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March 8, 2024

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and Counsel**

Barbara Rice
Executive Director
Adirondack Park Agency
P.O. Box 99
Ray Brook, NY. 12977

**Re: Violations of APA Permit P2016-226 by WhistlePig Whiskey
Hamlet of Mineville, Town of Moriah, Essex County**

Dear Ms. Rice:

Protect the Adirondacks is writing to request that the Adirondack Park Agency (“APA”) initiate an enforcement action against WhistlePig Whiskey (“WhistlePig”) for its continuing violations of APA Permit P2016-226. Specifically, warehouses owned and operated by Whistlepig have emitted and continue to emit vapor into the outside air that is causing off-site damage to property in violation of its APA permit.

WhistlePig purchased land in Mineville in the Town of Moriah, Essex County, in 2016 from the Essex County Industrial Development Agency and subsequently constructed seven 14,000 square foot warehouses on the property. The warehouses are used to store and age the company’s whiskey products, which emit vapors containing a fungus commonly referred to as “whiskey fungus,” “warehouse staining fungus” and “distillery fungus.” Its scientific name is *Baudonia compniacensis*.

The vapors form as the whiskey ages. When the vapor escapes to the outdoors, it coats surfaces it contacts with a black mold, which is currently affecting homes in Mineville. As reported in the *Adirondack Explorer*, “white and yellow houses are turning gray, green metal roofs are turning brown and white gutters and fence posts are turning spotted black.” Gwendolyn Craig, As distilling business expands, so does black sheen on Mineville buildings, *Adirondack Explorer* (Nov. 29, 2023). According to the *Adirondack Explorer* article, DEC has collected samples of the black mold from Mineville homes and confirmed that it is whiskey fungus.

Protect the Adirondacks

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WhistlePig's APA permit states the following under the heading "Project Impacts:"

The commercial use authorized herein will primarily involve storage. Approximately one delivery per day will occur between normal daytime business hours. Whiskey will be delivered by tanker truck to Warehouse 1, and barrels will be filled there and then transported by forklifts to the other storage warehouses. *As described by the permittee, the proposed operations, including future Phase 3 and 4 activities (Bottling and Distillation), will create no off-site noise, fumes, smoke, or emissions.*

APA Permit P2016-226, ¶ 17 at p. 10 (emphasis added).

WhistlePig's ongoing release of whiskey fungus vapors from its storehouses and the resulting presence of whiskey fungus on nearby homes constitutes "off-site . . . fumes . . . or emissions" in violation of its permit. The impacts from WhistlePig's emissions are likely to significantly increase because the company is apparently planning on constructing additional warehouses to store and age its product. We therefore call upon APA to initiate an enforcement action to require WhistlePig to take all necessary steps to control its emissions of whiskey fungus vapors as required by its APA permit.

Sincerely,



Christopher Amato
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cc: Damion K. Stodola, Esq., Counsel
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Greg Furness