



August 15, 2025

Shawn Wilczynski
Cargill, Inc.
191 Portland Point Road, PO Box B
Lansing, New York 14882

**RE: Cayuga Salt Mine Permit Modification and Renewal
NYSDEC Permit No.: 0-9999-00075/00001
Mine File No.: 70052**

Dear Mr. Wilczynski:

Enclosed is Part One of the permit which authorizes you to operate the above-referenced mine. The permit, itself, consists of two parts. Part One consists of the enclosed permit certificate. Part Two consists of the application, plans and specifications, and other documents on file with DEC, including such terms and conditions imposed. As the Permittee, you are responsible for maintaining a copy of the documents constituting Part Two available at your local office for use by DEC personnel.

Note the expiration date. The permit may be renewed if an acceptable application is submitted sufficiently prior to that date. A renewal application involving no changes to the original plans should be submitted at least 180 days prior to the expiration of the permit. An application involving any changes to the above plans may be treated as a new application and may require a detailed environmental review, and should be submitted well in advance of the expiration date.

If this permit is destroyed, lost or mutilated, contact this office so that a certified copy may be issued.

The Uniform Procedures Regulations provide that an applicant may request an adjudicatory hearing if a permit is denied or contains conditions which are unacceptable to them (6 NYCRR Part 621.10). Any such request must be made in writing within 30 calendar days of the date of this letter and must be addressed to the Regional Permit Administrator, Department of Environmental Conservation, 5786 Widewaters Parkway, Syracuse, New York, 13214.

Please also note, DEC reviewed the public comments regarding the application and has addressed such comments accordingly. Attached, please find the responsiveness

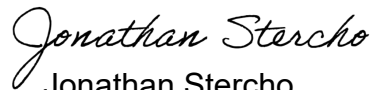
RE: Cayuga Salt Mine Permit Modification and Renewal
NYSDEC Permit No.: 0-9999-00075/00001
Mine File No.: 70927

Date: 8/15/2025

summary which conveys DEC's response to the provided comments.

If you have any questions, please contact me at 315-426-7444. Thank you.

Sincerely,



Jonathan Stercho
Deputy Regional Permit Administrator

cc: Z. Scopa, Cargill, Inc.
K. Roe, Barclay Damon
Town of Lansing
D. Glance, Region 7 Director
T. Rigley, R7 Minerals
M. Sheen, Regional Attorney
L. Weintraub, CO OGC
C. Dickert, CO Minerals



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:
CARGILL INCORPORATED
15407 MCGINTY RD W
WAYZATA, MN 55391-2399
(518) 477-1702

Facility:
CAYUGA SALT MINE
191 PORTLAND PT RD
SOUTH LANSING, NY 14882

Facility Location: in SEVERAL COUNTIES THROUGHOUT THE STATE

Facility Principal Reference Point: NYTM-E: 374.213 NYTM-N: 4710.099
Latitude: 42°31'59.0" Longitude: 76°31'54.0"

Authorized Activity: This permit authorizes mining activity on approximately 13,579.3 surface and underground acres during the permit term. Mining activity affects 79.97 surface acres within a 318.84 acre surface parcel and 13,307 underground acres on lands owned by Cargill Incorporated, the State of New York under Cayuga Lake and several private landowners. All processing equipment is located underground and salt storage occurs at the surface.

Permit Authorizations

Mined Land Reclamation - Under Article 23, Title 27

Permit ID 0-9999-00075/00001

(Mined Land ID 70052)

Renewal

Effective Date: 8/15/2025

Expiration Date: 8/14/2030

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: JONATHAN J STERCHO, Deputy Regional Permit Administrator

Address: NYSDEC Region 7 Headquarters
5786 Widewaters Pkwy
Syracuse, NY 13214 -1867

Authorized Signature: _____

Jonathan Stercho

Date 8 / 15 / 2025



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. 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.
- 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:

