



PERMIT
Under the Environmental Conservation Law (ECL)

Permittee and Facility Information

Permit Issued To:

Simfall LLC
4654 Baer Rd
Ransomville, NY 14131

Facility:

56th St Transfer Station
56th St between Charles and Simmons Ave
Niagara Falls, NY 14304

Facility Location: in NIAGARA FALLS in NIAGARA COUNTY

Facility Principal Reference Point: NYTM-E: 174.29 NYTM-N: 4778.422
Latitude: 43°05'18.7" Longitude: 79°00'05.6"

Authorized Activity: Operation of a solid waste management facility (solid waste facility ID **32TP0038**) for the transfer of non-hazardous solid waste including construction and demolition (C&D) debris, municipal solid waste (MSW), source-separated recyclables, and waste tires. Acceptable wastes are authorized to be consolidated and sent off-site to a subsequent 6 NYCRR Part 360 permitted disposal facility. The approved design capacity for this facility is 950 tons of acceptable waste per day.

Permit Authorizations

Solid Waste Management - Under Article 27, Title 7

Permit ID 9-2911-00438/00001

(Solid Waste ID 32TP0038)

New Permit

Proposed Effective Date: _____ Proposed Expiration Date: No Exp. Date

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: {CC_PERMADMIN}

Address: {DISTRICT_DISTRICT_NAME}
{LOCATIONAL_ADDRESS_LOCATION_DIRECTIONS}
{LOCATIONAL_ADDRESS_CITY}, {LOCATIONAL_ADDRESS_STATE}
{LOCATIONAL_ADDRESS_ZIP} {CC_ZIPEXT}

Authorized Signature: _____ Date ____ / ____ / ____

Distribution List

Efrat Forgette, Regional Materials Management Supervisor, NYSDEC
Marion Buckley, NYSDEC



Permit Components

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

GENERAL CONDITIONS, APPLY TO ALL AUTHORIZED PERMITS

NOTIFICATION OF OTHER PERMITTEE OBLIGATIONS

SOLID WASTE MANAGEMENT PERMIT CONDITIONS

- 1. Permit Applicability** This permit supersedes all previously issued Solid Waste Management Facility permits and permit modifications issued by the New York State Department of Environmental Conservation ("DEC") for this facility.
- 2. Conformance With Plans** All activities authorized by this permit must be in strict conformance with the permit application, plans and materials prepared by (see Solid Waste Management Permit Condition 5 of this permit) on (see Solid Waste Management Permit Conditions 5 of this permit).
- 3. Permit Conflicts** If any condition of this permit conflicts with the approved report and plans identified in Solid Waste Management Permit Conditions 5, the Solid Waste Management Permit Condition shall prevail.
- 4. Emergency Reporting** In the event of an emergency, including but not limited to fires, explosion or on-site spills, the Regional Materials Management Supervisor (RMMS) shall be notified of the emergency within 24 hours of discovery. Oral reports due on weekends or holidays shall be made on the next business day. The details of the incident and the remediation or corrective action(s) taken shall be fully described in writing to the RMMS within five (5) working days of the event.

APPROVED DOCUMENTS AND WASTES

- 5. Approved Reports and Documents** Unless expressly authorized in writing or unless modified by conditions of any permit issued by the DEC, operations at this facility shall be in conformance with applicable requirements of 6 NYCRR Part 360 Series Regulations (effective 7/22/2023) and the following:
 - Application for a Solid Waste Management Facility Permit certified May 28, 2024 by Francis Barone (Real Property Owner) and John Battaglia (56th Transfer LLC).
 - "Engineering Report for the 56th Street Transfer Station 540 56th Street Niagara Falls, New York 14304 NYSDEC Permit No. T.B.D." (and attachments) dated January 2024 (last Revised February 2025) and prepared by Ensol, Inc. (signed and stamped by David Lenox, P.E.) for 56th Street Transfer, LLC.
 - "NYSDEC Solid Waste Management Facility Permit Application: Draft: Climate Leadership and Community Protection Act (CLCPA) Analysis" dated January 2024 (last revised July 2025) and prepared by Ensol, Inc. for 56th Street Transfer, LLC.



- Letter dated June 20, 2025 from Ensol, Inc. (John Battaglia, P.E.) to DEC (Michelle Woznick) in response to the June 18, 2025 e-mail request for additional information.
- "Facility Manual for 56th Street Transfer Station 540 56th Street, Niagara Falls, New York" (and attachments) dated January 2024 (last revised October 2025) and prepared by Ensol, Inc. for 56th Street Transfer, LLC.

