

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 4

1130 North Westcott Road, Schenectady, NY 12306-2014

P: (518) 357-2069 | F: (518) 357-2460

www.dec.ny.gov

February 2, 2020

Ms. Amanda Primeau
Executive Assistant to the Mayor
City of Cohoes
97 Mohawk Street
Cohoes, NY 12047
aprimeau@ci.cohoes.ny.us

Ms. Harriet Katz
4 Oxford Circle
Cohoes, NY 12047
hatchkatz@aol.com

Response to Public Comments

Renewal and Modification of Mined Land Permit ID#: 4-0103-00016
Norlite, LLC. located at 628 South Saratoga St. Cohoes, Albany County

Ms. Primeau and Ms. Katz,

As you are aware, the above-referenced application for renewal and modification to an existing mining permit was submitted for public notice. As part of that public notice, the City of Cohoes submitted comments to the Department on June 18, 2019 and Ms. Katz submitted two comments to the Department on July 2 and July 16, 2019. This letter responds to those comments and concerns.

Comments from Ms. Katz:

Ms. Katz put forth question of whether planting of deer-resistant trees could be incorporated into the above-referenced permit. It was requested that the trees be planted along the facility's active mine face in order to stabilize soil and minimize the effect of mining blasts. The July 16th comment was submitted to a NYSDEC Forester via email with copy to the Deputy Regional Permit Administrator, Kate Kornak.

Department Response:

Norlite ("the Permittee") has indicated in a written response dated August 5, 2019 a willingness to plant trees on the property in a manner that will not interfere with daily operations at the site. The Permittee has indicated that recommendations and input from a NYSDEC Forester will be considered when choosing species of deer-resistant trees. However, the Department maintains that incorporating the planting of such trees into the Mined Land Reclamation permit is not appropriate. The request for tree planting has been made in regard to improving soil stabilization and to reduce the effects from blasting operations. The current Mined Land Reclamation permit is being modified to incorporate a 5-acre area of historic graded base stockpiles that were not previously included within the Life-of-Mine. Mining operations within



this 5-acre area include material storage only; no excavation nor blasting is proposed or authorized for this 5-acre expansion of the Life-of-Mine. The Department fully supports the planting of appropriate species of trees independent of the permitting process, and our Division of Lands and Forests will provide guidance necessary for development of a tree planting plan upon request of the Permittee.

Comment from Ms. Primeau on behalf of Ms. Robyn King (dated June 18, 2019):

Ms. King commented that the proposed expansion to the Life-of-Mine is adjacent to one of the Cohoes Housing Authority developments on Saratoga Street. While the planned expansion is located at the site of an existing pile, Ms. King noted that if the Permittee is planning on blasting in this area there may be impacts in terms of dust, noise, or vibration to residents in that area.

Department Response:

The Department's action to modify this Mined Land Reclamation permit is being performed to incorporate an already-disturbed 5-acre portion of the property within the Life-of-Mine boundary for regulatory purposes. Including this area within the boundary will ensure the appropriate reclamation occurs and is enforceable upon mining termination. The modification does *not* allow for any new uses to this 5-acre area. No blasting, excavation, or other ground disturbance is permitted. There will be no increased impacts to dust, noise or vibration in the 5-acre expansion area.

The Department has fully reviewed the comments submitted, the applicant's response, and the proposed Mined Land Use Plan and Reclamation Plan. It is the Department's position that the potential impacts for this renewal and modification have been mitigated, and the proposed action meets the standards for issuance of a Mined Land Reclamation permit. As such, a copy of the permit is attached for your records.

Thank you for expressing your concerns regarding this project. Please feel free to contact me at (518)357-2459 or by email at kate.kornak@dec.ny.gov if you have any questions.

Sincerely,



Kate Kornak
Deputy Regional Permit Administrator

Encls: Norlite Mined Land Reclamation Permit #4-0103-00016/00019

Cc: Permittee
DEC Mined Land Reclamation
Permittee Consultant
File