

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 3
21 South Putt Corners Road, New Paltz, NY 12561-1620
P: (845) 256-3054 | F: (845) 255-4659
www.dec.ny.gov



Date: July 21, 2022

To: All Involved/Potentially Involved Agencies

From: New York State Department of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561

Re: **LEAD AGENCY COORDINATION REQUEST**
Riato Stone, LLC – Expand Life of Mine by 15.3 Acres & wastewater discharge
Town of Fallsburgh, Sullivan County
DEC Application ID No.: 3-4828-00061/00005; NYSDEC Mine # 30217
3-4828-00061/00010; NYSDEC SPDES NY0274798

The Region 3 Office of the New York State Department of Environmental Conservation (DEC) has received a Mined Land Reclamation application for permit modification for the above-referenced Mined Land Reclamation permit in the Town of Fallsburgh, Sullivan County as well as an application for a new State Pollutant Discharge Elimination System (SPDES) permit.

The Department previously coordinated for Lead Agency in 2013 for the proposed expansion of the mine by 7 acres, but as the project has substantially changed both in acreage of the expansion and through the addition of a wastewater discharge, DEC is reCOORDINATING for the revised project.

A copy of the Mined Land Reclamation application, SPDES application, full Environmental Assessment Form (EAF), and a SEQR Coordination Data Sheet outlining the details of the proposed project are enclosed for review.

The purpose of this request is to determine, under Article 8 (State Environmental Quality Review: SEQR) of the Environmental Conservation Law (ECL) and 6 NYCRR Part 617, the following:

1. Your jurisdiction in the action described in the enclosed documents;
2. Your interest in acting as Lead Agency; and
3. Issues of concern which you believe should be evaluated.

The Lead Agency must determine the need for an environmental impact statement (EIS) on this project. Please provide your response to the above items **within 30 days** of the date of this letter. If no response is received, we will assume you have no interest in being Lead Agency and the DEC will serve as the Lead Agency. The application is currently incomplete until a Determination of Significance has been made by the Lead Agency.



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Town of Fallsburgh, Sullivan County
DEC Application ID No.: 3-4828-00061/00005, /00010

Please feel free to contact me via email at rebecca.crist@dec.ny.gov or at (845) 256-3014 if you have any questions or need any additional information.

Sincerely,

Rebecca S. Crist

Rebecca Crist
Environmental Analyst
Region 3

Enc: SEQR Coordination Data Sheet
Permit Application Package

ECC: Town of Fallsburgh
Riato Stone LLC
JMT
Halina Duda, NYSDEC Division of Mineral Resources
Ryan O'Mara, NYSDEC Division of Water

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SEQR COORDINATION DATA SHEET

Project Name: Riato Stone, LLC – Expand Life of Mine by 15.3 Acres

Project Location: 40 McIntosh Rd, Town of Fallsburgh, Sullivan County

Project Sponsor: Riato Stone LLC

SEQRA Classification: Type I Action

DEC Contact Person: Rebecca Crist
rebecca.crist@dec.ny.gov
(845) 256-3014

Project Description:

Riato Stone LLC is proposing to expand the Life of Mine (LOM) an additional 15.3 acres, for a total LOM of 33.5 acres, for additional excavation of 20,000 cubic yards of sand and gravel over approximately 20 years. Processing is proposed to continue in the same area as currently used. The application also includes two outfalls to be covered by an individual State Pollutant Discharge Elimination System (SPDES) permit, Outfall 001 (stormwater¹) and Outfall 002 (stormwater and process water).

DEC Region 3 Position:

Region 3 is considering whether DEC or a local agency would be most appropriate to serve as the lead agency for the review of this action. To the extent a local agency identifies a discretionary approval for the proposed action and can identify the potential impacts they are concerned about and their ability to evaluate them, DEC will consider their interest in serving as the lead agency for review of this action.

¹ Currently covered by the Multi-Sector General Permit for Stormwater Discharges from Industrial Activities