- * Application For Renewal of Mining Permit 2024-2029 including appended Organization Report Form, dated January 2024 and prepared by JMT of New York, Inc.
- * Mining Plan Renewal Map titled: "Cayuga Mine 5 YR Mine Plan: prepared by Cargill Incorporated: dated January 17, 2024
- * Cargill's Response to Notice of Incomplete Application dated May 3, 2024.
- * Cargill's Response to Notice of Incomplete Application dated February 21, 2024.
- * Modification Application for Permit to Mine: prepared by JMT of New York, Inc.: dated June 2023.
- * Surface Mining Plan Map: prepared by JMT of New York, Inc.: dated June 16, 2023.
- * Subsurface Mining Plan Map: prepared by JMT of New York, Inc: dated December 12, 2023.
- * Surface Reclamation Plan Map: prepared by JMT of New York, Inc: dated November 21, 2021.



- * Stormwater Pollution Prevention Plan prepared by Spectra Environmental Group, Inc., dated January 2016.
- * Response to Notice of Incomplete Application dated January 26, 2016.
- * Response to Notice of Incomplete Application dated March 7, 2016.
- * Response to Notice of Incomplete Application dated March 23, 2016.
- * Response to Notice of Incomplete Application dated April 13, 2016.
- * Clarification of Technical Details dated May 13, 2016.
- * Full Environmental Assessment Form dated October 15, 2015.
- * Modification Application for Permit to Mine: prepared by Spectra Environmental Group, Inc. dated October 2015.
- * January 15, 2015 letter from Spectra Environmental Group, Inc. to David Bimber, response to Notice of Incomplete Application.
- * Modification Application for Permit to Mine: dated June 2014, revised January 2015.
- * October 21, 2014 letter to David Bimber from John Klucsik, including September 25, 2014 response to John T. Boyd's Review from RESPEC.
- * Expected Subsidence over Cayuga Mine Amended Area dated July 2013.
- * Cargill Cayuga Mine, Mined Land Use Plan, Volume I: prepared by Spectra Environmental Group, Inc., in collaboration with Sear-Brown and RESPEC: dated December 22, 2000, revised March 15, 2002.
- * Cargill Cayuga Mine Expanded Environmental Assessment, Volume II: prepared by Spectra Environmental Group, Inc., in collaboration with Sear-Brown and RESPEC: dated December 22, 2000.
- * Cargill Cayuga Mine Expanded Environmental Assessment, Volume II plates: prepared by Spectra Environmental Group, Inc., in collaboration with Sear-Brown and RESPEC: dated December 22, 2000.
- * Revised November 1988 and submitted for application for modification dated February 21, 1989.
- * Plans prepared by Cargill, Incorporated: dated February 19, 1975.



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. 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.

6. Financial Security and Liability Insurance

- a. Cargill, Incorporated is responsible for maintaining financial security in a form acceptable to the Department throughout the life of this project for purposes of reclamation of all affected surface areas within the mine and proper closure of all shafts. For the permit term, the amount of such security shall be \$9,910,000.00.
- b. Cargill, Incorporated shall, during the permit term, maintain general liability insurance coverage in the minimum amount of \$1,000,000.00 for bodily injury and property damage which may arise from the operation of the Cayuga Mine. Cargill, Incorporated shall provide proof of such insurance upon the request of the Department.

7. File Termination Notice If the permittee discontinues operation, a termination notice must be filed within 60 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

8. 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.

9. Frontenac Point Anomaly No mining shall occur under the Frontenac Point Anomaly. No mining or mining activities shall be conducted within 1000 feet of the Frontenac Point Anomaly.

10. Further Investigations Cargill shall conduct further investigations and report on the adequacy of the thin rock overburden at the northern extent of the mineral lease area where the solid rock overburden becomes thinner where the glacial till and lake sediments thicken and lake depth increases. Additionally, further investigation and reporting shall be conducted for areas identified as anomalies A and B (and any other anomalous areas identified through additional investigations) if Cargill proposes to mine under these areas, or up to these areas without an established standoff. The aforementioned conditions must be thoroughly analyzed for stability by Cargill and reviewed by the Department before mining proceeds in these areas.

