



Sent Via Email Only

January 20, 2026

Robert Martin
ESMI of New York LLC
304 Towpath Lane
Fort Edward, NY 12828
rmartin@cleaneearthinc.com

**RE: PUBLIC COMMENT PERIOD EXTENSION AND UPA TIMEFRAME
SUSPENSION
DEC Permit Application #5-5330-00038/00027 (SW RD&D)
ESMI of New York LLC
Fort Edward (T), Washington County**

Dear Robert Martin:

The public review and comment period for the referenced permit application is underway with comments initially due to our office by January 31, 2026. Given the number of comments, we have received thus far requesting an extension of the public comment period to allow the public more time to review the proposal, and because the initial comment period included the end-of-year holiday period, the Department has extended the comment period until February 17, 2026. Notice of this extension was made in the Environmental Notice Bulletin (ENB) published on January 14, 2026 and can be found here: <https://dec.ny.gov/news/environmental-notice-bulletin/2026-01-14/public-notice/town-of-fort-edward-public-comment-period-extension-for-environmental-soil-management-of-new-york-llc-dba-esmi-a-clean-earth-company> for your records.

The Department requests a two-week extension of the Uniform Procedures Act (UPA) time frame at 6 NYCRR 621.8(a) to allow our staff adequate time to review the comments and decide if a public comment hearing is necessary. Based on the extended comment period of February 17, 2026, we request an extension of the hearing decision due date until March 3, 2026. If ESMI agrees to the requested UPA time frame extension, please sign and date below and return the signed letter to me for our records.

Division of Environmental Permits, Region 5

232 Golf Course Road

Warrensburg, NY 12885 | dec.ny.gov | P: (518) 623-1200 | F: (518) 623-3603

Robert Martin
Re: ESMI of New York LLC, DEC Permit Application #5-5330-00038/00027
(SW RD&D)
January 20, 2026
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Please feel free to contact me at beth.magee@dec.ny.gov with any questions on the above.

Sincerely,

Beth A. Magee

Digitally signed by
Beth A. Magee
Date: 2026.01.20
11:58:56 -05'00'

Beth A. Magee
Deputy Regional Permit Administrator

BM: ja

Ec: Erin Donhauser – DEC
James Hogan – DEC
Aaron Love – DEC
Katelyn White – DEC
Yuan Zeng – DEC

ENVIRONMENTAL SOIL MANAGEMENT OF NEW YORK, LLC dba ESMI A Clean Earth Company hereby consents to this suspension of the public comment hearing decision due date until March 3, 2026.

Name: Robert Martin

Signature: *RM*

Title: PFAS Technical Director

Date: February 5, 2026