

Statement Explaining Why the Applicant Seeks a Variance

The prescriptive mandates of the Rule that are the subject of this variance request are the following subsections of 19.15.17.16 [emphasis added]:

B. Whether or not the division deems an application to be administratively complete within the 30 day evaluation period, the division shall also have an additional 30 days to approve, deny or approve with conditions an application. If the division does not take action within the 60 days review period, then the application is deemed denied and the operator may file an application for hearing with the division clerk.

It is our understanding that the intent of this mandate of the Pit Rule is to limit the time of review of a permit application. In general, limiting the review time is good for all.

However, in response to communications with OCD regarding the environmental setting of this location, Lime Rock requests an extension of time to October 15 to allow OCD to review a single permit document with all variance requests and modifications. We will assemble this document, including the minor modification showing a larger footprint of the proposed pit to accommodate a depth of 15 feet rather than 20 feet. While the surface footprint is larger, the total volume of the All Thorn Pit remains as shown in the existing permit. Please expect this assembled document transmitted to OCD on Wednesday October 8th and mailed or hand-delivered that same day.

Demonstration That the Variance Will Provide Equal or Better Protection of Fresh Water, Public Health and the Environment

Currently, this permit application contains numerous addenda and variance requests submitted over a period of several months. We believe that submission of a single document will provide equal or better protection of fresh water, public health and the environment.