

## CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY

### ENVIRONMENTAL ASSESSMENT FORM

**IMPORTANT NOTICE:** The answers to the questions contained in this environmental assessment form are necessary to aid Cortland County Industrial Development Agency in making the environment decisions required in the connection with your proposed project. Accordingly, all questions should be answered accurately and completely by an officer or employee of your firm who is thoroughly familiar with proposed project, the site of the proposed project and all information available locally concerning said project and said site. This environmental assessment form is subject to acceptance by the Agency.

To: CORTLAND COUNTY INDUSTRIAL DEVELOPMENT AGENCY  
37 Church Street  
Cortland, New York 13045  
Attention: Chairman

This Environmental Assessment Form by applicant respectfully states:

APPLICANT: Pyrotek

APPLICANT'S STREET ADDRESS: 9601 E. montgomery ave.

CITY: Spokane Valley STATE/ZIP: WA 99206 PHONE NO.: 509-926-6211

NAME OF PERSON (S) AUTHORIZED TO SPEAK FOR APPLICANT WITH RESPECT TO THIS ENVIRONMENTAL ASSESSMENT FORM: Tom Howard, John Peck, Emma Thompson, Dave Vasquez  
IF APPLICANT IS REPRESENTED BY AN ATTORNEY, COMPLETE THE FOLLOWING:

NAME OF FIRM: Pyrotek corporate attorney

NAME OF ATTORNEY: Emma Thompson

ATTORNEY'S STREET ADDRESS: 9601 E. montgomery ave.

CITY: Spokane Valley STATE/ZIP: WA 99206 PHONE NO. 509-926-6211  
EMMTHO @ PYROTEK-INC.COM

NOTE: PLEASE READ THE INSTRUCTION ON PAGE 2 BEFORE FILLING OUT THIS ENVIRONMENTAL ASSESSMENT FORM.

## PART 1. PROJECT INFORMATION

### A. Identity of the Project.

1. Name of Project: Project Plant Facility Relocation to New Monarch Machine Facility from Canastota, NY Facility
2. Location of the Project:
  - a. Street address: 641 State Rt 13
  - b. City of Cortland
  - c. Town of Cortlandville
  - d. Village of \_\_\_\_\_
  - e. County of Cortland
3. Identity of Owner (if different than the Applicant):
  - a. Name of Owner: New Monarch Machine tool
  - b. Street Address of Owner 641 State Rt 13
  - c. City: Cortland State/Zip NY 13045 Phone Number \_\_\_\_\_
  - d. Name of Person authorized to speak for owner with respect to this environmental assessment form: \_\_\_\_\_
4. Description of the Project: (Please provide a brief narrative description of the Project or the Action). See attached summary

### B. Description of the Project: (Physical setting of overall project, both developed and undeveloped areas.)

1. Present land use (indicate each applicable use): Urban \_\_\_\_\_, Industrial , Commercial \_\_\_\_\_, Suburban \_\_\_\_\_, Rural \_\_\_\_\_, Forest \_\_\_\_\_, Agriculture \_\_\_\_\_, Other \_\_\_\_\_

2. Total acreage of project area: 38 acres.

<u>Approximate Acreage</u>	<u>Presently</u>	<u>After Completion</u>
Meadow or Brush land (Non-Agricultural)	<u>28</u> acres	_____ acres
Forested	<u>9</u> acres	_____ acres
Agricultural (includes orchards, cropland, pasture, etc.)	<u>1</u> acres	_____ acres
Wetland (freshwater or tidal as per Articles 24, 25 of ECL)	_____ acres	_____ acres
Water Surface area	_____ acres	_____ acres
Unvegetated (rock, earth or fill)	_____ acres	_____ acres
Roads, buildings and other paved surfaces	_____ acres	_____ acres
Other (indicate type)	_____ acres	_____ acres

3. What is predominant soil type (s) on the Project site? Howard gravelly loam.

a. Soil drainage: Well drained: 100 % of site

Moderately well drained: 0 % of site

Poorly drained: 0 % of site

b. If any agriculture land is involved, how many acres of soil are classified within soil group 1 through 4 of the NYS Land Classification System? \_\_\_\_\_ acres (See 1 NYCRR 370).

4. a. Are there bedrock outcroppings on project site? Yes \_\_\_\_\_; No X.

b. What is depth to bedrock? \_\_\_\_\_ (in feet).

5. Approximate percentage of proposed project site with slopes:

a. 0-10%: 100 %

b. 10-15%: \_\_\_\_\_ %

c. 15% or greater \_\_\_\_\_ %

6. Is the Project contiguous to, or does it contain, a building, site or district listed on the National Register of National Natural Landmarks? Yes \_\_\_\_\_; No X.

