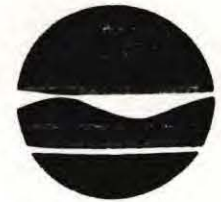


1990.08.30 MLR Permit
DRA F. [unclear]

New York State Department of Environmental Conservation
2176 Guiderland Avenue, Schenectady, New York 12306
Telephone (518) 382-0680



8-30-90

Thomas C. Jorling
Commissioner

Dear Permittee:

The permit you applied for is enclosed. Please read it carefully and note the special conditions that are included in it. The permit is valid for only those activities expressly authorized therein. Work beyond the scope of the permit and the approved project plans may be considered a violation of law and be subject to appropriate enforcement action. Should you object to the permit as issued and are unable to resolve such objections with this office you may, within 30 calendar days of this transmittal request a hearing in writing from the Regional Permit Administrator.

If this permit is associated with a project that will entail construction of new pollution control facilities, or is a modification to existing facilities, the plans for the system design must be approved by this Department or if indicated in the permit by either the NYS Department of Health or delegated local Health Department.

Please note the expiration date of the permit. Applications for permit renewal must be made in advance of the expiration date. Please refer to your permit and/or 6NYCRR 621 (Uniform Procedures) for specific instructions.

The following numbers pertain to this permit and should be referenced on all correspondence related to this permit and any future applications for permits associated with this facility/project area.

| | | | |
|-------------------------|-------------------------------|--------------|-----------|
| DEC PERMIT NO: | <u>4-0103-</u> | <u>16/19</u> | <u>-0</u> |
| FACILITY NAME: | <u>NORITE CORP COHOES PIT</u> | | |
| LOCATION (Co.) (T,C,V): | <u>(T) COLONIE</u> | | |

If this box is checked, this is an Air Pollution Control (APC) Permit to Construct. When the project is completed, you must resubmit your application to this office for approval of an Air Pollution Control (APC) Permit to Operate the emission point.

If you have any questions on the extent of work authorized, or your obligations under the permit, please feel free to contact me.

Sincerely yours,

David Stout

Division of Regulatory Affairs
Region 4

15WC30
GENFORMS\1GF3
Enclosures
cc: (Air Permits Only)

| |
|---|
| DEC PERMIT NUMBER 4-0103-16/19-0 |
| FACILITY/PROGRAM NUMBER(s) MLF #413-32-002 |



PERMIT
Under the Environmental Conservation Law

| |
|---------------------------------------|
| EFFECTIVE DATE August 31, 1990 |
| EXPIRATION DATE(s) August 31, 1993 |

| | | |
|--|--|---|
| <input type="checkbox"/> Article 15, Title 3; 6NYCRR 327, 328, 329: Aquatic Pesticides | <input type="checkbox"/> 6NYCRR 608: Water Quality Certification | <input type="checkbox"/> Article 25: Tidal Wetlands |
| <input type="checkbox"/> Article 15, Title 5: Protection of Water | <input type="checkbox"/> Article 17, Titles 7, 8: SPDES | <input type="checkbox"/> Article 27, Title 7; 6NYCRR 360: Solid Waste Management* |
| <input type="checkbox"/> Article 15, Title 15: Water Supply | <input type="checkbox"/> Article 19: Air Pollution Control* | <input type="checkbox"/> Article 27, Title 9; 6NYCRR 373: Hazardous Waste Management |
| <input type="checkbox"/> Article 15, Title 15: Water Transport | <input checked="" type="checkbox"/> R, M, O Article 23, Title 27: Mined Land Reclamation | <input type="checkbox"/> Article 34: Coastal Erosion Management |
| <input type="checkbox"/> Article 15, Title 15: Long Island Wells | <input type="checkbox"/> Article 24: Freshwater Wetlands | <input type="checkbox"/> Article 36: Floodplain Management |
| <input type="checkbox"/> Article 15, Title 27: Wild, Scenic and Recreational Rivers | N—New, R—Renewal, M—Modification, C—Construct (*only), O—Operate (*only) | <input type="checkbox"/> Articles 1, 3, 17, 19, 27, 37; 6NYCRR 380: Radiation Control |

