solids		0.1	ml/l	Monthly	Grab	
pH (Range)		(6.0-9.0)	su	Monthly	Grab	

**Definition of Daily Average and Daily Maximum**

The daily average discharge is the total discharge by weight or in other appropriate units as specified herein, during a calendar month divided by the number of days in the month that the production or commercial facility was operating. Where less than daily sampling is required by this permit, the daily average discharge shall be determined by the summation of all the measured daily discharges in appropriate units as specified herein divided by the number of days during the calendar month when the measurements were made.

The daily maximum discharge means the total discharge by weight or in other appropriate units as specified herein, during any calendar day.

**Monitoring Locations**

Permittee shall take samples and measurements to meet the monitoring requirements at the location(s) indicated below: (Show locations of outfalls with sketch or flow diagram as appropriate).

Final effluent prior to discharge to unnamed pond tributary to  
Catlin Creek.

## MONITORING, RECORDING AND REPORTING

a) The permittee shall also refer to the General Conditions (Part II) of this permit for additional information concerning monitoring and reporting requirements and conditions.

b) The monitoring information required by this permit shall be:

Summarized, signed and retained for a period of three years from the date of sampling for subsequent inspection by the Department or its designated agent.

Summarized and reported by submitting completed and signed Discharge Monitoring Report forms once every 1 month(s) to the locations specified below. Blank forms available at department offices listed below.

The first report will be due no later than April 28, 1986

Thereafter, reports shall be submitted no later than the 28th of the following month(s): each month

Department of Environmental Conservation  
Regional Water Engineer, Region 3  
202 Mamaroneck Avenue  
White Plains, New York 10601

Orange County Department of Health  
124 Main Street  
Goshen, New York 10924

Department of Environmental Conservation  
Water Division  
50 Wolf Road,  
Albany, New York 12233

(Applicable only if checked)

\_\_\_\_\_, Chief  
Permit Administration Branch  
Planning & Management Division  
USEPA Region II, 26 Federal Plaza  
New York, New York 10278

c) If so directed, Monthly Wastewater Treatment Plant Operator's Reports should be submitted to the Regional Engineer and County Health Department or County Environmental Control Agency specified above.

d) Monitoring must be conducted according to test procedures approved under 40 CFR Part 136, unless other test procedures have been specified in this permit.

e) If the permittee monitors any pollutant more frequently than required by the permit, using test procedures approved under 40 CFR 136 or as specified in the permit, the results of this monitoring shall be included in the calculations and recording of the data on the Discharge Monitoring Reports.

f) Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified in this permit.

g) Unless otherwise specified, all information recorded on the Discharge Monitoring Report shall be based upon measurements and sampling carried out during the most recently completed reporting period.

h) On or after April 1, 1984, any laboratory test or sample analysis required by this permit for which the State Commissioner of Health issues certificates of approval pursuant to section five hundred two of the Public Health Law shall be conducted by a laboratory which has been issued a certificate of approval. Inquiries regarding laboratory certification should be sent to the Laboratory Certification/Quality Assurance Group, New York State Health Department Center for Laboratories and Research, Division of Environmental Sciences, The Nelson A. Rockefeller Empire State Plaza, Albany, New York 12201.