

**From:** [Davidson, Ed](#)  
**To:** [Sek, Dan J \(DEC\)](#)  
**Cc:** [Mehlenbacher, Yvonne M \(DEC\)](#); [office@ignsandandgravel.com](mailto:office@ignsandandgravel.com)  
**Subject:** RE: SAPA protection  
**Date:** Thursday, November 17, 2022 9:24:59 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)

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Hello Dan,

The site would require approximately 7,630 cubic yards of material to reclaim 14.33 acres with 4 inches of soil. We estimate IGN currently has approximately 350 cubic yards of topsoil stockpiled within the life of mine boundary.

Thank you,  
Ed

JMT of New York, Inc.  
An Employee-Owned Company

Edward G. Davidson, PG  
Senior Associate  
Special Projects  
P. (518) 782-0882  
(518) 218-5639 (Direct)

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**From:** Sek, Dan J (DEC) <[dan.sek@dec.ny.gov](mailto:dan.sek@dec.ny.gov)>  
**Sent:** Wednesday, October 19, 2022 9:52 AM  
**To:** Davidson, Ed <[EDavidson@jmt.com](mailto:EDavidson@jmt.com)>  
**Cc:** Mehlenbacher, Yvonne M (DEC) <[Yvonne.Mehlenbacher@dec.ny.gov](mailto:Yvonne.Mehlenbacher@dec.ny.gov)>; [office@ignsandandgravel.com](mailto:office@ignsandandgravel.com)  
**Subject:** [EXTERNAL] RE: SAPA protection

Hello Ed

To renew the Mining Permit, DEC will need the topsoil volumes within the Its Greener Now Life of Mine and the amount needed to reclaim the affected acreage.

Please send the following:

1. Provide an amount of "topsoil" stored within the Life of Mine.
2. Provide the amount of material needed to reclaim 14.33 acres, 4 inches (per a 2011 submission approved by DEC).

Once DEC receives the above information we can continue to process the Renewal Application and determine Financial Security.

Please contact me with any questions at this email address.

Thank you,

Dan Sek

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**From:** Davidson, Ed <[EDavidson@jmt.com](mailto:EDavidson@jmt.com)>  
**Sent:** Friday, October 14, 2022 12:09 PM  
**To:** Sek, Dan J (DEC) <[dan.sek@dec.ny.gov](mailto:dan.sek@dec.ny.gov)>  
**Cc:** Mehlenbacher, Yvonne M (DEC) <[Yvonne.Mehlenbacher@dec.ny.gov](mailto:Yvonne.Mehlenbacher@dec.ny.gov)>; [office@ignsandandgravel.com](mailto:office@ignsandandgravel.com)  
**Subject:** RE: SAPA protection

You don't often get email from [edavidson@jmt.com](mailto:edavidson@jmt.com). [Learn why this is important](#)

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Thank you Daniel, appreciate the clarification.

With regard to the requested topsoil inventory, the site is located within an active agricultural facility with substantial topsoil and subsoil materials available. A screening berm located on the property along Rt 409 contains at least 2,750 cubic yards of soil materials that would be available to the operator at reclamation. That quantity is in excess of twice the amount needed to reclaim the life-of-mine affected area of 14.33 acres with at least 6 inches of soils capable of supporting vegetation. Topsoil materials located within the current life-of-mine boundary are more limited however; several yards of material are located in containment berms adjacent to the existing lined ponds and the scale house/shop area. We estimate approximately 350 cubic yards of material is available from these berms located within the current life-of-mine area.

Please let me know if you have any questions or need any additional information at this time.

Thank you,

Ed

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**From:** Sek, Dan J (DEC) <[dan.sek@dec.ny.gov](mailto:dan.sek@dec.ny.gov)>  
**Sent:** Friday, October 14, 2022 9:48 AM  
**To:** Davidson, Ed <[EDavidson@jmt.com](mailto:EDavidson@jmt.com)>  
**Cc:** Mehlenbacher, Yvonne M (DEC) <[Yvonne.Mehlenbacher@dec.ny.gov](mailto:Yvonne.Mehlenbacher@dec.ny.gov)>  
**Subject:** [EXTERNAL] SAPA protection

Hello Mr. Davidson

I am sending this email in response to your inquiry regarding It's Greener Now (IGN), Padua Ridge Mine renewal submission and SAPA protection. Your email is attached below for reference.