11. Licensed Blaster Required All blasting shall be undertaken, monitored and recorded by a blaster licensed by the New York State Department of Labor. The permittee shall maintain copies of all blasting records. Such records shall be made available to the Department (NYSDEC) upon request.



12. Storage of Explosives Storage of explosives on site shall conform to State of New York, Department of Labor Industrial Code Rule 39, found at 12 NYCRR 39:

- Part 39.6 General Provisions for the Storage and Handling of Explosives
- Part 39.8 Construction and Maintenance of Magazines
- Part 39.9 Location of Magazines

13. Prevent Injury Blasting shall be conducted in a manner to prevent injury to persons and damage to public or private property outside the permit area.

14. Blasting Conditions During Construction of the #4 Shaft The following blasting conditions, in addition to the above blasting conditions, shall be enforced during the construction of the #4 shaft:

1. Seismograph Monitoring

All blasts shall be monitored with a properly calibrated seismograph. Seismographs shall be installed at the nearest residential receptor and any locations identified within the approved Mined Land Use Plan or locations determined by the Department. Seismograph records shall be provided to the Department upon request.

2. Air Blast Limits

Air blast shall not exceed 133 dB at the location of any dwelling, public building, school, church, or community or institutional building outside the permit area.

3. Ground Vibration Limits

Ground vibration shall not exceed the limits as per the attached ground vibration limits graph from the U. S. Bureau of Mines Report of Investigation 8507 (Figure B-1, Safe levels of blasting vibration for houses using a combination of velocity and displacement). Maximum peak particle velocity shall not exceed these limits at the location of any dwelling, public building, school, church, or community or institutional building outside the permit area.

4. No Flyrock Beyond the Property Line

There shall be no flyrock beyond the property line including flyrock that travels in the air or along the ground. In the event of flyrock beyond the property line, all blasting shall cease immediately and the flyrock incident shall be reported within 24 hours to the Regional Mined Land Reclamation Specialist. Blasting shall not resume until written approval to resume blasting is obtained from the Department.

5. Blasting Hours

Blasting may only be conducted between the hours of 9:00 a.m. to 5:00 p.m. Monday thru Saturday. Exceptions to these hours will require prior Department approval. Blasting is not allowed on Sundays or legal holidays.



15. Operation

- a. No surface mining activity of any kind, including clearing, stripping, grubbing, or berm construction other than that as shown on the approved plans shall occur within 25 feet of any adjacent surface property line without prior written approval from the Department's Region 7 Mined Land Reclamation Specialist.
- b. Visible off-site migration of dust resulting from surface operations, including salt processing, loading salt, on-site transport of salt, or use of heavy equipment, shall be controlled by using dust suppression methods including wetting with water, suitable mechanical or operational methods, paving, or approved chemical methods. Oils or petroleum products shall not be used to suppress dust.
- c. Cargill shall ensure that mine activities do not affect the quantity or quality of available ground and surface water except as may be authorized by the SPDES permit for the mine site. Cargill shall restore or replace water supplies determined by the Department to be no longer usable due to effects caused by Cargill's mining operation. Cargill shall undertake such tests or investigations as deemed necessary by the Department to aid in making its decision.
- d. Cargill shall notify the Department prior to any drilling of wells or boreholes it may undertake and shall provide the Department with copies of data obtained and a map depicting surface locations of such wells or boreholes. Where applicable, Cargill shall apply to the Department for any required permits.
- e. Surface equipment shall be operated in a manner to minimize noise levels.