| | | |
|--|------------------|------------------------------------|
| PERMIT ISSUED TO Norlite Corporation | | (518) 235-0401 |
| ADDRESS OF PERMITTEE Jay Derman, P. O. Box 694, Cohoes, NY 12047 | | |
| AGENT FOR PERMITTEE/CONTACT PERSON Mark Zdunczyk, Dunn Geoscience, 12 Metro Park Road, Albany, NY 12205 | | TELEPHONE NUMBER (518) 458-1313 |
| NAME AND ADDRESS OF PROJECT/FACILITY (if different from Permittee) | | |
| LOCATION OF PROJECT/FACILITY W of Kilns E of City Cohoes Line, N of Elm St. | COUNTY Albany | TOWN/CITY/VILLAGE Colonie |
| DESCRIPTION OF AUTHORIZED ACTIVITY Mine 37.2 acres of shale and clay from the 75 acre site as shown on approved plans but mostly NW of the Kilns on a new 7.2 acre area labelled 1989-92. Some clay will be used to construct and/or cover the shale fines disposal area. Final reclamation will be a groundwater storage area. | | UTM COORDINATES 473406N, 60574E |

GENERAL CONDITIONS

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations and the conditions specified herein or attached hereto.

- The permittee shall file in the office of the appropriate regional permit administrator, or other office designated in the special conditions, a notice of intention to commence work at least 48 hours in advance of the time of commencement and shall also notify him/her promptly in writing of the completion of the work.
- The permitted work shall be subject to inspection by an authorized representative of the Department of Environmental Conservation which may order the work suspended if the public interest so requires pursuant to ECL §71-0301 and SAPA §401(3).
- The permittee 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.
- The Department reserves the right to modify, suspend or revoke this permit at any time after due notice, and, if requested, hold a hearing when:
 - the scope of the project is exceeded or a violation of any condition of the permit or provisions of the ECL and pertinent regulations are found; or
 - the permit was obtained by misrepresentation or failure to disclose relevant facts; or
 - newly discovered information or significant physical changes are discovered since the permit was issued.
- To maintain a valid permit, the permittee must submit a renewal application, including any forms, fees or supplemental information, which may be required by the Department, at least 30 days prior to the expiration date of the existing permit (180 days prior for: State pollution discharge elimination system permits (SPDES), Solid waste management facilities permits (SWMF), or Hazardous waste management facilities permits (HWMF)).
- This permit shall not be construed as conveying to the applicant any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work or as authorizing the impairment of any rights, title or interest in real or personal property held or vested in a person not a party to the permit.
- The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way which may be required for this project.
- Issuance of this permit by the Department does not, unless expressly provided for, modify, supersede or rescind an order on consent or determination by the Commissioner issued heretofore by the Department or any of the terms, conditions, or requirements contained in such order or determination.
- Any modification of this permit granted by the Department must be in writing and attached hereto.

| | | |
|---|--|---|
| PERMIT ISSUANCE DATE August 29, 1990 | PERMIT ADMINISTRATOR Deputy Arthur N. Henningson | ADDRESS 2176 Guilderland Avenue Schenectady, NY 12306 |
| AUTHORIZED SIGNATURE | | Page 1 of 3 |

ADDITIONAL GENERAL CONDITIONS FOR ARTICLE 23, Title 27 (Mined Land Reclamation)

10. Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect during the mining operation. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the Department in writing.
11. The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.
12. If the permittee decides to discontinue operation, a termination notice must be filed 60 days prior to the scheduled temporary or permanent cessation of mining.
13. The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.
14. If any archaeological or structural remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify the NYSDEC Regional Office. Work shall not resume until written permission to do so has been received from the Department.
15. Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.
16. The enclosed permit and permit sign must be conspicuously posted in a publicly accessible location at the project site. They must be visible, legible and protected from the elements at all times.
17. All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or his agent as part of the permit application.

