

New York State Department of Environmental Conservation
Division of Environmental Permits

NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY 13204-2400
(315) 426-7438



July 29, 2020

CARGILL INCORPORATED
15407 MCGINTY RD W
WAYZATA, MN 55391-2399

Re: DEC ID # 0-9999-00075/00001
CAYUGA SALT MINE

Dear Permittee:

This letter is to advise you that the Department proposes to modify the permit(s) referenced above, as explained in the enclosed Notice of Intent to Modify. Pursuant to 6 NYCRR Part 621.13(d), should you object to the modification you may submit a written statement giving reasons why your permit should not be modified, or you may request a hearing or both. Statements and requests for hearing must be submitted by September 11, 2020 and should be sent to me at the above address.


This modification is subject to a 30-day public comment period. Only comments received that relate to the proposal summarized in the project description need to be addressed or considered. The Department will publish the Notice of Intent to Modify in the *NYSDEC Environmental Notice Bulletin*, and the following newspaper(s) once during the week of August 3, 2020 and bear the cost of publication.

ITHACA JOURNAL
123 W STATE ST
ITHACA, NY 14850

The final decision on permit modification will await consideration of your statement and public comment or the conclusion of hearing proceedings.

If you have any questions, please contact me at the address or phone number above.

Sincerely,

 Digitally signed by
Elizabeth A. Tracy
Date: 2020.07.29
21:22:13 -04'00'

ELIZABETH A TRACY
Division of Environmental Permits

**New York State Department of Environmental Conservation
Notice of Intent to Modify**



Date: July 29, 2020

Permittee: CARGILL INCORPORATED
15407 MCGINTY RD W
WAYZATA, MN 55391-2399

Facility: CAYUGA SALT MINE
191 PORTLAND PT RD
SOUTH LANSING, NY 14882

Application ID: 0-9999-00075/00001

Permits(s) being Modified: 1 - Article 23 Title 27 Mined Land Reclamation

Project is located: in SEVERAL COUNTIES THROUGHOUT THE STATE

Project Description:

NYS DEC is proposing a Department Initiated Modification (consisting of mostly housekeeping changes) to the Mined Land Reclamation permit (DEC ID # 0-9999-00075, MLR #70052), for the Cargill, Inc. Cayuga Salt Mine. The modification will memorialize Cargill's agreement not to mine under the Frontenac Point Anomaly, conform the permit to reflect investigations conducted since the permit was originally developed, reorder and reorganize some conditions to group items in similar categories and clarify the permit condition for Consultant Services. This modification does not propose to authorize changes in the operations and mining methods utilized at the mine. A brief description of the proposed modifications is provided below:

1. Existing Condition 9 - Further Investigations, consisted of two parts that will be split into new permit conditions 9 and 10.
2. New Condition 9 - Frontenac Point Anomaly recognizes that Cargill performed additional investigations of the disturbed salt zone located near the west shore of the lake in the northern extended mineral lease area described in current permit condition 9.a. The disturbed salt area is now termed the Frontenac Point Anomaly (FPA). By letter, Cargill has agreed to not mine under the FPA and to maintain a minimum 1000-foot setback from the FPA for all mining activities. The new condition memorializes the letter and the commitment not to mine under the FPA and maintain the minimum 1000-foot setback as part of the permit.
3. New Condition 10 - Further Investigations replaces existing permit condition 9.b. It incorporates language from the existing permit condition and modifies it to identify the specific anomalies located by the additional investigation conducted by Cargill since the initial permit was issued.
4. Existing Condition 14 - Operation becomes new permit condition 15 - Operation. Existing permit condition 14.b is removed since it does not reflect the current permitting procedures. Cargill cannot proceed with underground mining activities beyond the boundary of the leased mineral rights without a permit modification approved by DEC and without a new lease agreement with Office of General Services or other appropriate entities.

5. Existing Condition 15 - Reporting, Monitoring, and Notifications was divided into new permit conditions 16 - Consultant Services (see above), 17 - Reporting and Notifications, 18 - Monitoring and 19 - Non-Routine Incidents.
6. New Condition 16 – Consultant Services addresses existing permit condition 15.a.8 to clarify Cargill’s obligation regarding the retention of the independent mining engineering geological consultant. The new permit condition removes the \$15,000 cap for the review of the annual report to reflect the rising costs associated with this review. The language regarding sharing the costs of the annual inspections with American Rock Salt is also removed since Cargill and American Rock Salt are not required to use the same independent consultant.
7. New Condition 17 - Reporting and Notifications combines existing conditions 15.a 1 through 7. Existing permit condition 15.a 1-7 becomes new permit condition 17.a i through vii. The references to other permit conditions in 17.a ii, iv and v are changed to reflect the reorganization of the permit. Existing permit condition 15.c is now new permit condition 17.b, existing permit condition 15.d is now new permit condition 17.c, existing permit condition 15.g is now new permit condition 17.d, and existing permit condition 15.h is now new permit condition 17.e.
8. New Condition 18 - Monitoring consists of existing permit conditions 15.e and 15.f with no changes to the text of the existing permit condition.
9. New Condition 19 - Non-Routine Incidents incorporates existing permit condition 15.b and adds a reporting requirement.

There is no application available to review because this is a Department Initiated Modification.

The draft permit and other associated documents are available online at <https://www.dec.ny.gov/permits/89419.html>

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available at the following site

State Environmental Quality Review (SEQR) Determination

Project is an Unlisted Action and will not have a significant impact on the environment. A Negative Declaration is on file. A coordinated review was not performed.

SEQR Lead Agency None Designated

State Historic Preservation Act (SHPA) Determination

The proposed activity is not subject to review in accordance with SHPA. The permit type is exempt or the activity is being reviewed in accordance with federal historic preservation regulations.

Coastal Management

This project is not located in a Coastal Management area and is not subject to the Waterfront Revitalization and Coastal Resources Act.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 09/11/2020

Contact Person

ELIZABETH A TRACY
NYSDEC
615 Erie Boulevard W
Syracuse, NY 13204-2400
(315) 426-7438

CC List for Notice of Intent to Modify

Chief Executive Officer

Tom Rigley

Steve Army

Kevin Roe

Joe Sluzar

File