

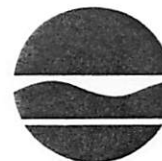
New York State Department of Environmental Conservation

Division of Environmental Permits, Region 8

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Joe Martens
Commissioner

May 6, 2013

Via e-mail (cmalcomb@hodgsonruss.com) and U.S. Mail

Charles W. Malcomb, Esq.
Hodgson Russ, LLP
140 Pearl Street, Suite 100
Buffalo, New York 14202-4040

Re: Frontier Stone Quarry Draft Environmental Impact Statement
Town of Shelby, Orleans County
DEC Application No. 8-3436-00033/00001

Dear Mr. Malcomb:

The New York State Department of Environmental Conservation (DEC) has reviewed your letter dated May 1, 2014 addressed to Administrative Law Judge (ALJ) Molly T. McBride regarding the above-referenced matter. Specifically, you requested that the Department hold a second public hearing session on the Frontier Stone Quarry Draft Environmental Impact Statement (Draft EIS), and extend the written public comment period on the same until June 12, 2014. ALJ McBride requested that I respond to your letter.

Although the purposes of our hearing would have been better served by a larger venue, the Department has determined that sufficient accommodation was provided at the hearing to allow individuals who wished to speak to do so. In addition, as indicated at the hearing, written comments will be given equal weight with all oral comments received at the hearing.

The Department has determined that the written public comment period will be extended through Monday, June 9, 2014. A notice announcing the extension of the written comment period is enclosed, which will also be circulated to the same parties as the original notice and published in the Environmental Notice Bulletin.

If you have any questions, you may contact Dudley Loew at (585) 226-5368.

Sincerely,

Scott E. Sheeley
Regional Permit Administrator

Enclosure

Ecc: Molly T. McBride, ALJ, DEC OHMS (w/enclosure)
Dudley Loew, Esq. DEC Region 8 (w/enclosure)
Kevin Brown, Esq., Brown (w/enclosure)