Such approved plans were prepared by Mark Zdunczyk of
Dunn Geoscience, Map 8439 on 7/17/89.

SPECIAL CONDITIONS

1. Quarry operation will be limited to the hours of 6:00 am to 9:00 pm Monday through Saturday.
2. The operation will be conducted in accordance with the Mining Reclamation Plan dated June 2, 1983 map number 6231 prepared by Dunn Geoscience Corporation.
3. By the end of this permit term, topsoil adequate to reclaim all land not to be under water in the final reclamation shall be stockpiled for later use. Such stockpiles shall be seeded and maintained in a stable condition.
4. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department Spill Hotline (1-800-457-7362) within 2 hours.
5. All blasting shall be undertaken, monitored and recorded by a blaster licensed by the New York State Department of Labor. The permittee shall maintain copies of all blasting records. Such records shall be made available to the Department upon request.
6. There shall be no disposal of landfill materials, trash or garbage, demolition debris, or other wastes in the mine.
7. Dust generated by mining activities and haul road use shall be controlled by water spray as often as needed to suppress dust. All paved surfaces shall be swept as often as necessary to suppress dust. Chemical treatments shall not be used for dust control.
8. The permittee shall allow access to Department personnel at all reasonable times during normal business hours on normal business days, and after reasonable notification to the

DEC PERMIT NUMBER

4-010316/19-0

PROGRAM/FACILITY NUMBER

MLF #413-32-002

Page 2 of 3

**SPECIAL CONDITIONS**

For Article 23 (Title 27; Mined Land Reclamation)

permittee and proper identification as Department employees, for the purpose of conducting inspections or investigations in the regular course of their duties pursuant to the Environmental Conservation Law, notwithstanding signs or other notices purporting to limit access to the property. *From Part 424.2.

9. No turbid waters shall be discharged to any stream, wetland, offsite drainageway, or to offsite areas. All discharged waters shall be clear and free of turbidity.
10. You must comply with the Order on Consent, file #R4-0768-90-01 executed on 6/21/90.

DEC PERMIT NUMBER
4-0103-16/19-0

FACILITY ID NUMBER
MLF #413-32-002

PROGRAM NUMBER

Page 3 of 3

APPLICATION LIST BY BATCH

BATCH ID = 48489

89-09-22

| APPLICATION ID | TRACKING IND | PERMIT TYPE | EMISSION POINT |
|------------------------------|-----------------|----------------|-------------------|
| 4 - 0103 - 00016 / 00019 - 0 | T | ML | ----- |

CAPITAL NEWSPAPERS

TIMES UNION

DAILY

SUNDAY

THE KNICKERBOCKER NEWS

BOX 15000

ALBANY, N.Y. 12212

New York State Department
of Environmental
Conservation

NOTICE OF COMPLETE APPLICATION

Date: September 8, 1987.

Applicant: Norlite Corpora-
tion; Address: Mr. Jay Der-
man, Vice President, P.O.
Box 694, Cohoes, NY 12047.
Permits applied for and ap-
plication numbers: Mined
land reclamation renewal,
UPA #41860414, MLF #413-
32-002.

Project description and loca-
tion: Town of Colonie & (C)
Cohoes, County of Albany.

Mine 37.2 acres of shale and
clay from the 75 acre site
generally south of City of
Cohoes over the 1987-1990

PRC

permit term consistent with
the 1983 life-of-mine and
mined-land-use plans. Most
mining will occur northwest
of the main plant on 7.2 acres
previously mined. The clay
will be used to construct
portions of the shale fines
landfill and the shale will be
used to produce expanded
aggregate (Norlite). Final
reclamation will be a
groundwater storage area.

The advertiser
The Times Uni
The Knick New
In Classificatio

R

Classifi

State Environmental Quality
Review (SEQR) Determina-
tion: SEQR-1—Project is not
subject to SEQR because it is
an exempt, excluded or a
Type II action.

