

April 21, 2022

Kate Kornak  
Deputy Regional Permit Administrator  
New York State Department of Environmental Conservation  
Division of Environmental Permits, Region 4  
1130 North Westcott Road  
Schenectady, New York 12306-2014

Subject: Response to Notice of Incomplete Application  
S.A. Dunn Mine and C&D Facility  
DEC #4-3899-00006  
Part 360 Permit Renewal and Modification  
MLR Permit Renewal and Modification  
CEE Project 182-442

Dear Ms. Kornak:

On behalf of S.A. Dunn & Company, LLC (S.A. Dunn), Civil & Environmental Engineering, Land Survey, and Landscape Architects, PLLC (CEE) has prepared this letter in response to comments received from the New York State Department of Environmental Conservation (NYSDEC), dated March 30, 2022, regarding the Part 360 Permit Renewal and Modification application and Mined Land Reclamation Permit Renewal and Modification Application. As approved by NYSDEC in an April 11, 2022 phone call, this letter responds only to the comments provided on the Environmental Justice Public Participation Plan (PPP). Other comments will be addressed separately. NYSDEC comments are provided below in bold, with CEE's responses immediately following.

**Environmental Justice Public Participation Plan (PPP)**

**Please update the stakeholder list to include the Sierra Club-Hudson Mohawk Group, per their request, dated March 18, 2022.**

The stakeholder list included the Sierra Club-Hudson Mohawk group in the March 2022 revision; however, the contact for this group has been modified in accordance with the request dated March 18, 2022.

**Section 3b of the NOIA dated January 28, 2022 states “Please update the Public Participation Plan with a map of the one-mile radius and truck route residents and businesses to which the mailers will be distributed.” In the resubmitted draft PPP, Appendix D Figure 2 contains the updated map to show the truck routes which will help determine where mailers will be distributed. Please update this map to more clearly define where the truck routes are located so the average stakeholder or member of the public who is interested in learning more will be able to easily distinguish which roads will see increased traffic and which will not.**

Figure 2 has been updated to highlight the truck route to the Facility. Please note that the permit renewal and the permit modification will not result in any increase in truck traffic beyond the currently permitted levels.

**Please also update the draft PPP to include a section on established procedures for the public to report a complaint against the facility. The steps to report a complaint and the steps to contact the facility with a question or comment about the permitting process should be clearly defined as separate processes.**

The PPP has been modified to include Section 2.1, which describes the established procedures for reporting a complaint or concerns about the Facility and explains that to comment on the permit renewal and modification, the public should follow the procedure identified in Section 5.0. Section 5.0 was also revised to reiterate that these are two separate processes.

If you have any questions on the information submitted, please do not hesitate to contact me at 774-501-2176.

Sincerely,

CIVIL & ENVIRONMENTAL ENGINEERING, LANDSCAPE ARCHITECTURE AND LAND SURVEYING, PLLC



Erin Willson  
Project Consultant



Amy J. Knight, P.E.  
Principal

Enclosures: Public Participation Plan

cc: Curt Taylor, S.A. Dunn & Company, LLC.  
Jeff Burrier, S.A. Dunn & Company, LLC.  
Corey Judd, S.A. Dunn & Company, LLC.  
Alanah Keddell-Tuckey, NYSDEC OEJ  
Jon Whitcomb, NYSDEC-DMM  
Psalm Wyckoff, NYSDEC-MLR  
Carrie Buetow, NYSDEC-DOW