August 30, 2024

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 ("PROTECT") again requests that the Adirondack Park Agency ("APA") initiate an enforcement action against WhistlePig Whiskey ("WhistlePig") for its continuing violations of APA Permit P2016-226. As detailed in our previous letter dated March 8, 2024 (attached as Exhibit A), 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. Specifically, WhistlePig's emissions coat surfaces with a black mold, commonly referred to as "whiskey fungus," which is affecting homes, cars, signs, fenceposts and other property in Mineville. Photographs of the whiskey fungus on homes and other property in Mineville are attached as Exhibit B. Additional photographs are available in an article published by the *Adirondack Explorer* available at https://www.adirondackexplorer.org/stories/whiskey-fungus-plan.

WhistlePig's APA permit states: "*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 off-site emissions and its inundation of properties in Mineville with black mold are completely at odds with the company's prior claim that its operations would have no off-site impacts. WhistlePig's (misleading) description of its operations is incorporated and made part of its APA permit, and its off-site emissions and impacts therefore violate the terms of its permit.

Recent communications between the Department of Environmental Conservation ("DEC") and WhiskeyPig confirm that the company's air

emissions are traveling off-site and creating a black mold on homes and other property in Mineville. In response to complaints from Mineville residents, DEC collected samples of the black mold in November 2023 from the WhistlePig warehouse and from several nearby residences. Subsequent laboratory analysis confirmed that the black mold was whiskey fungus originating from vapors emitted from the WhistlePig warehouses. As concluded in DEC's report on the sampling and analysis:

> Based on all the available information, it is concluded that the fungus from the residences is consistent with that collected from the property of WhistlePig. The examination of the control sample shows evidence that the fungus material in the area is observed in greater quantities than what is naturally found in the environment.

NYSDEC Bureau of Air Quality Surveillance, Report for Mineville 2023 (2023) (attached as Exhibit C) at 9.

Subsequently, DEC Region 5 sent a letter to WhistlePig dated March 21, 2024 (attached as Exhibit D), which stated:

> [DEC] has determined that emissions of ethanol from WhistlePig's whiskey aging warehouses in the Town of Moriah, New York, appear to be contributing to the growth of unsightly black whiskey fungus on building exteriors near the facility. The spread of this fungus has led to an increasing number of public complaints to DEC, including five in the last 12 months . . . DEC has authority under New York Environmental Conservation Law Article 19, Section 19-0301, and Title 6 of the New York Codes, Rules, and Regulations, Part 211, to regulate emissions of air contaminants that "unreasonably interfere with the comfortable enjoyment of life or property." Without a protocol in place to neutralize emissions of ethanol or mitigate the growth of whiskey fungus, WhistlePig's operations are likely to contribute to an actionable interference under these provisions.

DEC's letter, which was based on sampling and laboratory analyses demonstrating that WhistlePig's emissions are the cause of the black mold affecting properties in Mineville, required WhistlePig to submit a corrective action plan within 30 days. On or about June 13, 2024, WhistlePig submitted a plan to DEC in which the company proposes to power wash homes located within 960 yards of its facilities once a year at no charge to homeowners. This constitutes an admission by the company that it is the source of off-site emissions causing the whiskey fungus problem in Mineville. (A copy of WhistlePig's submission is attached as Exhibit E). Notably, the proposal to wash homes does nothing to reduce or eliminate Whistle-Pig's unlawful off-site emissions or to prevent whiskey fungus from continuing to inundate homes, cars, signs, fencing and other property in Mineville.

DEC's conclusion that WhiskeyPig is the source of emissions creating whiskey fungus on properties near the company's facility and WhiskeyPig's proposal to clean homes of the black mold its emissions are creating are proof positive that the company is causing off-site emissions in violation of its permit. We therefore reiterate our request that APA take appropriate enforcement action to address WhistlePig's continuing violation of its permit.

We thank you in advance for your prompt attention to this enforcement matter.