7. Is the Project substantially contiguous to a site listed on the Register of National Natural Landmarks? Yes \_\_\_\_\_; No X.

8. What is the depth to the water table? less than 20 (in feet).

9. Is the site of the Project located over a primary, principal or sole source aquifer? Yes X; No \_\_\_\_\_.

10. Do hunting, fishing or shell fishing opportunities presently exist in the area of the Project? Yes \_\_\_\_\_; No X.

11. Does the site of the Project contain any species of plant or animal life that is identified as threatened or endangered? Yes \_\_\_\_\_; No X. According to \_\_\_\_\_

If yes, identify each species: \_\_\_\_\_

12. Are there any unique or unusual landforms on the site of the Project? (i.e. cliffs, dunes, other geological formations) Yes \_\_\_\_\_; No X. If yes, describe: \_\_\_\_\_

C. Project Description:

1. Physical dimensions and scale of the Project (fill in dimensions as appropriate):
  - a. Total contiguous acreage owned by project sponsor: 38 acres.
  - b. Project acreage developed: 10 acres initially; 10 acres ultimately.
  - c. Project acreage to remain undeveloped: 10 acres.
  - d. Length of project, in miles: N/A (if appropriate).
  - e. If project is an expansion, indicate percent of expansion proposed: — %.
  - f. Number of off-street parking spaces existing: —; proposed: — %.
  - g. Maximum vehicular trips generated per hour: — (upon completion of project).
  - h. If residential: Number and type of housing units:

	<u>One Family</u>	<u>Two Family</u>	<u>Multiple Family</u>	<u>Condominium</u>
Initial	—	—	—	—
Ultimate	—	—	—	—

- i. Dimension (in feet) of largest proposed structure. 40 height; 52 width; 380 Length.
- j. Linear feet of frontage along a public thoroughfare that the Project will occupy is? — feet.

2. How much natural material (i.e. rock, earth, etc.) will be removed from the site of the Project? 0 tons; 0 cubic yards.
3. Will disturbed areas be reclaimed? Yes —; No —;  N/A
  - a. If yes, for what intended purpose is the site of the Project being reclaimed? \_\_\_\_\_
  - \_\_\_\_\_
  - b. Will topsoil be stockpiled for reclamation? Yes —; No —.
  - c. Will upper subsoil be stockpiled for reclamation? Yes —; No —.
4. How many acres of vegetation (trees, shrubs, ground covers) will be removed from the site of the Project? 0 acres.
5. Will any mature forest (over 100 years old) or other locally important vegetation be removed by the Project? Yes —; No X.
6. If single-phase project: Anticipated period of construction: 14 months (including demolition).

16. Will the Project generate solid waste? Yes \_\_\_\_\_; No .

a. If yes, what is the amount per month? \_\_\_\_\_ tons.

b. If yes, will an existing solid waste facility be used? Yes \_\_\_\_\_; No \_\_\_\_\_.

If yes, give name \_\_\_\_\_

c. Will any wastes NOT go into a sewage disposal system or into a sanitary landfill? Yes \_\_\_\_\_; No . If yes, explain: \_\_\_\_\_

17. Will the Project involve the disposal of solid waste? Yes \_\_\_\_\_; No

a. If yes, what is anticipated rate of disposal? \_\_\_\_\_ tons/month

b. If yes, what is the anticipated life of the proposed disposal site identified in question above \_\_\_\_\_ years.

c. Will any wastes not go into a sewage disposal system or into a sanitary landfill?

Yes \_\_\_\_\_; No \_\_\_\_\_. If yes, explain: \_\_\_\_\_

18. Will the Project use herbicides or pesticides? Yes \_\_\_\_\_; No . If yes, explain

19. Will the Project routinely produce odors (more than one hour per day)? Yes \_\_\_\_\_; No . If yes, explain: \_\_\_\_\_

20. Will the Project produce operating noise exceeding the local ambient noise levels?

Yes \_\_\_\_\_; No . If yes, explain: \_\_\_\_\_

21. Will the Project result in an increase in energy use? Yes \_\_\_\_\_; No . If yes, indicate type(s) \_\_\_\_\_

22. If water supply for the Project is from wells, indicates pumping capacity: \_\_\_\_\_ gallons/minutes.

23. Total anticipated water use of the Project per day: 0 gallons/day.

11. Will the proposed action create a demand for any community provided services (recreation, education, police, fire protection)? Yes\_\_\_\_\_; No  . If yes, is existing capacity sufficient to handle projected demand? Yes\_\_\_\_\_; No\_\_\_\_\_.
12. Will the proposed action result in the generation of traffic significantly above present levels? Yes\_\_\_\_\_; No  . If yes, is the existing road network adequate to handle the additional traffic? Yes\_\_\_\_\_; No\_\_\_\_\_.