SEQR Lead Agency: New
York State Dept. of Environ-
mental Conservation - Re-
gion 4.

State Historic Preservation
Act (SHPA) Determination:
SHPA-2—Project will not
have an adverse impact and
an assessment is on file.

Availability for Public Com-
ment: Applications may be
reviewed at the address be-
low. Comments on the
project must submitted to
the Contact Person by no
later than: October 2, 1987.

Contact Person: David Stoul,
NYSDEC Region 4 - DRA,
2176 Guilderland Avenue,
Schenectady, NY 12306,
(518) 838-0600.



NEWSPAPERS

TIMES UNION

SUNDAY

BOCKER NEWS

ALBANY, N.Y. 12212

PROOF OF PUBLICATION

The advertisement was published in
 The Times Union . . . 9/18/87 . . .
 The Knick News . . .
 In Classification . . .

Thank You!
R. David Cherry
 Classified Advertising Manager

WHITEMAN OSTERMAN & HANNA

ATTORNEYS AT LAW

ONE COMMERCE PLAZA

ALBANY, NEW YORK 12260

(518) 449-7600

TELECOPY (518) 449-3345

CABLE ADVOCATE ALBANY

BUFFALO OFFICE

THE GUARANTY BUILDING

28 CHURCH STREET

BUFFALO, NEW YORK 14202

(716) 854-4420

RECEIVED

SEP 30 1987

H. Y. ...
WIRING ...
RECORD

MICHAEL WHITEMAN
MELVIN H. OSTERMAN, JR.
JOHN HANNA, JR.
JOEL L. HODES
PHILIP H. GITLEN
SCOTT N. FEIN
ALICE J. KRYZAN
DANIEL A. RUZOW

GÜNTER DULLY
JAMES W. LYTLE
PHILIP H. DIXON
SUE ROSENSHEIN
KEVIN M. YOUNG
KATHARINE K. DECKER
JONATHAN P. NYE
DONALD S. STEFANSKI
KENNETH S. RITZENBERG
PHILLIP G. STECK
MARY JANE BENDON COUCH
JEAN F. GERBINI
SAUL A. RIGBERG

September 28, 1987

Mr. David Stout
New York State Department of
Environmental Conservation
Region 4
2176 Guilderland Avenue
Schenectady, New York 12306

Re: Norlite Corporation-- Mining Permit

Dear David:

Enclosed is a copy of the advertisement (along with proof of publication) that appeared in the Albany Times Union regarding Notice of Complete Application for the above-referenced permit application.

Sincerely,

Kevin M. Young
Kevin M. Young

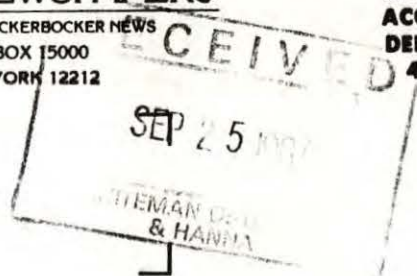
Enc.

**LEGAL
ADVERTISING**



**ADVERTISING
ACCOUNTING
DEPARTMENT
454-5669**

Whiteman Osterman and Hanna
One Commerce Plaza
Albany, NY 12260



**PLEASE DETACH AND
RETURN WITH CHECK**

TERMS-NET CASH

091681

38.72

9-18-87

| DATE | DESCRIPTION | LINES | | TIMES | RATE | CHARGES | CREDITS | BALANCE |
|------|--|-------|--------|-------|------|---------|---------|---------|
| | | DAILY | SUNDAY | | | | | |
| 9-18 | FOR LEGAL ADVERTISING IN THE tu ALBANY, N.Y., AT THE RATE PROVIDED BY CHAP- TER 494, LAWS OF NEW YORK STATE 1925, WITH AMENDMENT, IN RE: Appl Norlite Corp | 64 | | 1 | .605 | 38.72 | | |