Sincerely,

Christopher Amato
Conservation Director and Counsel
Protect the Adirondacks
P.O. Box 48
North Creek, NY 12853
(518) 860-3696
conservationdirector@protectadks.org

cc: Damion K. Stodola, Esq., Counsel
David J. Plante, Deputy Director for Regulatory Programs
Matthew Brassard, Supervisor, Town of Moriah

EXHIBIT A

March 8, 2024

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 feet 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
PO Box 48, North Creek, NY 12853 518.251.2700
www.protectadks.org info@protectadks.org
Like Us on Facebook and on Instagram/Threads @ProtectAdkPark

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
Conservation Director and Counsel
Protect the Adirondacks
P.O. Box 48
North Creek, NY 12853
(518) 860-3696
conservationdirector@protectadks.org

cc: Damion K. Stodola, Esq., Counsel
David J. Plante, Deputy Director for Regulatory Programs
Matthew Brassard, Supervisor, Town of Moriah
Greg Furness

EXHIBIT B


02/04/2024


02/05/2024


02/06/2024


STOP
02/04/2024


1
3FI
2
3
4
02/07/2024


THIS PROPERTY PROTECTED BY
NEW YORK
FIRE & SECURITY
SECURITY & FIRE ALARM SYSTEMS
1 2 3 4
02/11/2024


08/29/2024


02/09/2024


1 2 3 4
08/29/2024


02/09/2024

EXHIBIT C

REPORT for
Mineville 2023

Bureau of Air Quality Surveillance
Division of Air Resources
NYS Department of Environmental Conservation
Final 03/18/2024