3. List of governmental action required:

	Action Required (Yes, No)	If yes, Type	Submittal Date	Approval Date
City, Town, Village Board	no			
City, Town, Village Planning Board	no			
City, Town, Zoning Board	no			
City, County Health Department	no			
Other local agencies	no			
Other regional agencies	no			
State Agencies	no			
Federal Agencies	no			

**PART 3. TYPE ONE CHECKLIST**

**GENERAL INFORMATION:** The following items describe various actions, which may be involved with a project. Please indicate which items describe action, which may be undertaken with respect to the Project for which you are seeking assistance from the Agency by writing the word "YES" in the bank provided preceding each item, which describes action, which may be taken with respect to the Project. Note that most capital projects consist of a set activities or steps (i.e. planning, design, contracting, construction and operation). For purposes of answering this part, answer YES if the listed activity will probably occur with respect to the Project, even if some else other than the Agency will undertake such activity. **ANSWER ALL QUESTIONS.**

A. Will the Project involve action which takes place wholly or partially within or substantially contiguous to any of the following:

NO (1) Publicly owned or operated parkland, recreation area or designated open space, including any site on the Register of National Natural Landmarks (see 36CFR part 62, 1986).

NO (2) Any critical environmental area designated by any local or state agency pursuant to 6NYCRR 617.4 (h).

NO (3) Any building, structure, facility, site or district listed on the National Register of Historic Places (see 36CFR part 62, 1986) or that has been proposed by the New York State Board of Historic Preservation for a recommendation to the State Historic Preservation Officer for nomination for inclusion and said National Register, or that is listed on the State Register of Historic Places.

NO (4) An agricultural district certified pursuant to Article 25 of the Agricultural and Markets Law of the State of New York.

B. Does the Project include any of the following types of actions?

NO (1) Adoption by a municipality of a land use plan or the initial adoption of comprehensive zoning regulations.

NO (2) Adoption of any agency of a comprehensive resource management plan.

## PART 4. ACTION CHECKLIST

**GENERAL INFORMATION:** Please indicate whether any of the following impacts may be reasonably expected to result from the Project. Please indicate which items describe action which may be undertaken with respect to the Project for which you are seeking assistance from the Agency by writing the word "Yes" in the blank provided preceding each item which describes action which may be taken with respect to the project and by writing the word "No" in the blank provided preceding each item which does not describe action which may be taken with respect to the Project.

**1. Will the Project result in a significant adverse change in the existing:**

NO (a) air quality.  
NO (b) ground or surface water quality or quantity.  
NO (c) traffic or noise levels.

If so, please explain very briefly: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**2. Will the Project create a substantial increase in:**

NO (a) solid waste production.  
NO (b) potential for drainage problems.  
NO (c) potential for erosion problems.  
NO (d) potential for flooding problems.  
NO (e) potential for leaching problems.

If so, please explain very briefly: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. NO Will the Project create or produce anything which is or can be a hazard to human health or safety?

If so, please explain very briefly: \_\_\_\_\_

9. NO Will the Project result in a change in the use, or intensity of use, or land (including agricultural, open space or recreational resources), or in their capacity to support existing uses?

If so, please explain very briefly: \_\_\_\_\_

10. NO Will the Project create a material demand for other governmental actions or projects, which will result in one of the above consequences?

If so, please explain very briefly: \_\_\_\_\_

11. NO Will the Project result in changes in two or more elements of the environment, such as those listed above, no one of which has a significant effect on the environment, but when considered together result in a substantial adverse impact on the environment?

If so, please explain very briefly: \_\_\_\_\_

- \* Construction on land where the depth to the water table is less than 3 feet.
- \* Construction of paved parking area for 1,000 or more vehicles.
- \* Construction on land where bedrock is exposed or generally within 3 feet of existing ground surface.
- \* Construction that will continue for more than 1 year or involve more than one phase or stage.
- \* Excavation for mining purposes that would remove more than 1,000 tons of natural material (i.e. rock or soil) per year
- \* Construction or expansion of a sanitary landfill.
- \* Construction in a designated floodway.
- \* Other impacts \_\_\_\_\_

2. Will there be an effect to any unique or unusual landforms found on the site? (i.e. cliffs, dunes, geologic formations, etc.)  
 Yes \_\_\_\_\_; No

\* Specific landforms: \_\_\_\_\_

#### IMPACT ON WATER

3. Will the Project affect any water body designated as protected (Under Articles 15, 24, 25 or the Environmental Conservation Law, ECL)?  
 Yes \_\_\_\_\_; No

Examples that would apply to column 2

- \* Developable area of site contains a protected water body.
- \* Dredging more than 100 cubic yards of material from channel of a protected stream.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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- \* Project would use water in excess of 20,000 gallons per day.