16. Consultant Services Cargill is responsible for retaining and funding Consultant Services to be provided by a qualified, independent mining engineering geotechnical consultant (Consultant). The Consultant must be a qualified mining engineering entity with a demonstrated proficiency in geotechnical and rock mechanics, underground mine engineering and design, including salt, and be a currently licensed professional engineer. The Consultant cannot be a person or entity otherwise utilized in any other capacity by Cargill. The Consultant is Cargill's consultant, and Cargill is responsible for funding and managing the Consultant. The Consultant shall advise the Department in its review of the Annual Report and any application for permit modification or alteration involving specific technical expertise, and shall attend the annual site meeting and associated underground inspections. The Consultant shall also advise the Department with review and response to any issues that arise regarding potential stability issues, Monitoring (Item 18), and/or Non-routine Incidents (Item 19) as described below. In its contract with the Consultant, Cargill may include any terms or requirements that do not conflict with the Consultant's responsibility to answer questions from the Department on matters listed above. Funding related to the review of the Annual Report, permit modification or alterations requiring Consultant services shall not be capped. Cargill shall fund the cost of the Consultant's attendance at and participation in the annual meeting and underground inspections, and any other meeting and inspections that are needed as determined by the Department. Cargill's commitment to fund the consultant services shall remain in effect as long as the permit remains in effect.



17. Reporting and Notifications

- a. For each year the mine is in operation, Cargill shall submit to the Department an Annual Report. The report shall be due on or before each anniversary date of the issuance of the permit. The Annual Report shall include:
 - i. Certification signed by the Cargill Lansing Mine Manager that all mining related activities, to the best of his knowledge, conducted during the reporting year were in conformance with this permit and the approved plans, or that variances have been reported and managed.
 - ii. A summary of non-routine mining incidents as defined in Special Condition 19 of this permit and any action taken by Cargill in response thereto or resolution thereof.
 - iii. An updated Mining Plan Map depicting the current extent of mining activities, and the proposed advancement of the working faces for the subsequent three years.
 - iv. The summary of in situ measurements of rock mechanics required by Special Condition 18.b of this permit.
 - v. The summary of subsidence monitoring data required by Special Condition 18.a of this permit.
 - vi. Information regarding the source and volume of any water inflow into the mine, and the disposition of such water, including brine saturation level prior to discharge to the S3 main, measured daily. The brine conditioning system that has been constructed to ensure brine saturation levels are at least 22% prior to sending inflows to S3 shall be monitored and maintained at all times. Cargill shall also provide a discussion on the frequency, criteria, and protocols for any local, temporary storage of water within the mine.
 - vii. Monitoring of the fluid pressurization of the cased boreholes in U-12 and annual isotopic geochemistry sampling of the fluid shall be conducted as long as the boreholes remain a source of inflow. A summary of the results shall be included in the annual report.
 - viii. A summary of all other monitoring data required under the terms of this permit or Department SPDES permit issued to Cargill.
- b. Upon transmittal or receipt, Cargill shall submit to the Department copies of all correspondence with the Mine Safety and Health Administration involving non-routine mining incidents as described below.
- c. Prior to undertaking any material change in the approved mining methods or techniques described in the documents listed in the Mined Land Reclamation Permit Conditions #3 & 4, Cargill shall submit to the Department a description of such modification in accordance with all applicable laws including the Uniform Procedures Act and State Environmental Quality Review Act.



- d. Cargill must maintain a written record, and make it available to the Department upon request, of all written citizen complaints received by Cargill and any responses by Cargill thereto.
- e. Reports and Notifications required by this permit shall be submitted to the attention of the Region 7 Mined Land Reclamation Specialist.

