



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

SYRACUSE SAND & GRAVEL LLC
PO BOX 6418
SYRACUSE, NY 13217-6418
(315) 433-5115

Facility:

SENNETT PIT-EAST SIDE PIT
US RTE 20
AUBURN, NY

Facility Location: in SENNETT in CAYUGA COUNTY

Facility Principal Reference Point: NYTM-E: 377.2 NYTM-N: 4755.2
Latitude: 42°56'22.4" Longitude: 76°30'18.4"

Authorized Activity: This permit authorizes mining activity on 10.9 acres of land during the permit term, within a 21.47 acre life-of-mine facility, on a 28.46 acre parcel of land, including specified processing equipment, on lands owned by Syracuse Sand & Gravel, LLC.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 7-0552-00024/00001

(Mined Land ID 70636)

Renewal

Effective Date: 7/7/2022

Expiration Date: 7/6/2027

NYSDEC Approval

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, and all conditions included as part of this permit.

Permit Administrator: KEVIN M BALDUZZI, Deputy Regional Permit Administrator
Address: NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY 13204 -2400

Authorized Signature: _____

Date 07 / 05 / 2022



Permit Components

MINED LAND RECLAMATION PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

MINED LAND RECLAMATION PERMIT CONDITIONS

- 1. Post Permit Sign** The permit sign enclosed with this permit shall be posted in a conspicuous location on the worksite and adequately protected from the weather.
- 2. Bond, Surety to Remain in Force** Any required reclamation bond or other surety, in an amount determined by the Department, shall be maintained in full force and effect. Such a bond or other surety shall not be terminated until the reclamation of the mined area is approved by the department in writing.
- 3. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the approved plans submitted by the applicant or applicant's agent as part of the permit application. Such plans were approved by the Department on various dates and consist of the following items:
 - A. Narrative titled "Amended Mining and Reclamation Plan dated December 12, 2001 and prepared by Vincent P. Chebetar, Jr.
 - B. Narrative titled "Mining Permit Modification During Permit Term 2012-2017" dated July 23, 2012 and prepared by Continental Placer, Inc.
 - C. Narrative titled "Supplemental Information for a Mining Permit Modification During Permit Term 2012-2017 dated June 22, 2015 and prepared by Continental Placer, Inc.
 - D. Graphic plans (two sheets total) titled:
 1. "Mining Plan Map" dated March 26, 2007 most recent revision May 5, 2022 and prepared by Continental Placer, Inc.
 2. "Reclamation Plan Map" dated June 29, 2012 and prepared by Continental Placer, Inc.
- 4. No Deviation From Approved Plan** The permittee shall not deviate or depart from the approved mined land use plan without approval by the Department of an alteration or modification thereto.



5. Loss of Residential Water Supply

- a. In the event that an off-site property owner makes a substantiated claim of a loss of quality or quantity of water supply due to a blasting event or mining activities, the permittee shall immediately provide the property owner with a temporary potable source of water, notify the Department, investigate the loss claim with the cooperation of the property owner, and provide the Department with a written report.
- b. Upon review of the report, if the Department determines that blasting or mining is not a contributing cause of the alleged loss of quality or quantity of water supply, the Department will provide written notification of its findings to both the permittee and the well owner and there shall be no further obligation by the permittee, or;
- c. If the Department determines that blasting or mining is likely to be a contributing cause of the alleged loss of quality or quantity of water supply the permittee, under the direction of Department staff, will take immediate steps to correct the problem and to restore a potable residential water supply. The means of well restoration can include but is not limited to repairing the well, drilling a new well, or providing alternate water supply.

6. Provide Person during DEC Inspection The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when notification is provided, be it written or verbal, at least 24 hours prior to such inspection.

7. Storage of Materials to be Disposed Materials which are to be disposed of during reclamation shall be stored and stockpiled within the permit area.

8. Revegetate The Site The permittee shall successfully revegetate the site. Seeding, mulching and fertilizing shall be utilized where needed to speedily and successfully reclaim the mine site.

9. Grading The permittee shall grade the site to a maximum slope of 1:2 and to blend smoothly with surrounding terrain. There are to be no disturbed areas within 25 feet of any property line. No abrupt changes are to occur within or near the edge of the mined area.

10. Mine Operation Periods All mining, reclamation and associated activities (including but not limited to: excavating, grading, processing operations, stockpiling operations, haulage operations, and maintenance operations) shall be limited to the following times: Monday through Friday 7 a.m. to 4 p.m., or sunrise to 4 p.m., whichever is more restrictive. Operation of the mine is prohibited on Saturdays, Sundays and Holidays.