- \* Project will likely cause siltation or other discharge into an existing body of water to the extent that there will be an obvious visual contrast to natural conditions.

- \* Project will require the storage of petroleum or chemical products greater than 1,000 gallons.

\* Project will allow residential uses in areas without water and/or sewer services.    Yes  No

\* Project locates commercial and/or industrial uses which may require new or expansion of existing waste treatment and/or storage facilities.    Yes  No

\* Other impacts:    Yes  No

6. Will Project alter drainage flow, patterns or surface water runoff? Yes ; No .

### Examples that would apply to column 2

\* Project would change floodwater flows

\* Project may cause substantial erosion.

\* Project is incompatible with existing drainage patterns.

- \* Project will allow development in a designated floodway.

#### \* Other impacts:

—  
—

## IMPACT ON AIR

7. Will Project affect air quality? Yes ; No

### Examples that would apply to column 2

- \* Project will induce 1,000 or more vehicle trips in any given hours.

- \* Project requires the removal of more than 10 acres of mature forest (over 100 years in age) or other locally important vegetation.

#### IMPACT ON AGRICULTURAL LAND RESOURCES

10. Will the Project affect agricultural land resources?  
Yes \_\_\_\_\_; No

- \* Project would sever, cross or limit access to agricultural land (includes cropland, hayfields, pastures, vineyard, orchard, etc.)
- \* Construction activity would excavate or compact the soil profile of agriculture land.
- \* Project would irreversibly convert more than 10 acres of agricultural land or, if located in an Agricultural District, more than 2.5 acres of agricultural land.
- \* Project would disrupt or prevent installation of agricultural land management systems (e.g. subsurface drain lines, outlet ditches, strip cropping); or create a need for such measure (e.g. cause a farm field to drain poorly due to increased runoff).

\* Other impacts:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### IMPACT ON AESTHETIC RESOURCES

11. Will the Project Affect aesthetic resources?  
Yes \_\_\_\_\_; No

Examples that would apply to column 2

- Proposed land uses, or project components, obviously different from or in sharp contrast to current surrounding land use patterns, whether man-made or natural.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

\* A major reduction of an open space important to the community.

\* Other Impacts: \_\_\_\_\_

#### IMPACT ON TRANSPORTATION

14. Will there be an effect to existing transportation systems? Yes \_\_\_\_\_; No X

Examples that would apply to column 2

\* Alteration of present patterns of movement of people and/or goods.

\* Project will result in major traffic problems.

\* Other Impacts: \_\_\_\_\_

#### IMPACT ON ENERGY

15. Will the Project affect the community's source of fuel or energy supply? Yes \_\_\_\_\_; No X

Examples that would apply to column 2

\* Project will cause a greater than 5% increase in the use of any form of energy in the municipality.

\* Project will require the creation or extension of an energy transmission or supply system to serve more than 50 single or two family residences or to serve a major commercial or industrial use.

\* Other impacts: \_\_\_\_\_

#### NOISE AND ODOR IMPACTS

16. Will there be objectionable odors, noise or vibration as a result of the Project?

Yes \_\_\_\_\_; No X

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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**IMPACT ON GROWTH AND CHARACTER OF COMMUNITY OR NEIGHBORHOOD**

18. Will the Project affect the character of the existing community? Yes       ; No X.

Examples that would apply to column 2.

- \* The permanent population of the city, town or village in which the project is located is likely to grow by more than 5%.
- \* The municipal budgets for capital expenditures or operating services will increase by more than 5% per year as a result of this project.
- \* Project will conflict with officially adopted plans or goals.
- \* Project will cause a change in the density of land use.
- \* Project will replace or eliminate existing facilities, structures or areas of historic importance to the community.
- \* Development will create a demand for additional community services (e.g. schools, police, fire, etc.)
- \* Project will set an important precedent for future projects.
- \* Project will create or eliminate employment.
- \* Other impacts: \_\_\_\_\_

19. Is there, or is there likely to be, public controversy concerning the Project? Yes       ; No X.

Examples that would apply to column 2

- \* Either government or citizens of adjacent communities have expressed opposition or rejected the Project or have not been contacted.
- \* Objections to Project from within the community.