New York's
CAPITAL NEWSPAPERS
TIMES UNION • KNICKERBOCKER NEWS

RS



12 METRO PARK RD. •
ALBANY, NEW YORK 12205
518/458-1313
FAX 518/458-2472

NOV 2 - 1989

October 31, 1989

Mr. David Stout
Sr. Environmental Analyst
N.Y.S.D.E.C.
Region IV Headquarters
2176 Guilderland Ave.
Schenectady, NY 12306

RE: Norlite Corporation -- Application No. 4-0103-00016-00019-0

Dear Mr. Stout:

The recent amendment application for Norlite Corporation is solely for the additional acreage. No other change is contemplated. Norlite expects to operate in accordance with the previously submitted mined-land-use plan.

Sincerely,

DUNN GEOSCIENCE CORPORATION

Mark J. Zdunczyk
Senior Geologist

MJZ/tms

cc: Jay Derman
xc: Al Hewitt, 11-2-89

file

Region 4 DRA

NOTICE OF INCOMPLETE APPLICATION
THIS IS NOT A PERMIT

| | | | |
|---|--------------------|--|---|
| APPLICATION NUMBER <u>4-10103-100016/100019-10</u> | | OWNER ID NUMBER <u>17564</u> | PERMIT TYPE(S) <u>MLR Renewal</u> |
| APPLICANT <u>Norlite Corporation</u> | | FACILITY/PROJECT <u>Expanded Aggregate Shale Mine</u> | |
| ADDRESS <u>90 Mark Zdunczyk, Dunn Geoscience</u> | | <u>49.1 Acre area in '89-92</u> | |
| CITY <u>12 Metro Park Rd, Albany</u> | STATE <u>NY</u> | ZIP CODE <u>12205</u> | LOCATION <u>(C) Cohoes, Albany Co. NW of</u> |

Your Application for Permit is Incomplete. The Following Items are Required:

- Completed application form (enclosed).
- Completed Part I of the Long/Short Environmental Assessment Form (enclosed).
- Completed Part I of the Structural-Archaeological Assessment Form (enclosed).
- Project location map (USGS or equivalent) which clearly shows the project location with respect to identifiable roads and other notable features (_____ copies).
- Project plans/Engineering report (_____ copies).
- Survey map showing the Freshwater/Tidal Wetland boundary at the project location (_____ copies).
- Signed letter from landowner giving you permission to apply for a permit on his/her property.
- List of other agencies having jurisdiction over project.
- Representative color photographs of the project area and surroundings. Please label each with a description and date taken (_____ copies).
- List of previous DEC permits for owner/facility.
- Other DEC permits appear necessary. Submit applications (enclosed) for the following permits: _____

If you have reason to believe that all permits should not be processed simultaneously, please notify the contact person below, clearly stating your reasons.

- The project is being reviewed pursuant to the State Environmental Quality Review Act (SEQR). A designation of Lead Agency and determination of significance will be made before your application can be considered complete.
- _____, the Lead Agency, has determined that the project may have a significant effect on the environment. A draft environmental impact statement must be prepared or accepted by the Lead Agency.
- The correct fee was not submitted. Please submit a check or money order payable to the New York State Department of Environmental Conservation for \$ _____.
- See attached checklist(s).

You may be contacted for additional information.

Additional requirements:

1) Please explain why in box 7 of the mining permit application "renewal with amendment application" is checked. Is the amended application solely because of the additional acreage or is some other change contemplated? A new life-of-mine may be necessary if the latter. We suggest you agree to operate in accordance with the previous mined-land-use plan without deviation.

Please submit requested information by _____. **No further action can be taken until all of these materials are received.** If you wish to withdraw your application, please notify the contact person below. **Thank you.**

A conference is recommended to discuss this application. Please contact the person below to arrange a meeting.

| | | |
|--|-------------------------|---|
| CONTACT PERSON <u>David Stout, Sr. Envir. Analyst</u> | DATE <u>10-17-89</u> | TELEPHONE NUMBER <u>(518) 382-0680</u> |
|--|-------------------------|---|

Return the WHITE COPY of this form to DEC with Requested Information.

