

**New York State Department of Environmental Conservation
Office of Hearings and Mediation Services, 1st Floor**

625 Broadway, Albany, New York 12233-1550

Telephone: 518-402-9003 FAX: 518-402-9037

Website: www.dec.ny.gov



Joe Martens
Commissioner

October 15, 2014

Mr. Jonathan Rizzo
CWM Chemical Services, LLC
1550 Balmer Road
PO Box 200
Model City, New York 14107

RE: 6 NYCRR Part 361 Hazardous Waste Facility Siting Application
6 NYCRR Part 373 Hazardous Waste Management Permit Modification
Application, et al.
Notice of Extension of Public Comment Period
Notice of Extension to File Petitions for Party Status

Dear Mr. Rizzo:

Enclosed is a copy of the Notice of Extension of Public Comment Period and Notice of Extension to File Petitions for Party Status (Notice) for the captioned permit applications. The Notice extends the public comment period from October 20, 2014 to November 21, 2014. The Notice also extends the date to file petitions for party status from October 20, 2014 to November 21, 2014.

To fulfill the notice requirements in 6 NYCRR 624.3(a), you must publish the enclosed Notice once during the week of October 20, 2014, or as soon as possible thereafter, as a legal notice in the *Buffalo News*, the *Niagara Gazette*, and the *Lewiston Porter Sentinel*. Applicant is responsible for the publication costs. After publishing the Notice, you must obtain an affidavit of publication from the newspapers. Please mail the affidavits to me when they are available. I will have the Notice published in the Department's *Environmental Notice Bulletin* on Wednesday, October 22, 2014.

The notice requirements concerning a permit application for a hazardous waste management facility also require public notice by means of radio announcements (*see* 6 NYCRR 624.3[a]). Enclosed is a radio announcement that must be broadcast on radio stations WJLL, WLVL, WBEN and WGR at least twice on October 20, 2014, or as soon as possible thereafter, once between the hours of 9:00 AM and 11:00 AM, and once between the hours of 1:00 PM and 4:00 PM. This must be a paid announcement, and applicant is responsible for the cost. After the broadcasts are made, applicant must obtain affidavits of broadcast. Please mail the affidavits to me when they are available.

Additional notice requirements are outlined at 6 NYCRR 361.4(c), which refer to 6 NYCRR 361.3(g) and (h), and require applicant to send a copy of the enclosed notice by regular mail to property owners located within one-half mile of the facility. Applicant must provide me with an affidavit of mailing and a list of property owners with their respective mailing addresses.

I will send copies of the Notice to the Niagara County Clerk and the Supervisors for the Towns of Porter and Lewiston, and to those who have expressed an interest in this application.

If there are any questions about the notice requirements, call me or Chief Administrative Law Judge James T. McClymonds at 518-402-9003.

Very truly yours,

Daniel P. O'Connell
Administrative Law Judge

Enclosures

cc: Daniel M. Darragh, Esq.
Cohen & Grigsby, PC
625 Liberty Avenue
Pittsburgh, Pennsylvania 15222

with Enclosures

David Stever, Esq.
Assistant Regional Attorney
NYSDEC Region 9
270 Michigan Avenue
Buffalo, New York 14203

with Enclosures