1 Small to Moderate Impact	2 Potential Large Impact	3 Can Impact Be Mitigated By Project Change
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No
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<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Yes <input type="checkbox"/> No

5. Describe alternatives, if any, to the Project:

NA

6. Describe any irreversible and irretrievable commitments of resources which would be included should the Project be implemented:

NA

7. Describe the mitigation measures, if any, proposed to minimize the potential environmental impact of the Project:

NA

8. Describe the growth inducing aspects of the Project:

NA

9. Describe the effects of the Project on the use and conservation of energy resources:

NA

10. List any studies, reports or other information upon which the answers to the above questions are based:

NA

Pyrotek Inc.  
(Applicant)

By:

Thomas J. Howard

NOTE: APPLICANT MUST COMPLETE THE APPROPRIATE VERIFICATION  
APPEARING ON PAGES 30 THROUGH 32 HEREOF BEFORE A NOTARY PUBLIC

NOTICE OF DETERMINATION  
OF NO SIGNIFICANT EFFECT  
ON THE ENVIRONMENT

TO ALL INTERESTED AGENCIES, GROUPS AND PERSONS:

In accordance with Article 8 (State Environmental Quality Review) of the Environmental Conservation Law (the "Act"), and the statewide regulations under the Act (6 NYCRR Part 617) (the "Regulations"), notice is hereby given that Cortland County Industrial Development Agency (the "Agency") has reviewed an application and environmental assessment form from Pyrotek Incorporated (the "Company") in connection with the proposed project described below (the "Project") and that the Agency has determined (A) that the proposed Project is an "Unlisted Action" pursuant to the Regulations, and therefore that coordinated review and notification is optional with respect to said Project; (B) to conduct an uncoordinated review of the Project; (C) that the Project will result in no major impacts and therefore will not have a significant effect on the environment; and (D) therefore that an environmental impact statement is not required to be prepared with respect to the Project. THIS NOTICE IS A NEGATIVE DECLARATION FOR THE PURPOSES OF THE ACT.

1. Lead Agency: The Agency has determined not to follow the coordinated review provisions of the Regulations. Therefore, there is no lead agency for the Project.

2. Person to Contact for Further Information: Garry VanGorder, Executive Director, Cortland County Industrial Development Agency, 37 Church Street, Cortland, New York 13045; Telephone No. (607) 756-5005.

3. Project Identification: Proposed Pyrotek Incorporated Project.

4. Project Description: The Project (the "Project") consists of the following: (A) (1) the acquisition of an interest in an approximately 38 acre parcel of land (the "Land") located at 641 State Route 13 in the Town of Cortlandville, Cortland County, New York, (2) the renovation on the Land of an existing building to contain approximately 140,000 square feet of space (the "Facility"), and (3) the acquisition and installation therein and thereon of certain machinery and equipment (the "Equipment"), all of the foregoing to constitute an industrial building to be operated by the Company and occupied by the Company (the Land, the Facility and the Equipment being collectively referred to as the "Project Facility"); (B) the granting of certain "financial assistance" (within the meaning of Section 854(14) of the Act) with respect to the foregoing, including potential exemptions from certain sales taxes, real estate transfer taxes, mortgage recording taxes and real property taxes (collectively, the "Financial Assistance"); and (C) the lease (with an obligation to purchase) or sale of the Project Facility to the Company or such other person as may be designated by the Company and agreed upon by the Agency.

5. Project Location: The Project Facility is located at 641 State Route 13, in the Town of Cortlandville, Cortland County, New York.

6. Reasons for Determination of Non-Significance: By resolution adopted by the members of the Agency on March 8, 2010, the Agency determined that no significant environmental impacts were identified by the Agency in its review of the environmental assessment form submitted to the Agency with respect to the Project and, based upon the Agency's knowledge of the area surrounding the Project Facility and such further investigation of the Project and its environmental effects as the Agency has deemed appropriate, no significant environmental impacts are known to the Agency.

7. Comment Period: All interested parties, groups and persons disagreeing with or otherwise desiring to comment upon the Agency's initial environmental determination with respect to this Project are invited to submit written comments for consideration by the Agency. All such comments should be sent by mail addressed to Garry VanGorder, Executive Director at the address specified in paragraph two hereof. All written comments received by the Agency on or before the close of business on April 30, 2010 will be considered part of the official record.

Dated: March 8, 2010

CORTLAND COUNTY INDUSTRIAL  
DEVELOPMENT AGENCY

By:   
Garry VanGorder, Executive Director