MINEVILLE SAMPLING REPORT

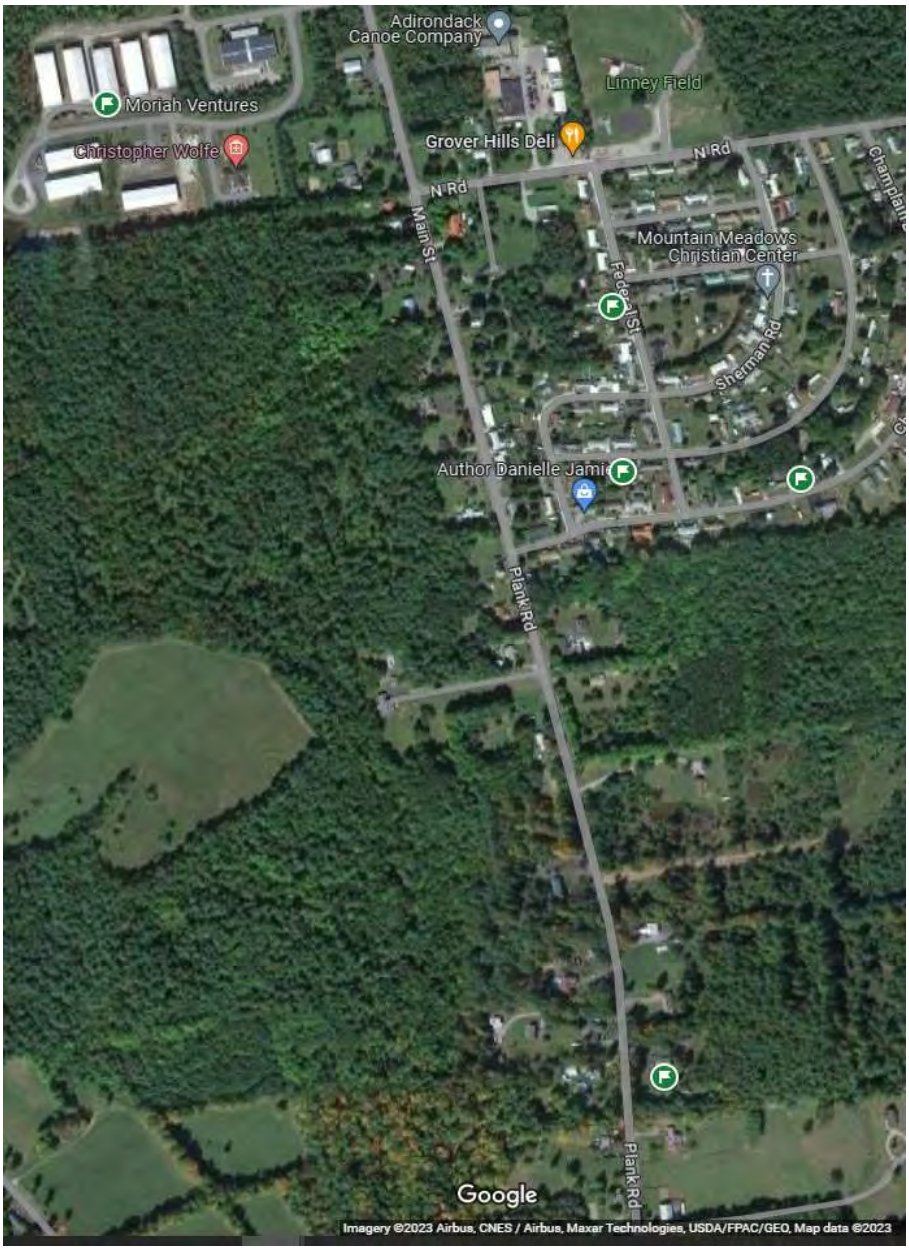
SUMMARY

A study into air pollution complaints in the vicinity of the WhistlePig Distillery has been completed. The WhistlePig facility in Mineville, New York is a spirits warehouse with processing and bottling operations. The complaints from nearby residents are regarding what appears to be a black fungus that has accumulated on their homes that they believe to be "Whiskey Fungus". "Whiskey Fungus" is a common term used to describe the fungus Baudoinia Compniacensis that occurs naturally in the environment and has an affinity for ethanol exposed materials. The WhistlePig facility stores barrels of whiskey in warehouses for aging and ethanol emanates into the environment from the barrels as part of the aging process.

On November 9th, 2023, DEC staff visited the site of the WhistlePig operation in Mineville and collected samples for analysis. Several of the warehouses were examined and two samples were collected to be used as Source material for comparison in an analysis of the black material covering nearby buildings. The Source sample was collected directly from the warehouse where there was an observed concentrated amount of the black material. Onsite staff said the black material on the outside of the warehouses on site is Baudoinia. DEC staff then proceeded to the residences of the complainants and collected four samples. Many of the homes in the vicinity did appear to be impacted by a black substance that resembled a mold or fungus. A sample outside of the area where no known ethanol vapors are escaping was also collected.

The samples were analyzed by comparing the source sample collected from WhistlePig to the samples collected from the surface of the residential homes as well as the sample collected from outside the area. A scanning electron microscope (SEM) was used at 1000X to match the morphology of the source material to the morphology of the material collected at residences in the neighborhood. Fifty fields were examined across the SEM stub (the device each sample was collected on) and a percent match per sample analyzed was determined by matching morphology and size between source material and the receptor. This analysis does not positively identify the mold or fungus. The DEC Particle ID Laboratory does not have the capability at this time to analyze biological material with a transmitted light microscope. If positive identification of Baudoinia is necessary, samples will be sent out for mass spectrometry, PCR (polymerase chain reaction) or genome sequencing.

Sampling



Sample descriptions	Sample Location	Distance from WhistlePig Facility
R511923-1,	Source Sample WhistlePig	
R511923-2,	Source Sample WhistlePig	
R511923-3, 1A	Federal Street	663 Yards
R511923-4, 2A	Mineville Road	796 Yards
R511923-5, 3A	Champlain Drive	961 Yards
R511923-6, 4A	Plank Road	1379 Yards
R511923-7	Control (not on the map, Warrensburg Office)	

-The distance from WhistlePig facility was approximated by using tools available on Google Earth The map on the previous page marks the sampling locations with green flags. A total of seven samples were collected, six appear on the map above, the other was the background sample.

During the month of October, prevailing winds were coming from the WhistlePig facility to the sampled areas at an average of 7 mile per hour from the Northwest. Sample number 1A was closest to the facility, at approximately 663 yards. Sample number 2A approximately 796 yards, 3A approximately 961 yards, and 4A approximately 1379 yards, were collected at increasing distances from the facility. Sample number 7, the background sample, was collected near the DEC Warrensburg office. According to James Scott, a scientist and professor at Dalla Lana School of Public Health in Toronto, Baudoinia can be found 100 or 200 yards from distilleries with 20,000 to 30,000 barrels in storage.[1] DEC staff visited the WhistlePig facility in Mineville and had conversations regarding "Whiskey Fungus", and transport of ethanol vapors. The staff at WhistlePig mentioned a study that determines how far the ethanol emanates from a given source point. A copy of this study has been requested. At the time of DEC's site visit, WhistlePig had 11 of their 13 warehouses in use. While in the Mineville area, DEC staff visually examined the residential neighborhood as samples were collected.