The approved plans for this facility include:

Sheet./Figure No.	Drawing Name/Title	Date	Prepared By
1	Location Plan	May 2024	Ensol (David Lenox, P.E.)
2	Existing Conditions	May 2024	Ensol (David Lenox, P.E.)
3a	Site Plan 1	May 2024	Ensol (David Lenox, P.E.)
3b	Site Plan 2	May 2024	Ensol (David Lenox, P.E.)
4	Floor Plan	May 2024	Ensol (David Lenox, P.E.)
5	Details	May 2024	Ensol (David Lenox, P.E.)
6	Grading Plan	May 2024	Ensol (David Lenox, P.E.)
1	Process Flow Chart	May 2024	Ensol
1	Regional Map	May 2024	Ensol
2	Vicinity Map	May 2024	Ensol
4	Elevations	May 2024	Ensol (David Lenox, P.E.)
5	Details	May 2024	Ensol (David Lenox, P.E.)
1	CLCPA Trucking Analysis: Facility	May 2024	Ensol
2	DAC Map	May 2024	Ensol

6. Acceptable Waste The permittee is authorized to accept only the following types of non-hazardous solid waste:

- **C&D debris** as defined by 6 NYCRR Part 360.2(b)(62). *C&D debris* means waste resulting from construction, remodeling, repair and demolition of structures, buildings and roads. C&D debris includes excavated material, demolition wastes, and construction wastes. Materials that are not C&D debris (even if generated from construction, remodeling, repair and demolition activities) include municipal solid waste, friable asbestos-containing waste, corrugated container board, electrical fixtures containing hazardous liquids such as fluorescent light ballasts or transformers, fluorescent lights, solar panels, furniture, appliances, tires, drums, fuel tanks, containers greater than ten gallons in size, and any containers having more than one inch of residue remaining on the bottom.
- **Municipal Solid Waste (MSW)** as defined by 6 NYCRR Part 360.2(b)(184). *MSW* means residential waste, commercial waste, or institutional waste, or any component or combination thereof, excluding construction and demolition debris and biosolids unless they are commingled.
- **Source-separated recyclables** as defined by 6 NYCRR Part 360.2(b)(266). *Source-separated recyclables* means recyclables that have been separated from the waste stream at the point of generation pursuant to State or local law or ordinance or a voluntary program where the transporter manages the materials in a source-separated manner.



- **Waste Tires** as defined by 6 NYCRR Part 360.2(b)(322). *Waste tire* means waste which consists of whole tires (on or off the rims) or portions of tires from a vehicle or motor vehicle as defined in ECL section 27-1901, including tire casings separated for retreading and tires with sufficient tread suitable for resale. Waste tire does not include crumb rubber derived from waste tires.

7. Unacceptable Waste In addition to any type of waste that does not meet the acceptable waste description as defined in Solid Waste Management Permit Condition Number 6, the following types of waste must not be accepted by this facility [6 NYCRR Part 362-3.5(a)]:

- friable asbestos-containing waste as defined in 6 NYCRR Part 360.2(b)(125);
- source-separated household hazardous waste;
- source-separated electronic wastes;
- source separated rechargeable batteries;
- source-separated mercury-containing products; and
- other source-separated items that are subject to legislatively enacted product stewardship programs in New York State.

In addition, the permitte must:

- implement measures to educate users of their facility on the proper methods for the management of electronic waste, including:
 - providing written information annually to all potential users of the facility on the proper methods of recycling electronic waste
 - maintaining written information on-site and upon request, providing the information to users of the facility;
 - posting, in conspicuous locations at the facility, signs stating that electronic waste cannot be disposed of at the facility; and
- post a sign, in a conspicuous location, stating that mercury-added thermostats are not accepted at the facility [6 NYCRR Part 360.19(c)(1)(v)].

8. Approved Design Capacity The approved design capacity for this facility is 950 tons per day of solid waste, including C&D debris, MSW, and source-separated recyclables. The approved design capacity is not a limit. The maximum waste receipts during any year shall not exceed 290,700 tons.

