

From: [Merchant, Kimberly \(DEC\)](#)
To: tim.langlois@casella.com; ["dicksonfarms@hotmail.com"](mailto:dicksonfarms@hotmail.com); phildickson1@hotmail.com; [Patrick Ellis](#)
Cc: [MacLean, Greg B \(DEC\)](#); [Osypian, Mackenzie L \(DEC\)](#); [Schilling, Bernette \(DEC\)](#); [Schwartz, Lisa \(DEC\)](#); [Haley, Thomas P \(DEC\)](#); [Call, Robert B \(DEC\)](#)
Subject: Leo Dickson and Son"s permit transfer application 8-4699-00012/00001 Request for Information and Suspension of Time frames
Date: Friday, July 22, 2022 10:37:00 AM
Attachments: [image002.png](#)
[image003.png](#)
[2022-07-21 Dickson Request for Suspension of Timeframes.pdf](#)

Good afternoon gentlemen,

We received the application for permit transfer and have been reviewing it. We understand that there have been changes at the facility and that there is no longer a CAFO permit. Therefore, we will need updated information.

Before the application can be deemed Complete, pursuant to the Uniform Procedures Act, we will require additional information. Please provide the following:

1. Provide proof of ownership of the facility. Please provide other legal agreements, such as leases, related to operation of the facility.
2. Provide written permission from the owners of the land on which the facility is located on, issued to the new owner. This includes all permitted spreading fields that the new owner will be using. If there is not an agreement in place, the Department will need to remove the fields from the permit.
3. The facility manual must be updated to reflect the facility's operations. Please note, no additional spreading fields or storage areas may be added to the permit at this time. To add additional spreading field acreage or storage areas, a major permit modification will be required.
4. Provide an updated demonstration that the facility will be capable of compliance with all applicable requirements of the ECL, 6 NYCRR Part 360 and 361, and with all permit conditions. Include a description of how compliance with the requirements and conditions will be ensured. If upgrades to the facility are required for compliance, submit a list of upgrades with their implementation schedule.
5. Financial assurance must be submitted for the storage portions of the facility.
6. Please note, per Part 621.11(c)(6) *Any noncompliance by the existing permittee, associated with the permits proposed to be transferred, must be resolved to the department's satisfaction.* There is at least one issue outstanding which must be resolved.
7. Please confirm that Leo Dickson and Sons, Inc. has completed all land spreading of both biosolids and manure.

Since we realize that this may take some time, we request that the application be suspended based on mutual agreement. We therefore request that the attached suspension of timeframes be signed. Or let us know if you think a different timeframe is appropriate.

Thanks. Kim

Kimberly Merchant
She/her/hers
Deputy Regional Permit Administrator
Division of Environmental Permits

New York State Department of Environmental Conservation

Region 8, [6274 E. Avon-Lima Rd., Avon, NY 14414](#)

P: [\(585\) 226-5392](tel:(585)226-5392) | F: [\(585\) 226-2830](tel:(585)226-2830) | Kimberly.merchant@dec.ny.gov

www.dec.ny.gov |  |  | 