11. Load Trucks in Conformance with Vehicle and Traffic Law Section 380-a(1) The permittee shall ensure that all trucks are loaded in conformance with Vehicle and Traffic Law Section 380-a(1). Open trucks or trailers utilized for the transportation of minerals shall be equipped with a cover, tarpaulin or other device which completely closes in the opening of the truck while in operation, unless the load is arranged so that no mineral can fall from or blow out of such truck.

12. Permit Does Not Apply to Structures and Safety Aspects Unless expressly provided for, the issuance of this permit does not apply to any structures contained on the plans or in the specifications, nor does this permit apply to safety aspects of the operation and/or reclamation plan.



13. Human or Archaeological Remains If any human remains or archaeological remains are encountered during excavation, the permittee must immediately cease, or cause to cease, all work in the area of the remains and notify

Regional Permit Administrator
NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY 13204 -2400

Work shall not resume until written permission to do so has been received from the Department.

14. Strip and Stockpile Soils for Reclamation Prior to the excavation of previously undisturbed areas, topsoil and overburden shall be stripped, stockpiled separately, and used for reclamation of mined areas. These stockpiles shall be seeded to establish a vegetative cover within 30 days, or as soon as practicable following their construction. The permittee shall locate all overburden stockpiles within the permitted area of the approved Life of Mine. Sufficient quantities of topsoil must be retained on the site for use in reclamation, unless prior approval is granted by the Department.

15. Bury, Remove Wastes All waste generated by mining activity, including trees, stumps, brush and rock rubble must be buried at the mine site or otherwise disposed of in a manner approved by the Department.

16. No Unpermitted Discharge Outside Limits of Mine There shall be no natural swales or channels or constructed features such as ditches, pipes, etc., that are capable of discharging waters to any offsite areas or to any areas outside the limits of the Life of Mine except those explicitly described and shown in the narrative and graphic portions of the approved Mined Land Use Plan. All silt laden water and storm water generated on, or running across, the site shall be retained within the approved project area. The permittee must comply with all applicable State Pollutant Discharge Elimination System (SPDES) permit requirements and provide necessary notifications for off-site point source discharges.

17. Fueling of Equipment and Reporting of Spills Fueling of equipment shall be controlled to prevent spillage. Any spillage of fuels, waste oils, other petroleum products or hazardous materials shall be reported to the Department's Spill Hotline number (1-800-457-7362) within 2 hours. The permittee shall retain the Department's Spill Response number for immediate access in the permittee's office and at the mine site.

18. Petroleum Product Storage No petroleum products, fuels, lubricants shall be stored within the mine limits in any excavated area. No long-term maintenance shall be conducted at the mine. long-term maintenance does not include routine fueling, oil changes or necessary on-site repairs.

19. Maintain Area Markers for Permit Term The permittee shall provide permanent markers such as stakes, posts or other devices acceptable to the Department to identify and delineate the permit area, as outlined on the approved Mining Plan Map. These markers are to be installed prior to the start of mining and shall be maintained for the duration of the permit term.

20. Dust Control Water or other approved dust palliatives must be applied to haulageways and other parts of the mine, as often as necessary, to prevent visible dust from leaving the mine property.



21. File Termination Notice If the permittee discontinues operation, a termination notice must be filed within 30 days of termination of mining activities to the address below:

Regional Mined Land Reclamation Specialist
NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY13204 -2400

GENERAL CONDITIONS - Apply to ALL Authorized Permits:

1. Facility Inspection by The Department The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71- 0301 and SAPA 401(3).

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

2. Relationship of this Permit to Other Department Orders and Determinations Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

3. Applications For Permit Renewals, Modifications or Transfers The permittee must submit a separate written application to the Department for permit renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing. Submission of applications for permit renewal, modification or transfer are to be submitted to:

Regional Permit Administrator
NYSDEC Region 7 Headquarters
615 Erie Boulevard W
Syracuse, NY13204 -2400

4. Submission of Renewal Application The permittee must submit a renewal application at least 30 days before permit expiration for the following permit authorizations: Mined Land Reclamation.



5. Permit Modifications, Suspensions and Revocations by the Department The Department reserves the right to exercise all available authority to modify, suspend or revoke this permit. The grounds for modification, suspension or revocation include:

- a. materially false or inaccurate statements in the permit application or supporting papers;
- b. failure by the permittee to comply with any terms or conditions of the permit;
- c. exceeding the scope of the project as described in the permit application;
- d. newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e. noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

6. Permit Transfer Permits are transferrable unless specifically prohibited by statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee, excepting state or federal agencies, expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees, and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under Article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.



Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