Retain the YELLOW COPY for yourself.

CC:

New York State Department of Environmental Conservation

2176 Guilderland Avenue, Schenectady, New York 12306

Telephone (518) 382-0680



July 20, 1989

Thomas C. Jorling
Commissioner

Mr. Jay D. Derman
Norlite Corporation
P. O. Box 694
628 So. Saratoga Street
Cohoes, NY 12047

Re: Shale Fines Landfill/
Mining Operation
Part 360/MLR
Cohoes(C), Albany County

Dear Mr. Derman:

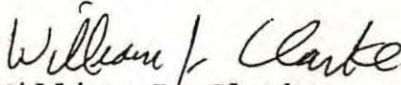
Thank you for a copy of the letter sent to Mr. Forgea of our Solid Waste Staff on July 6, 1989. The progress made in the fall of 1988 to construct the Shale Fines Landfill coupled with the commitment to complete the work as soon as possible will allow us to resume review and processing of both the Mine Land Reclamation (MLR) Permit and the 360 Solid Waste Operating Permit. In order to complete action on these two items, please take the following steps:

1. Please review the mining/reclamation plan submitted in 1986/87 and update it as far as lands to be affected in a permit term to cover 1989 to 1992. Your plan must also update current (1989) conditions (contours, haulageways, Shale Fines Landfill location, etc.) and any changes since the 1986/87 application. Please submit this information as part of your request to renew your permit. When the permit renewal was suspended in 1987, no permission was granted for Norlite to mine in the 30 acres shown as planned for excavation during 1986-1989 nor for the use of the 6.1 acres of overburden storage area. If this area has been mined and used for overburden storage then that will constitute a violation of the mined land reclamation law. If such a violation has occurred, I would like it to be acknowledged up front and have us move expeditiously to settle it through the enforcement process. In discussion with your consultant, Dunn Geoscience, they felt mining had not proceeded into the new areas. Please document this so that it can be verified by our Mined Land Reclamation Specialist upon site inspection. I believe it to be important to have an up-to-date mining and reclamation plan in place for this facility as soon as possible, and consistent with the MLR plan and permit, mitigate impacts to area residents from this facility to the maximum extent practicable.

2. Please provide a schedule for completion of the landfill no later than August 1, 1989. We would ask that the schedule incorporate sending milestone reports to the Department every two weeks on progress toward completion of the landfill. In no case should the landfill and associated final stabilization/erosion/sedimentation control work be completed later than Sept. 15, 1989. Once this work has been completed, you have notified us of such and our Solid Waste staff is satisfied with the end result, then we will be in a position to issue a 360 Solid Waste Permit to Operate for the facility.

My hope is that we will be able to clear up any remaining problems on the MLR and 360 permits including any outstanding violations, and move forward within the next few months to final departmental action on them. If you have any questions, please feel free to contact either David Stout of my staff or myself.

Sincerely yours,

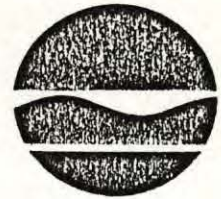

William J. Clarke
Regional Permit Administrator
Region IV

cc: D. Stout
D. Forgea
A. Hewitt
M. Greco

9WC24/til

New York State Department of Environmental Conservation

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



Thomas C. Jorling
Commissioner

September 8, 1987

Norlite Corporation
P. O. Box 694
Cohoes, NY 12047

Att: Mr. Jay Derman
Vice President

Re: Application #41-86-0414
Permit Type: Mined Land
Project Name:

Location: (T) Colonie & (C) Cohoes
Albany County

Dear Mr. Derman:

Enclosed is a "Notice of Complete Application" which you are to have published in the Albany Times Union one time during the week beginning Sept. 7, 1987 and ending Sept. 11, 1987.

Information in that portion of the notice found within the heavy black line is to be published. Under the headings "SEQR Determination" and "State Historic Preservation Act (SHPA) Determination", only the boxes checked and their corresponding descriptions need to be included in the publication.