9. Approved Storage Capacity The approved storage capacity for this facility is:

- 1,244 tons of C&D debris, MSW, and source-separated recyclables; and
- 4 tons of waste tires;

CONSTRUCTION REQUIREMENTS

10. Construction Certification Report The construction of this facility must be undertaken under the supervision of an individual licensed to practice engineering in the State of New York. **Upon completion of construction**, that individual must certify in writing that the construction is in accordance with the terms of this permit. A **construction certification report (CCR)** certifying that the construction is in accordance with the terms of this permit must be submitted to the RMMS. Operation



of this facility and any stage in the operation of this facility cannot commence until written approval from the DEC is received [6 NYCRR Part 360.16(j)].

11. Selected Project Design Measures In accordance with Section 7(2) of the Climate Leadership & Community Protection Act (CLCPA), an analysis was prepared to evaluate if the facility operations would be consistent with Statewide greenhouse gas (GHG) emission limits, including upstream out-of-state GHG emissions associated with the generation of electricity imported into the State, or the extraction, transmission, and use of fossil fuels imported into the State, and any downstream emissions attributable to the project, established by the CLCPA in ECL Article 75.

In accordance with Section 7(3) of the CLCPA, consideration was given to how facility operations will impact a Disadvantaged Community (DAC) so not to disproportionately burden the community, as well as prioritize reductions of greenhouse gas emissions and co-pollutants in disadvantaged communities.

As part of the final emissions reduction strategy plan that was prepared for this facility, the following must be implemented:

- Initial project design measures consisting of:
 - o Niagara Gospel rooftop solar system donation and installation
 - o Donation and installation of solar streetlights at three Niagara Falls City parks
 - o Electric push mower donations to residents within the DAC
- Conversion of all on-site equipment at the facility to electric, anticipated by 2030

12. Initial Project Design Measures Implementation Schedule The permittee must complete the selected initial emissions project design measures in accordance with the permit application documents (see Solid Waste Management Permit Condition Number 5) and submit a report to DEC upon completion of the projects.

The following implementation schedule must be followed in accordance with the permit application documents (see Solid Waste Management Permit Condition Number 5):

Gospel Mission Rooftop Solar – Total 18 Months	Niagara Falls City Parks Improvements – Total 12 Months	Lawnmower Giveaway – Total 12 Months
<ul style="list-style-type: none"> • 6 months for contract execution(s) and structural assessment(s) • 6 months installation, utility inspections and notice to proceed. • 6 months weather contingency 	<ul style="list-style-type: none"> • 6-8 months execution • 4-6 months weather contingency 	<ul style="list-style-type: none"> • 6-8 months execution • 4-6 months weather contingency

Reporting of the completion of the project design measures may be done in phases or with one final report encompassing all strategies.

OPERATIONS



13. Hours of Operation Operation of the transfer facility shall be in accordance with the following:

Monday through Saturday

- **7 am to 5 pm - facility may receive and transfer waste**
*inbound and outbound waste hauling, and on-site equipment operation may only occur during these hours
- **7 am to 10 pm - maintenance activities** such as tipping floor washing, litter pickup, inspections, and similar activities may occur
*from 5pm to 10pm no inbound or outbound waste hauling may occur

Note that trucks entering and leaving the facility must adhere to Solid Waste Management Facility Permit Condition numbers 26 (Noise) and 29 (Dust Control).

6 NYCRR Part 217-3 prohibits heavy duty vehicles, including diesel trucks, from idling for more than five minutes at a time.

14. Facility Sign A legible sign clearly indicating the hours of operation and the types of waste accepted at the facility must be located at all public access points [6 NYCRR Part 360.19(c)(1)(i)].

15. Residential Drop-off The permittee must provide a separate, designated area for residential drop-off for non-commercial vehicles to unload waste and recyclables [6 NYCRR Part 360.19(c)(7)].

16. Waste Transport Vehicle Covering The permittee must not accept waste unless the commercial vehicle transporting the waste is adequately covered or the waste is containerized. When leaving the facility, all vehicles containing waste must utilize a cover which prevents waste from escaping the vehicle or the waste must be containerized [6 NYCRR Part 360.19(c)(5)].

17. Load Inspections All loads arriving at the facility must be inspected prior to unloading. Inspections must be done to confirm the waste is appropriate for transfer and processing [6 NYCRR Part 360.19(c)(1)(ii)].

18. Unauthorized Waste If unauthorized waste is delivered to the facility it must be adequately segregated, secured, and contained in order to prevent leakage or contamination of the environment and must be removed within seven (7) days after receipt, unless a different period is authorized by the DEC in the waste control plan. Transportation must be performed by a person authorized to transport the waste, and disposition must be to a facility or location authorized to receive the waste for management [6 NYCRR Part 360.19(c)(4)].

