

**New York State Department of Environmental Conservation
Division of Environmental Permits**

NYSDEC Region 3 Headquarters
21 S Putt Corners Rd
New Paltz, NY 12561
(845) 256-3054



October 28, 2024

RIATO STONE LLC
Attn: James Scandariato
61 Shinnecock Ln
East Islip, NY 11730

Re: DEC ID # 3-4828-00061/00010
Riato Stone LLC

Dear Applicant :

Please be advised that your application for a DEC permit(s) is complete and a technical review has commenced. Notice and the opportunity for public comment is required for this application. Enclosed is a Notice of Complete Application for your project. Please have the Notice published in the newspaper identified below once during the week of 10/28/2024 on any day Monday through Friday.

The official newspaper of the Town (City) of FALLSBURGH.
Contact the Town (City) Clerk's office to confirm the official newspaper.

On the Notice of Complete Application, that information presented between the horizontal lines, on the enclosed page(s) should be published. Do not print this letter or the information contained below the second horizontal line. Please request the newspaper publisher to provide you with a Proof of Publication for the Notice. Upon receipt of the Proof of Publication promptly forward it to this office. You must provide the Proof of Publication before a final decision can be rendered on your application. You are responsible for paying the cost of publishing the Notice in the newspaper.

Notification of this complete application is also being provided by this Department in the NYSDEC Environmental Notice Bulletin.

This notification does not signify approval of your application for permit. Additional information may be requested from you at a future date, if deemed necessary to reach a decision on your application. Your project is classified major under the Uniform Procedures Act. Accordingly, a decision is due within 90 days of the date of this notice unless a public hearing is held, which may extend this time frame. If a public hearing is necessary, you will be notified.

If you have any questions please contact me at the above address or phone number above.

Sincerely,

Rebecca S. Crist

REBECCA S CRIST
Division of Environmental Permits

New York State Department of Environmental Conservation
Notice of Complete Application

Date: 10/28/2024

Applicant: RIATO STONE LLC
Attn: James Scandariato
61 Shinnecock Ln
East Islip, NY 11730

Facility: Riato Stone LLC
40 MCINTOSH RD
LIBERTY, NY 12754

Application ID: 3-4828-00061/00010

Permits(s) Applied for: 1 - Article 17 Titles 7 & 8 Industrial SPDES - Surface Discharge
1 - Article 24 Freshwater Wetlands
1 - Article 23 Title 27 Mined Land Reclamation

Project is located: in FALLSBURGH in SULLIVAN COUNTY

Project Description:

The Department has prepared a draft permit and has made a tentative determination, subject to public comment or other information, to approve an application for the discharge of a mixture of stormwater and process water treated by flocculation, coagulation, and sedimentation, from a settling pond to an unnamed tributary of the East Mongaup River, NYS WIN# D-10-33, class B(t) within NYS Freshwater Wetland LE-20.

The new discharge is associated with the proposed expansion of the existing mine by 13.4 acres, for a total life of mine of 31.6. Mining will continue to extract sand and gravel to be washed, screened, and crushed at the process plant, which is, and will remain, located within the existing life of mine.

Disturbance is proposed to ~1,000 square feet of the freshwater wetland adjacent area associated with the installation of the new outfall.

The draft SPDES permit with fact sheet is available online at <https://dec.ny.gov/fs/projects/draftpermits>. The draft permit files are contained within regional folders and named by the SPDES number contained in this notice.

Requests for a legislative (public statement) hearing must be sent in writing to the DEC contact person below by the comment deadline. The Department assesses such requests pursuant to 6 NYCRR Section 621.8. Refer to this application by the application number listed above and SPDES Number NY0274798.

Availability of Application Documents:

Filed application documents, and Department draft permits where applicable, are available for inspection during normal business hours at the address of the contact person. To ensure timely service at the time of inspection, it is recommended that an appointment be made with the contact person.

State Environmental Quality Review (SEQR) Determination

Project is a Type I action and will not have a significant effect on the environment. A coordinated review with other involved agencies was performed and a Negative Declaration is on file.

SEQR Lead Agency NYS Department of Environmental Conservation

State Historic Preservation Act (SHPA) Determination

Cultural resource lists and maps have been checked. The proposed activity is not in an area of identified archaeological sensitivity and no known registered, eligible or inventoried archaeological sites or historic structures were identified or documented for the project location. No further review in accordance with SHPA is required.

DEC Commissioner Policy 29, Environmental Justice and Permitting (CP-29)

The proposed action is subject to CP-29.

Availability For Public Comment

Comments on this project must be submitted in writing to the Contact Person no later than 11/29/2024 or 30 days after the publication date of this notice, whichever is later.

Contact Person

REBECCA S CRIST
NYSDEC
21 S Putt Corners Rd
New Paltz, NY 12561
(845) 256-3014

CC List for Complete Notice

Ed Davidson, JMT
Town of Fallsburg
US EPA NPDES Section
Delaware River Basin Commission
Ryan LaDuke, NYSDEC Division of Mineral Resources
Michael Fraatz, NYSDEC Bureau of Ecosystem Health
Hua J. Fung, NYSDEC Division of Water
Kerri Pickard-DePriest, NYSDEC Office Environmental
ENB