Source Samples

Source samples from two warehouses were collected to determine the presence of matching black particulate in the residential samples. The Particle ID lab obtained two samples from the WhistlePig Facility. These samples were both collected from the exterior surface of the warehouses where there was a concentration of the black material.

Sample Analysis

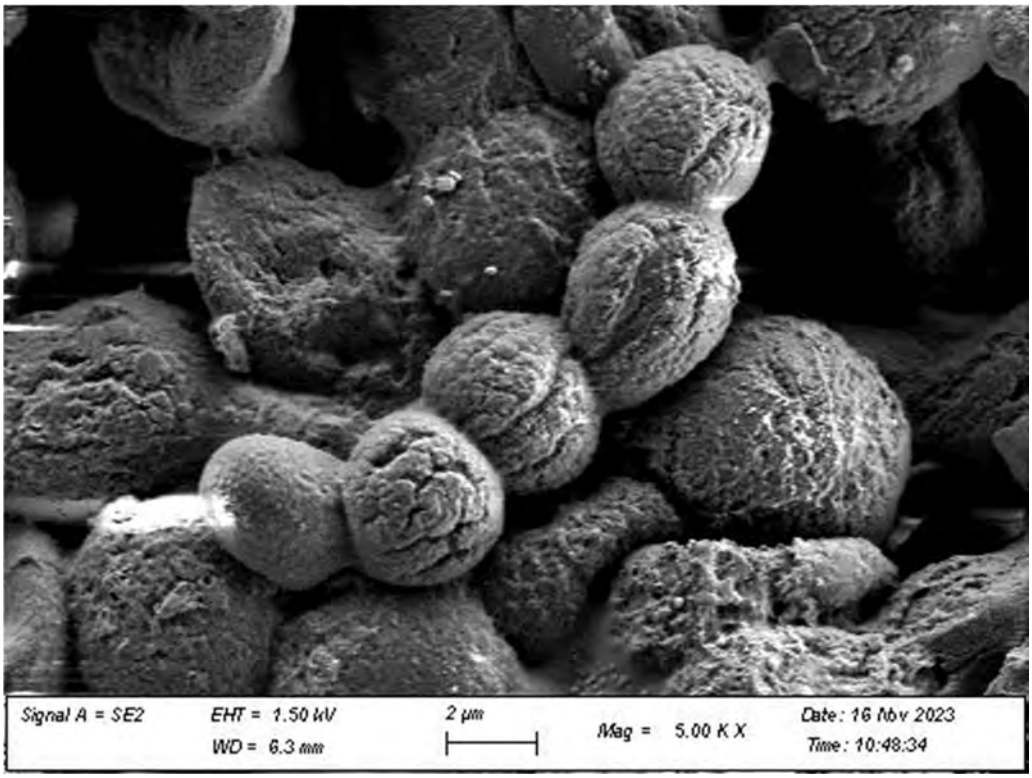
Samples were analyzed via direct examination with the following instrument: Scanning Electron Microscope. This report includes representative examples of what was observed. Many thousands of particles were analyzed for this investigation.

1 Rackhousewhiskeyclub.com

RESULTS:

Scanning Electron Microscopy (SEM)