18. Monitoring

- a. Subsidence monitoring shall be conducted in accordance with the approved subsidence monitoring plan contained in the approved Mined Land Use Plan. Summaries of data collected shall be submitted to the Department as part of the Annual Report. Exceptions to anticipated trends shall be noted and explained to the Department after the data are collected and exceptions to anticipated behavior are established.
- b. In situ measurements of rock mechanics shall be collected in accordance with the approved Mined Land Use Plan. A summary of the data collected shall be submitted to the Department as part of the Annual Report. Exceptions to anticipated trends in rock behavior shall be noted and explained to the Department after these data are collected and exceptions to the anticipated behavior are identified. If closure rates are higher than anticipated, Cargill shall increase the frequency of measurement in the affected area and submit for review and approved by the Department a plan and implementation schedule for corrective action.
- c. Cargill shall develop a workplan to implement additional monitoring concurrent and commensurate with convergence station inundation in the S3 main, including but not limited to additions to the micro-seismic system, modeling and/or subsidence measurements to accurately monitor the strata and global stability in S3. The plan must be completed and submitted to John T. Boyd Co. and DEC within 120 days of issuance of this permit. Cargill shall consult with ESG Solutions, or other qualified mining consultants to develop the plan. Prior to implementation of the workplan, the plan shall be reviewed and approved by DEC with the input and recommendations by John T. Boyd Co. A summary of the data from the additional monitoring shall be included in the annual reporting.
- d. Cargill shall monitor and inspect the S3 main on a monthly basis for excessive dissolution in the area where the brine is discharged. If excessive dissolution is observed and/or a change in convergence rates is noted, Cargill shall install multiple discharge ports to divert the brine to adjacent panels and other sections of the S3 main to mitigate excessive dissolution and report it immediately to DEC. If excessive dissolution continues to occur after multi-port diffusers are installed, then Cargill shall increase the percent saturation levels.

If at any time subsidence monitoring data or rock mechanics measurements identify the potential for global mine instability, the Region 7 Mined Land Reclamation Specialist shall be notified immediately.



19. Non-Routine Incidents Cargill shall immediately notify the Department's Region 7 Mined Land Reclamation Specialist of any non-routine mining incidents both surface and subsurface associated with activities related to this permit. Non-routine mining incidents shall mean incidents during mining, processing, or other mine related activities that may adversely affect mine stability, ground and surface water and other natural resources, or the health, safety, welfare or property of the general public. The Department shall require Cargill to record any data the Department believes may be of future value for adequate evaluation of a non-routine mining incident.

20. 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.

21. 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.

22. Groundwater Protection Without restricting the right of the Department to take any other alternative action it is authorized by law to take, if, after an initial assessment by the Department, it is suspected that shaft construction operations have impacted the quantity or quality of groundwater at or in the vicinity of the site, the Department may direct the permittee to take any or all of the following steps to address the situation:

A. The permittee must immediately supply water at its expense to the impacted property or properties, and must continue to supply water to the impacted property or properties unless and until the permittee can demonstrate to the satisfaction of the Department that the mining operation is not a contributing cause to the identified impacts. In the event that the impacted water supply is utilized as a drinking water source, potable water must be supplied.

B. The permittee shall undertake tests or investigations as deemed necessary by the Department to aid in determining the cause of the identified impacts.

C. If the Department concludes that the shaft construction operation has negatively impacted groundwater at or in the vicinity of the site, the permittee must, at its expense, and with consent of the landowner, provide an alternate, permanent source of water to the impacted property or properties. In the event that the impacted water supply is utilized as a drinking water source, the permittee must connect any impacted property or properties to a municipal water supply system, if available, or, if a municipal water supply system is unavailable to the impacted property or properties, a permanent potable water source must be supplied.



23. 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.

24. 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
5786 Widewaters Pkwy
Syracuse, NY13214 -1867

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

25. 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.

26. 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.

27. Right to Require Additional Protective Measures Neither the issuance of this permit, nor the grant of any approval hereunder, shall prejudice any right of the Department including but not limited to the right to require that additional protective measures be implemented as may be necessary to protect the natural resources of the State or the health, safety and welfare of the general public.

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
5786 Widewaters Pkwy
Syracuse, NY13214 -1867

4. Submission of Renewal Application The permittee must submit a renewal application at least 180 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.

