

LEE JCM Dale, file: Spdes
STATE OF NEW YORK : DEPARTMENT OF ENVIRONMENTAL CONSERVATION

-----X

In the Matter of **Alleged Violations** of Sections 17-0501, 17-0511, 17-0803 and 23-2711 of the Environmental Conservation Law of the State of New York by

CARGILL, INC.
Lansing (T), Tompkins County,

Respondent.

-----X

The Department of Environmental Conservation of the State of New York (hereinafter referred to as "Department") alleging violations of Sections 17-0501, 17-0511, 17-0803 and 23-2711 of the Environmental Conservation Law by **CARGILL, INC.** (hereinafter referred to as "Respondent") in that Respondent has stored significant quantities of waste salt in the Besemer Quarry, just north of Respondent's property, which is contrary to the mining permit issued to Respondent by the Department, and which is leaching to the waters of the State, without having a State Pollutant Discharge Elimination System permit to discharge and which discharge is in contravention of water quality standards applicable to said waters, and

Respondent, to promote the best interests of all parties, having affirmatively waived its rights to a hearing herein as provided by law, and consenting to the issuing and entering of this Order, and agreeing to be bound by the provisions, terms and conditions contained herein,

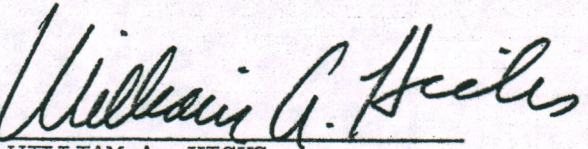
NOW, having considered this matter and being duly advised, IT IS

ORDERED:

1. THAT, within thirty (30) days of the effective date of this Order, Respondent shall submit detailed plans for the construction of a salt stockpile, as set forth in a July 16, 1979 letter to the Department (copy of which is annexed hereto), for approval.
2. THAT, on or before September 1, 1980, Respondent shall construct the base for said stockpile, as set forth in its detailed plans submitted to the Department and as approved, and shall have all waste salt contained within the stockpile system.
3. THAT, within five (5) years of the effective date of this Order, Respondent shall have disposed of the entire stockpile of waste salt, and once said pile has been disposed of, the stockpile shall not again be utilized, except by prior written authority from the Department.
4. THAT, within two (2) years of the disposal of the entire stockpile, the area shall be reclaimed, as called for and as outlined in Respondent's mining permit.
5. THAT, should time show that further and additional problems are developing from the leaching of the waste salt, the Department reserves the right, by way of consent order, or order after hearing, to modify the terms of this Order.
6. THAT, this Order shall be deemed to bind Respondent, its agents, successors and assigns.

Dated: Syracuse, New York
Nov. 29, 1979

ROBERT F. FLACKE, COMMISSIONER
New York State Department of
Environmental Conservation

BY 
WILLIAM A. HICKS
Regional Director

TO: Mr. Fred Croft
Operations Manager
Cargill, Inc.
191 Portland Point Road
Lansing, New York 14882

CONSENT BY RESPONDENT

Respondent hereby consents to the issuing and entering of the foregoing Order without further notice and waives its right to a hearing herein and agrees to be bound by the provisions, terms and conditions contained therein.

CARGILL, INC.

BY

E. B. Williams

TITLE

E. B. Williams, Vice President

DATE

November 15, 1979

CORPORATE ACKNOWLEDGEMENT

STATE OF MINNESOTA

COUNTY OF HENNEPIN

} SS:

On this 15th of November, 1979, before me personally came E. B. Williams to me known, who being by me duly sworn did depose and say that he resides at Minnetonka, Minnesota that he is the Vice President of Cargill, Inc. the corporation described in and which executed the foregoing instrument, and that he signed his name as authorized by said corporation.

Marleen A. Roper
NOTARY PUBLIC

