

1983 MLR Permit ^{DRA FILE}



Henry G. Williams
Commissioner

New York State Department of Environmental Conservation

Region IV
2176 Guilderland Avenue
Schenectady, NY 12306
(518) 382-0680

September 16, 1983

Mr. Paul Kneuer, President
Norlite Corporation
P.O. Box 694
Cohoes, NY 12047

Re: UPA #40-83-0303
Permit Term: 1983-1986
Mined Land File #413-32-0002
For: Surface Consolidated
Shale Mine
Location: Just S. City Line
of Cohoes
Town: Colonie
County: Albany

Dear Mr. Kneuer:

Enclosed is your permit for mining as defined in the Mined land Use Plan. The permit must be publicly displayed at the mine and must, at all times, be visible, legible and protected from the elements.

Also, please note the special conditions included with the permit.

If this permit is destroyed, lost or mutilated, contact this office so that a certified copy may be issued.

Also, feel free to contact this office if you have any other questions.

Sincerely,

Jeffrey J. Sama
Regional Permit Administrator

JJS/sar
Enclosures

xc: Al Hewitt - Region IV Mined Land
Bernard Schmelz (T) Colonie
Norm McBride - Region IV Fisheries



NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION
BUREAU OF MINERALS • ALBANY, NEW YORK 12233

MINING PERMIT

NO. 00195

File No. 40-83-0303 Fee \$2.00.00 Expiration Date August 1, 1986
MLF#413-32-0002

Pursuant to Section 23-2711 of the Environmental Conservation Law,

Mr. Paul Kneuer, President
Norlite Corporation
P.O. Box 694
Cohoes, NY 12047

is hereby authorized to operate a mine located in the County of Albany,
Town of Colonie.

This permit certificate constitutes part one of the mining permit. Part two consists of the application and other documents on file at the Department's regional headquarters.

Issued by: [Signature] Department Representative Title Regional Permit Administrator Date 9/16/83

This permit, or a copy certified by the department, must be publicly displayed by the operator at the mine and must at all times be visible, legible, and protected from the elements.

85-20-1 (5/76)

ORIGINAL

PERMIT CONDITIONS

PERMIT # 00195

MLR # 413-32-0002

APPLICANT: Norlite Corporation

UPA: 40-83-0303

STANDARD CONDITIONS

1. The permittee must operate the mine in accordance with Parts 420 through 426 of Subchapter D of Chapter 4 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York.
2. The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation who may order the work suspended if the public interest so requires.
3. As a condition of the issuance of this permit, the applicant has accepted expressly, by the execution of the application, the full legal responsibility for all damages, direct or indirect, of whatever nature, and by whomever suffered, arising out of the project described herein and has agreed to indemnify and save harmless the State from suits, actions, damages and costs of every name and description resulting from the said project.
4. A report must be submitted annually on the anniversary of the permit issuance date indicating the numbers of acres affected and the number of acres reclaimed during the reporting year. If you decide to discontinue operation, a termination notice must be filed sixty (60) days prior to the scheduled temporary or permanent cessation of mining.
5. The issuance of this Permit does not refer to any constructed features contained on the plans or in the specifications, nor does the Permit refer to safety aspects of the operation and/or reclamation plan. The issuance of the Permit merely acknowledges that the proposed reclamation appears consistent with the mining method and appears feasible at the specific location.
6. All work carried out under this Permit shall be performed in accordance with established engineering practice and in a workmanlike manner.
7. This permit shall not be construed as conveying to the permittee any right to trespass upon the land or interfere with the riparian rights of others to perform the permitted work or as authorizing the impairment of any rights, titles or interest in real or personal property held or vested in a person not a party to the Permit.

Permit Conditions Cont'd

8. This Permit does not release the permittee from the need to get local approval where required. Where local ordinances or regulations regulate mining, the permittee must also obtain permission or approval from the local authority having jurisdiction.
9. The NYSDEC Region IV Permit Administrator, 2176 Guilderland Avenue, Schenectady, New York 12306 shall be given written notification upon the completion of mining for each 10 acres effected.

SPECIAL CONDITIONS

10. Quarry operation will be limited to the hours of 6:00 am to 9:00 pm Monday through Saturday.
11. Topsoil stockpiles must be graded and seeded if erosion problems occur.
12. The operation will be conducted in accordance with the Mining Plan and Reclamation Plan dated June 2, 1983 map number 6230 and 6231 prepared by Dunn Geoscience Corporation.
13. Siltation control measures will be instituted in the quarry to prevent siltation of the Salt Kill.

New York State Department of Environmental Conservation

Region IV Headquarters
2176 Guilderland Ave.
Schenectady, New York 12306
(518) 382-0680



January 26, 1983

Mr. James Ryan, P.E.
Engineering and Planning Services Department
Town of Colonie
Memorial Town Hall
Newtonville, New York 12128

RE: Mined Land File 413-32-2
Norlite

Dear Mr. Ryan:

This letter will acknowledge receipt of your January 7, 1983 letter requesting that the Town of Colonie Engineering and Planning Services Department be named lead agency for the referenced mining permit application. The Department of Environmental Conservation has no objection to your agency assuming lead agency status for this action.

As lead agency in this matter, your agency must assess the potential environmental impacts of the project and determine the applicability of an Environmental Impact Statement (EIS) for the action. It is now Department policy to assess mining permit applications and SEQRA statements over the life of the mine. This precludes a new environmental review each time a mining permit is subject to renewal.