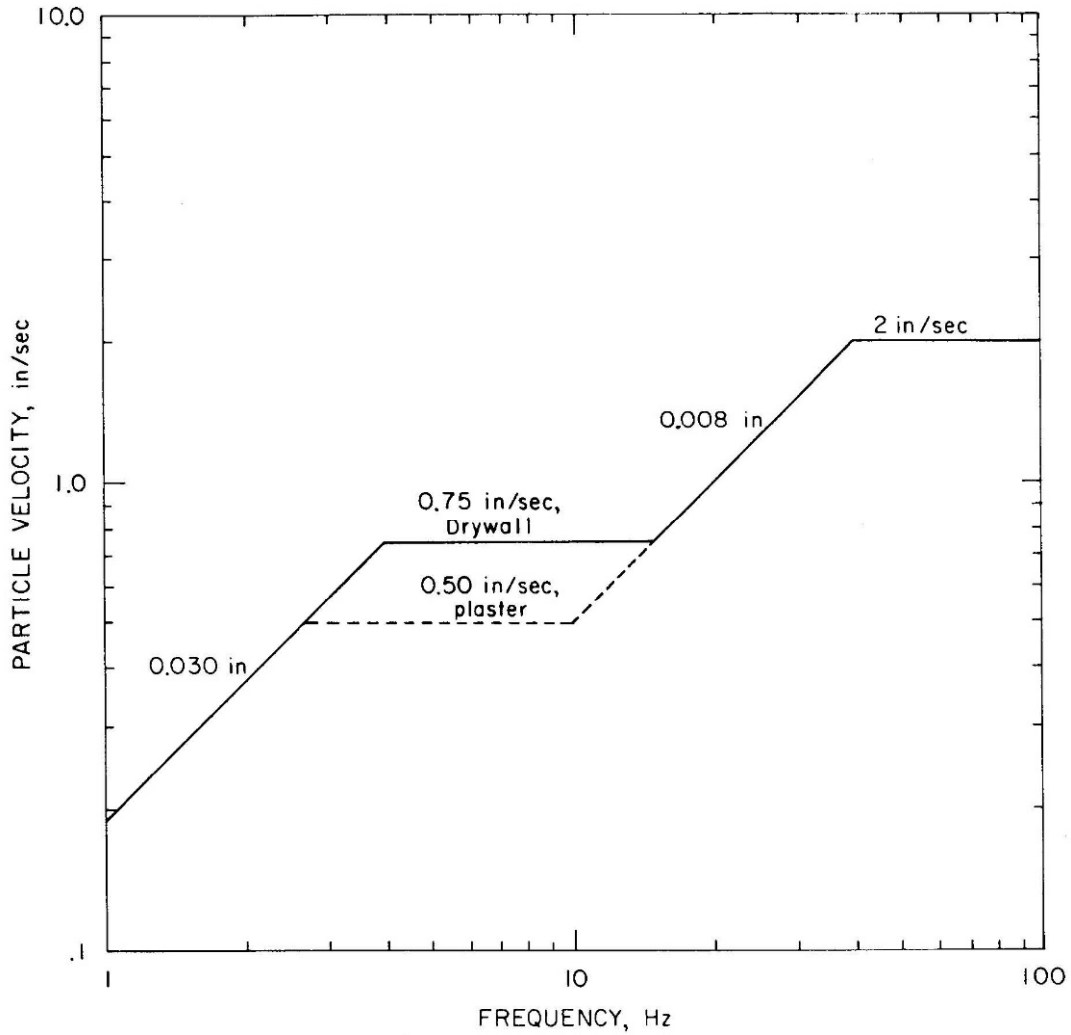
Item C: Permittee Responsible for Obtaining Other Required Permits

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.

BLASTING CHART – GROUND VIBRATION LIMITS



RI-8507 Figure B-1. Safe levels of blasting for houses using a combination of velocity and displacement.

From : Siskind, D. E., Stagg, M. S., Kopp, J. W., and Dowding, C. H., 1980, Structure Response and Damage Produced by Ground Vibration From Surface Mine Blasting, Bureau of Mines Report of Investigation RI-8507, United States Department of the Interior, 73p.