Please instruct the newspaper publisher to send a suitable proof of publication to this office for filing with your application. You are to pay for the costs of this publication.

Be advised that any delay or failure to comply with these instructions will delay further processing of your application.

Sincerely,

David Stout
Sr. Environmental Analyst

DS/ch/DRA13
Enclosure



NOTICE OF COMPLETE APPLICATION

Applicant: Norlite Corporation Date: September 8, 1987

Address: Mr. Jay Derman, Vice President
P. O. Box 694, Cohoes, NY 12047

Permits applied for and application numbers Mined land reclamation renewal,
UPA #41860414, MLF #413-32-002

Project description and location. Town/City of Colonie & (C) Cohoes County of Albany

Mine 37.2 acres of shale and clay from the 75 acre site generally south of City of Cohoes over the 1987-1990 permit term consistent with the 1983 life-of-mine and mined-land-use plans. Most mining will occur northwest of the main plant on 7.2 acres rather than on the 34.4 acres previously mined. The clay will be used to construct portions of the shale fines landfill and the shale will be used to produce expanded aggregate (Norlite). Final reclamation will be a groundwater storage area.

STATE ENVIRONMENTAL QUALITY REVIEW (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 and will not have a significant effect on the environment. A Negative Declaration is on file and a coordinated review with other agencies performed.
- SEQR-3 Project is an unlisted action and will not have a significant effect on the environment, a Negative Declaration is on file:
 A-coordinated review performed B-no coordinated review performed.
- 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 New York State Dept. of Environmental Conservation-Region 4

STATE HISTORIC PRESERVATION ACT (SHPA) DETERMINATION: (Check appropriate box)

- SHPA-1 Project is not subject to SHPA: A-exempt permit type B-federal review performed.
- SHPA-2 Project will not have an adverse impact and an assessment is on file.
- SHPA-3 A cultural resources survey has been prepared on this project and is on file.

AVAILABILITY FOR PUBLIC COMMENT:

Applications may be reviewed at the address to the right. Comments on the project must be submitted to the Contact Person by no later than:

September 25, 1987

CONTACT PERSON:

D. Stout
David Stout
 NYSDEC Region 4 - DRA
 2176 Guilderland Avenue
 Schenectady, NY 12306
 (518) 382-0680

TO THE APPLICANT:

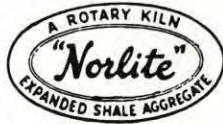
1. THIS IS NOT A PERMIT

2. 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.
3. 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.
4. 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 (T) Colonie
 Environmental Notice Bulletin, Room 509, 50 Wolf Road, Albany, N.Y. 12233-0001
 File

FILE

Norlite Corporation



P.O. BOX 694

628 SO. SARATOGA ST.

COHOES, N.Y. 12047

TEL.: (518) 235-0401

FAX: 5182350233

August 10, 1987

NYSDEC
Region IV
2176 Guilderland Avenue
Schenectady, NY 12306

Attn: Mr. David Stout
Senior Environmental Analyst

Re: Renewal of Mine Permit
Application No. 41860414



Dear Mr. Stout:

Enclosed please find three (3) copies of our response to the Notice of Incomplete Application dated June 8, 1987 in regard to the above captioned subject. This response was prepared by Dunn Geoscience Corporation on behalf of Norlite Corporation.

I trust the above fully responds to your comments.

Very truly yours,

NORLITE CORPORATION

A handwritten signature in dark ink, appearing to read "J. Derman".

J. DERMAN
Executive Vice President

Encs:



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
2176 Guilderland Avenue
Schenectady, NY 12306

**PLEASE RETURN THIS FORM
WITH THE MATERIAL REQUESTED,**

NOTICE OF INCOMPLETE APPLICATION

June 8, 1987

TO: Mr. Jay Derman, V.P.
Norlite Corporation
P.O. Box 694
Cohoes, NY 12047

Permit Applied for: Renewal and Extension of Location: Cohoes Pit
Mined Land Reclamation Area (Portion of 75A LOM,
DEC 40-83-0303)
Application Number: 41860414
(Please refer to this number in all your correspondence.)