19. Waste Handling All tipping, sorting, processing, compaction, storage, loading, and related activities must be conducted in an enclosed building with adequate odor controls to effectively control off-site nuisances [6 NYCRR Part 362-3.5(b)].

However, transfer activities for non-commercial customers at the designated residential drop-off area, including two 30-yard roll-off containers, may be located outside of the building. Each container shall be emptied daily by transferring the waste into the transfer building for consolidation into transfer trailers.



20. Confinement of Waste The permittee must ensure that waste at the facility is confined to an area that can be effectively maintained, operated, and controlled; and that blowing litter is confined to waste holding and operating areas by fencing or other suitable means. Any litter outside the waste holding area must be controlled [6 NYCRR Part 360.19(f)].

21. Clean Time The tipping floor of the transfer and processing building must be cleaned at the end of each operating day [6 NYCRR Part 362-3.5(d)].

22. Waste Storage Putrescible MSW must be removed from the transfer facility tipping floor and loaded into a fully enclosed and covered trailer by the end of each operating day. Full trailers that are covered may be stored outdoors only temporarily. After a transfer trailer has been filled with putrescible MSW, it must be removed from the transfer facility by the end of the next business day after the transfer trailer becomes full [6 NYCRR Part 362-3.5(f)]. No more than six (6) full trailers at any one time are permitted to be stored at the facility overnight. Full trailers must be stored either in the transfer facility building or in the covered trailer parking in accordance with the approved site plan (see Solid Waste Management Permit Condition Number 5). If nuisance conditions develop, disposal must be immediately arranged.

23. Ultimate Disposal of Waste The permittee must ensure that all waste leaving the facility is destined to be managed at a facility authorized by the DEC if located in this State, or authorized by the appropriate governmental agency or agencies if located in another state, territory, or nation [6 NYCRR Part 360.19(c)(8)].

Any MSW passing through this facility must be destined for an authorized solid waste management facility within New York State until radiation detection units have been installed at the facility and approved by the DEC in writing [6 NYCRR Part 362-3.5(e)].

24. Site Drainage and Leachate Management The processing, storage, loading, and unloading areas must be constructed of concrete or asphalt paving material and must be equipped with adequate drainage structures that are directed to a sanitary sewer system [6 NYCRR Part 362-3.5(c)].

The permittee must operate the facility in a manner that minimizes the generation of leachate and that does not allow any leachate to enter surface waters or groundwater except under authority of a State Pollutant Discharge Elimination System permit.

25. Traffic The facility accomodates expected traffic flow in a safe and efficient manner. Facility roadways must be passable in all weather conditions [6 NYCRR Part 360.19(d)(2)].

26. Noise In accordance with 6 NYCRR Part 360.19(j), the permittee must ensure that noise resulting from equipment or operations at the facility does not exceed the following energy equivalent sound levels beyond the property line owned or controlled by the owner or operator of the facility at locations authorized for residential purposes:

Character of Community within a one-mile radius of facility	Leq Energy Equivalent Sound Levels from 7 AM to 10 PM	Leq Energy Equivalent Sound Levels from 10 PM to 7 AM



Rural	57 decibels (A)	47 decibels (A)
Suburban	62 decibels (A)	52 decibels (A)
Urban	67 (decibels (A)	57 decibels (A)

The Leq is the equivalent steady-state sound level which contains the same acoustic energy as the time varying sound level during a one-hour period. It is not necessary that the measurements be taken over a full one-hour time interval, but sufficient measurements must be available to allow a valid extrapolation to a one-hour time interval.

If the background sound level exceeds the referenced Leq sound level limit, the Leq sound levels from facility sources and background sources when combined must not exceed the Leq sound level of the background sources alone by more than three (3) decibels (A).

27. Odor Control The permittee must ensure that odors are effectively controlled so that they do not constitute a nuisance as determined by the DEC [6 NYCRR Part 360.19(i)].

28. Vector Control The permittee must effectively control on-site populations of vectors [6 NYCRR Part 360.19(h)].

29. Dust Control The permittee must ensure that dust is effectively controlled so that it does not constitute a nuisance as determined by the DEC; and must undertake any and all measures as required by the DEC to maintain and control dust at and emanating from the facility [6 NYCRR Part 360.19(g)].