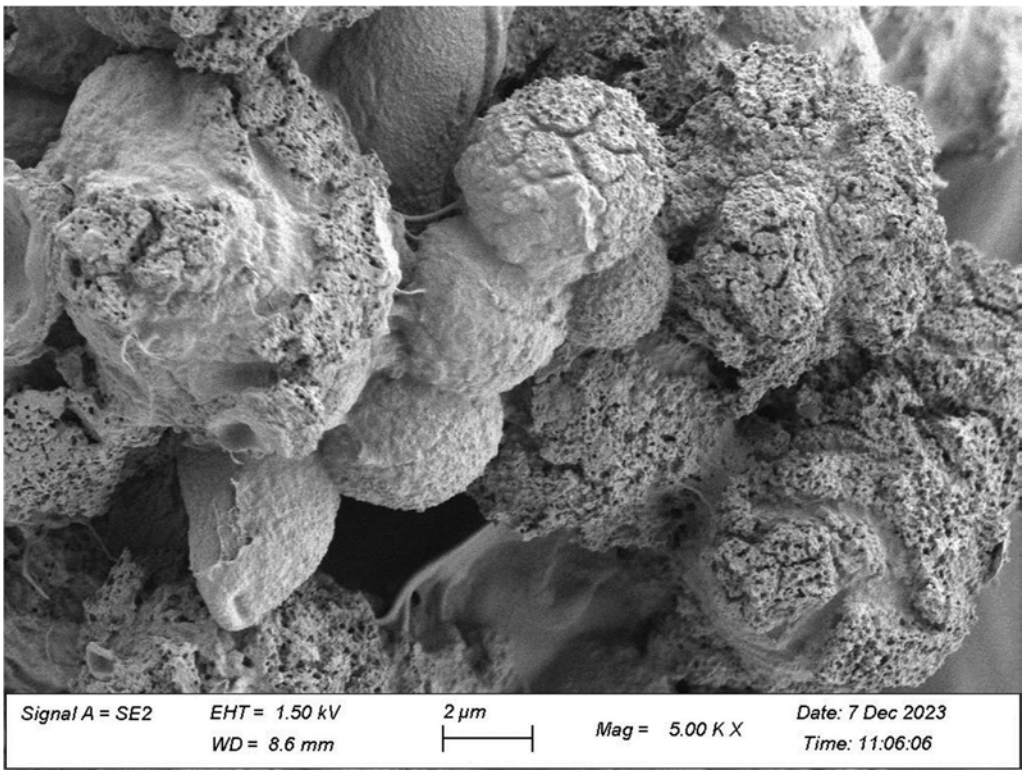
WhistlePig Warehouse Source Sample



WhistlePig Warehouse Source.

This image is a representation of source material collected.

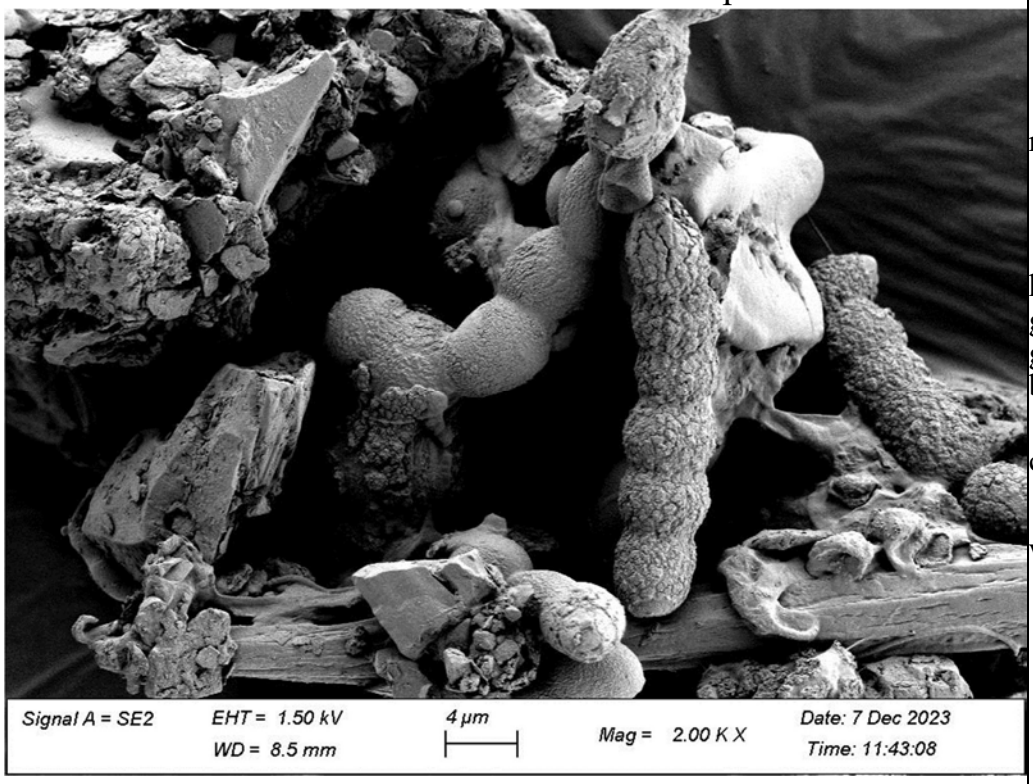
The fungus is in a chain and has a crusty appearance.