YOUR APPLICATION FOR THIS PERMIT IS INCOMPLETE.

- You failed to include with your application the full amount of the required fee. Please submit a check or money order in the amount of \$ _____ payable to the Department of Environmental Conservation.
- Please submit the following data:
- 1) Provide three copies of all documents changed by this letter or our November 6, 1986-incomplete notice.
 - 2) Cross sections must be referenced to USGS Vertical Datum.
 - 3) Explain what is meant by "possible" final grade.
 - 4) Explain what is meant by "tentative final grade subject to mine planning". In regard to this and the previous item, your plans must state a definite goal. If later this goal must be changed, a reclamation permit amendment must be submitted and approved.
 - 5) Berms should be constructed around stockpiles and vegetated to control erosion or sedimentation.
- It has been determined that your project is subject to Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (SEQR). Your application will be considered complete when the renewal plans show consistency with the approved Life-of-Mine Plan.

For further information, contact this office.

Sr. Environmental Analyst: David Stout Telephone Number: (518) 382-0680
David Stout



DUNN
GEOSCIENCE CORP.

December 9, 1986

5 NORTHWAY LANE NORTH •
LATHAM, NEW YORK 12110
(518) 783-8102

Mr. David Stout
NYSDEC
Region 4 Headquarters
2176 Guilderland Avenue
Schenectady, NY 12306

Re: Renewal of Mine Permit for Norlite
Corporation
Application No. 41860414; Mine Site No. 40-83-0303

Dear Mr. Stout:

Jay Derman, Vice President of Norlite Corporation, has asked me to respond to your Notice of Incomplete Application, dated November 6, 1986.

1. A revised copy of the base map is enclosed showing the location of the power poles crossing the property and the location of some additional power poles southwest of the property.
2. Cross-sections are enclosed that show possible final grades.
3. Overburden stockpiles will be treated as follows: As portions of the stockpiles are completed, they will be graded to blend contrasting slopes, with no slopes steeper than 26 degrees. After grading, the completed stockpiles will be vegetated in accordance with the guidelines of the Reclamation Plan for the site.

During the period when the stockpiles are being constructed, the slopes will be graded to prevent their becoming unstable by oversteepening. All erosion and sedimentation will be contained on the property so as not to damage other property.

I trust this information satisfactorily responds to your comments.

Sincerely yours,

George M. Banino
Executive Vice President

GMB:bas

cc: Mr. Jay Derman



NEW YORK STATE
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
Region 4 Headquarters
2176 Guilderland Ave.
Schenectady, NY 12306

PLEASE RETURN THIS FORM
WITH THE MATERIAL REQUESTED

NOTICE OF INCOMPLETE APPLICATION

November 6, 1986

TO: Mr. Jay Derman, V.P.
Norlite Corporation
P.O. Box 694
Cohoes, NY 12047

Permit Applied for: Renewal and Extension of Mined Location: Cohoes Pit
Land Reclamation Area (Portion of 75A LOM,
Application Number: 41860414 DEC 40-83-0303)
(Please refer to this number in all your correspondence.)

YOUR APPLICATION FOR THIS PERMIT IS INCOMPLETE.

- You failed to include with your application the full amount of the required fee. Please submit a check or money order in the amount of \$ _____ payable to the Department of Environmental Conservation.
- Please submit the following data:
1. A new base map showing the location of all power poles.
 2. Cross-sections that show the final grades.
 3. Describe measures to be taken in order to stabilize overburden stockpiles to prevent erosion.

- It has been determined that your project is subject to Article 8 of the Environmental Conservation Law, the State Environmental Quality Review Act (SEQR). Your application will be considered complete when the renewal plans show consistency with the approved Life-of-Mine Plan.

For further information, contact this office.

Sr. Environmental Analyst: David Stout

David Stout

Telephone Number: (518) 382-0680