CLOSURE

30. Closure The permittee must comply with the following closure requirements in accordance with 6 NYCRR Part 360.21:

1. Notify the DEC in writing 30 days prior to the anticipated final receipt of waste and within seven (7) days of completion of all closure activities.
2. Within 30 days after receiving the final quantity of wastes, submit an annual report to the DEC as required under this Part.
3. Within 60 days after receiving the final quantity of waste, remove and deliver any remaining waste to a facility authorized to accept the waste.
4. Within 90 days after receiving the final quantity of waste, complete all closure activities, including removal of all products resulting from the processing of waste and decontamination of all equipment and structures involved in any aspect of waste management, in a manner acceptable to the DEC.

FINANCIAL SURETY

31. Financial Assurance The permittee is required to comply with the financial assurance requirements in 6 NYCRR Part 360.22. In accordance with 6 NYCRR Part 360.22(a)(1), the permittee must obtain a financial assurance mechanism covering the DEC-approved closure cost estimate for this facility. **Continuous coverage must be provided no later than 60 days prior to the initial receipt of waste** and until released by the DEC from financial assurance requirements. **At the time of permit**



issuance, the approved closure cost estimate is \$119,139.

32. Annual Cost Estimate Adjustments During the active life of a facility the permittee must annually submit an adjusted closure cost estimate to the DEC for review and approval (See Solid Waste Management Permit Condition 37 of this permit). The revised estimate must include supporting justification to account for inflation and changes in facility conditions.

33. Revised Financial Assurance The amount of funds assured by a financial assurance mechanism must be revised whenever necessary to cover a revised cost estimate [6 NYCRR Part 360.22(c)]. Within 60 days of DEC approval of the revised closure cost estimate submitted with the annual report (see Solid Waste Management Permit Condition 37 of this permit), a revised financial surety mechanism shall be submitted (if necessary) to the DEC.

REPORTING

34. Complaints Any complaints received concerning the operation of the facility must be documented in a log book along with a description of the steps taken to address the concerns and results of the actions taken.

35. Routine Inspection The permittee must monitor and inspect the facility for malfunctions, deteriorations, operator errors, and incidents no less frequently than on a daily basis when the facility is open. The permittee must immediately undertake any and all measures needed to eliminate any violation of an operational or closure requirement [6 NYCRR Part 360.19(e)].

36. Recordkeeping The permittee must maintain and make readily available for inspection the following operating records:

- A daily log of wastes received that identifies the waste type, quantity, date received, and planning unit where the waste was generated, and the quantity and destination of any waste, products or recyclables that are removed from the facility.
- Routine self-inspection logs that must include, at a minimum, the following information:
 - the date and time of the inspection;
 - the name of the inspector;
 - a description of the inspection including the identity of specific equipment and structures inspected;
 - the observations recorded; and
 - the date and nature of any remedial actions implemented or repairs made as a result of the inspection.
- Records documenting personnel training programs, schedules, and certifications as required.
- Records documenting acceptance of unauthorized waste. A record of each incidence of unauthorized waste acceptance identifying the type of waste and its final disposition must be kept [6 NYCRR Part 360.19(c)(4)(i)].

Records must be maintained for a period of no less than seven (7) years from the date of creation [6 NYCRR Part 360.19(k)(2)].



37. Annual Report The permittee must submit an annual report for the facility in a format acceptable to the DEC no later than March 1 of each year for the previous calendar year [6 NYCRR Part 360.19(k)(3)]. The annual report must contain the following:

- Amount of waste (by types identified on annual report form) and/or recyclables received from each New York State County, from each state, and from outside of the country.
- Disposal or destination facility for each type of waste and recyclables identified in the annual report form.
- Unusual events or accidents at the facility and responses taken by facility personnel.
- Any changes from the approved plans, report or permit along with a justification for the change.
- A summary and record of unauthorized wastes brought to the facility and their disposition.
- An updated closure cost estimate for the facility which accounts for inflation and any changes in facility conditions in accordance with 6 NYCRR Part 360.22(b)(3).

38. Report Submission All annual reports shall be submitted to the following:

NYSDEC Central Office
Division of Materials Management
Bureau of Solid Waste Management
625 Broadway, 9th Floor
Albany, New York 12233-7253
swmfannualreport@dec.ny.gov

AND

Attn: Regional Materials Management Supervisor
NYSDEC Region 9
Division of Materials Management
700 Delaware Avenue
Buffalo, NY 14209
SWMFAnnualReportR9@dec.ny.gov

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:

[RPA for General Conditions]

4. Submission of Renewal Application The permittee must submit a renewal application at least 180 days before permit expiration for the following permit authorizations: Solid Waste Management.

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.