WhistlePig Warehouse second source.

This is consistent with the first source collected.

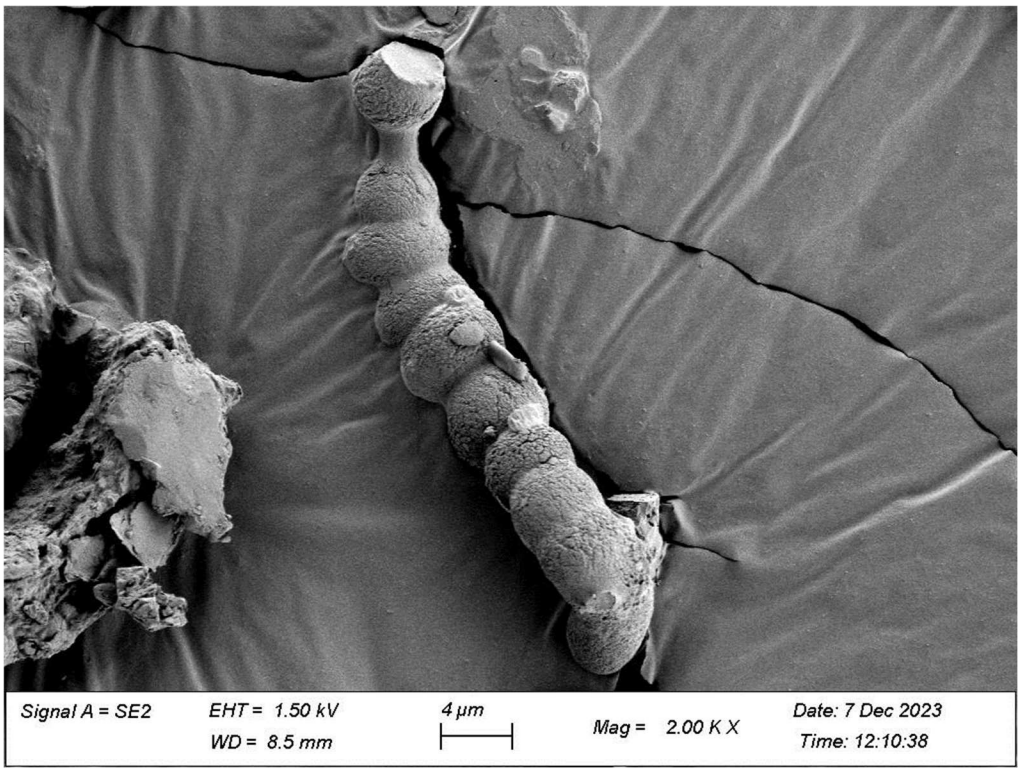
Residential Samples



1A

This image is of the first residential sample collected from the homeowner on Federal Street. The homeowner just had his garage resided and the growth was new. It was black and relatively concentrated.

The image is consistent with the source collected from WhistlePig in size and morphology, and crusty exterior.