A Mining Permit would be considered SAPA protected with the minimal information provided;

*(1) completed application forms;*

*(2) an updated mining plan map consistent with the provisions of title 27 and including an identification of the area to be mined during the proposed permit term;*

*(3) a description of any changes to the mined land-use plan; and*

*(4) an identification of reclamation accomplished during the existing permit term.*

The renewal application package would not be permit-able without all questions, as listed in the NYSDEC Renewal Notice, including "topsoil" inventory are provided by the Applicant.

I can be available to discuss if you have any additional questions or concerns.

Sincerely,  
Daniel J. Sek

Mined Land Reclamation Specialist 1  
Avon, NY

**From:** Davidson, Ed <[EDavidson@jmt.com](mailto:EDavidson@jmt.com)>

**Sent:** Friday, September 30, 2022 3:43 PM

**To:** Mehlenbacher, Yvonne M (DEC) <[Yvonne.Mehlenbacher@dec.ny.gov](mailto:Yvonne.Mehlenbacher@dec.ny.gov)>; [paduaridge@yahoo.com](mailto:paduaridge@yahoo.com)

**Cc:** Army, Steve (DEC) <[steve.army@dec.ny.gov](mailto:steve.army@dec.ny.gov)>; Haley, Thomas P (DEC) <[thomas.haley@dec.ny.gov](mailto:thomas.haley@dec.ny.gov)>; LaFleur, Robert <[RLaFleur@jmt.com](mailto:RLaFleur@jmt.com)>; Straw, David <[DStraw@jmt.com](mailto:DStraw@jmt.com)>

**Subject:** RE: Padua Gravel Pit 80244

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Thank you Yvonne.

Please note that the electronic submittal included a signed application form, and the original signature has been forwarded to DEC.

The organizational report form provided with the submittal and already on-file with DEC includes the current organizational information; please clarify if a newly completed organizational report form is being requested/required.

Also, while we will certainly provide the requested soil inventory and understand its importance in determining bonding amounts, it is our understanding that per the New York State Mined Land Reclamation Law and NYSDEC mining regulations, required components of a renewal application for purposes of SAPA protection are limited to:

- (1) completed application forms;*
- (2) an updated mining plan map consistent with the provisions of title 27 and including an identification of the area to be mined during the proposed permit term;*
- (3) a description of any changes to the mined land-use plan; and*
- (4) an identification of reclamation accomplished during the existing permit term.*

As these items were already provided to DEC in a timely manner, it is our understanding that IGN's mining permit is currently SAPA-protected, independent of informational requests such as topsoil volumes.

Thank you,  
Ed

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Edward G. Davidson, PG  
Senior Associate

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Thank You.

**From:** Mehlenbacher, Yvonne M (DEC) <[Yvonne.Mehlenbacher@dec.ny.gov](mailto:Yvonne.Mehlenbacher@dec.ny.gov)>

**Sent:** Friday, September 30, 2022 9:45 AM

**To:** [paduaridge@yahoo.com](mailto:paduaridge@yahoo.com); Davidson, Ed <[EDavidson@jmt.com](mailto:EDavidson@jmt.com)>

**Cc:** Mehlenbacher, Yvonne M (DEC) <[Yvonne.Mehlenbacher@dec.ny.gov](mailto:Yvonne.Mehlenbacher@dec.ny.gov)>

**Subject:** [EXTERNAL] Padua Gravel Pit 80244

Please find attached a Notice of Insufficient Application.

Best,  
Yvonne

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Yvonne Mehlenbacher

she/her/hers

Program Aide

Division of Mineral Resources

**New York State Department of Environmental Conservation**

6274 East Avon-Lima Road, Avon, NY 14414

P: 585-226-5373 | [yvonne.mehlenbacher@dec.ny.gov](mailto:yvonne.mehlenbacher@dec.ny.gov)

[www.dec.ny.gov](http://www.dec.ny.gov) |  |  | 