To insure Norlite's compliance with both State and local laws, it may be advantageous for us to coordinate our review. If you would like to discuss this matter further, please feel free to contact me.

Sincerely,

David S. Hamling
Mined Land Reclamation Specialist
Region IV

cc: Norlite Corp. - Paul Kneuer
bcc: ~~Jeff Sama~~
DSH:dl

Norlite Corporation



P.O. BOX 694 628 SO. SARATOGA ST. COHOES, N. Y. 12047 TEL.: (518) 235-0401

July 27, 1983

NYSDEC
Region IV
2176 Guilderland Avenue
Schenectady, New York 12306

Attn: David Stout - Environmental Analyst

Re: DEC #40-83-0303

Dear Mr. Stout:

In response to your letter dated July 14, 1983 under the above heading, enclosed is proof of publication of "Notice of Complete Application" published July 21, 1983 in the Albany Times Union.

Yours very truly,

NORLITE CORPORATION

A handwritten signature in dark ink, appearing to read "Paul R. Kneuer".

Paul R. Kneuer
Executive Vice President

Enc:

STATE of NEW YORK

City and County of Albany

ss.:

D. A. SODEN

LEGAL NOTICE

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION NOTICE OF COMPLETE APPLICATION.

Date: 7/14/83

Applicant: Norlite Corporation.
Address: Paul Kneuer, P.O. Box 694, Cohoes, NY 12047. Permits applied for and application number(s) DEC # 40-83-0303, MLF #413-32-0002. Mining land - 3 year renewal.

Project description and location. Town/City of Colonie, County of Albany. Operate a surface consolidated shale mine. 75 acres of land will be affected during the life of the mine. 42.2 acres of land will be affected during the 1983-1986 permit term. Shale will be drilled, blasted and loaded into trucks by front-end loaders. This mine produces shale from the Normanskill Formation for the production of light weight aggregate. This project is located just south of the southern boundary line of the City of Cohoes.

SEQR DETERMINATION: SEQR-2 Project is a Type 1 action; it has been determined that the project will not have a significant effect on the environment. A Negative Declaration has been prepared and is on file.

SEQR AGENCY: Town of Colonie, Engineering and Planning

.....
of the city of Albany, being duly sworn, says that he is **PRINCIPAL CLERK**
of the **ALBANY TIMES UNION**, a daily newspaper printed in the County of Albany, Town of Colonie and Published in the County of Albany, Town of Colonie and the City of Albany, aforesaid and that notice of which a printed copy is annexed, has been regularly published in the said **ALBANY TIMES UNION**,

times a week for successive weeks,
..... times commencing on the 21st
day of July 1983
.....
.....
.....

Sworn to before me, this 21st
day of July 1983
.....
FRANCES M. MELICK
Notary Public, State of New York
Qualified in Greene County
Commission Expires March 30, 1984
4517561

Notary Public
Albany County

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

NOTICE OF COMPLETE APPLICATIONApplicant: Norlite Corporation Date: 7/14/83Address: Paul Kneuer, P.O. Box 694, Cohoes, NY 12047Permits applied for and application number(s) DEC #40-83-0303, MLF #413-32-0002Mining land - 3 year renewalProject description and location. Town/City of Colonie County of Albany

Operate a surface consolidated shale mine. 75 acres of land will be affected during the life of the mine. 42.2 acres of land will be affected during the 1983-1986 permit term. Shale will be drilled, blasted and loaded into trucks by front-end loaders. This mine produces shale from the Normanskill Formation for the production of light weight aggregate. This project is located just south of the southern boundary line of the City of Cohoes.

SEQR DETERMINATION: (check appropriate box)

- SEQR-1 Project is not subject to SEQR because it is an exempt, excluded or a Type II action.
- SEQR-2 Project is a Type I action; it has been determined that the project will not have a significant effect on the environment. A Negative Declaration has been prepared and is on file.
- SEQR-3 Project is an unlisted action; it has been determined that the project will not have a significant effect on the environment.
- SEQR-4 A draft environmental impact statement has been prepared on this project and is on file.
- SEQR-5 A final environmental impact statement has been prepared on this project and is on file.

SEQR LEAD AGENCY Town of Colonie, Engineering and Planning Services Dept.AVAILABILITY FOR PUBLIC COMMENT: Applications may be reviewed at the address listed below. Comments on the project must be submitted to the Contact Person indicated below by no later than 8/5/83

CONTACT PERSON:

**David Stout, Environmental Analyst, NYSDEC Region IV, 2176 Guilderland Avenue
Schenectady, NY 12306 (518) 382-0680**

TO THE APPLICANT:

1. THIS IS NOT A PERMIT

- This is to advise you that your application is complete and a review has commenced. Additional information may be requested from you at a future date, if deemed necessary, in order to reach a decision on your application.
- Your project is classified MAJOR. Accordingly, a decision will be made within 90 days of the date of this Notice. If a public hearing is necessary, you will be notified within 60 days and the hearing will commence within 90 days of the date of this notice. If a hearing is held, the final decision will be made within 60 days after the hearing is completed.
- Publication of this Notice in a newspaper is: required not required
If required, please consult the accompanying transmittal letter for further instructions.

CC: Chief Executive Officer Fred Field, Jr., Supervisor
Environmental Notice Bulletin, Room 509, 50 Wolf Road, Albany, N.Y. 12233-0001
File

FILE