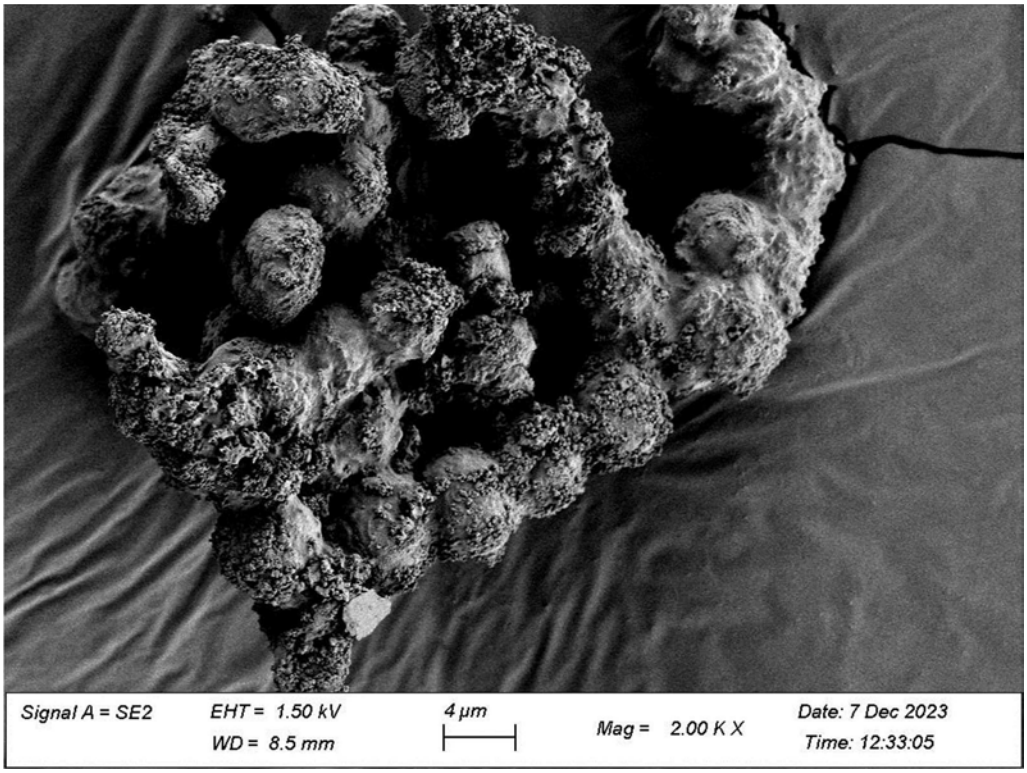


2A

This image is of the second residential sample and was collected from the homeowner on Mineville Drive.

The homeowner was in the process of cleaning her house.

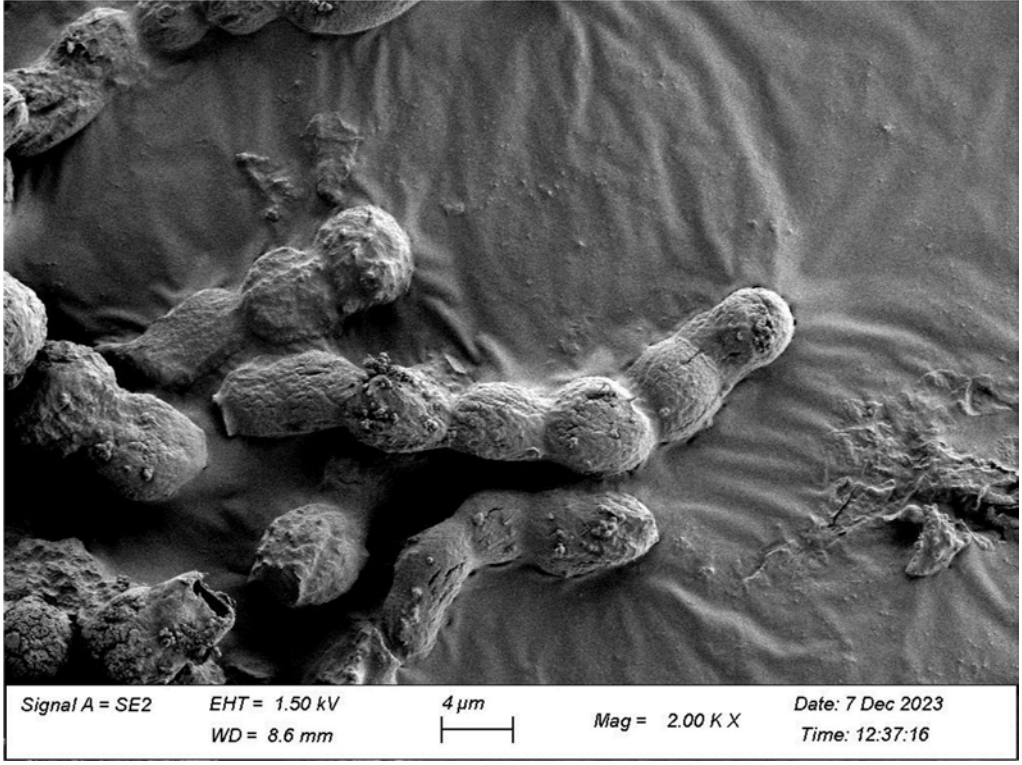
The image is consistent with the source collected from WhistlePig in size and morphology.



3A

This image is of the third residential sample and was collected from the homeowner on Champlain Drive.

The image is consistent with the source collected from WhistlePig in size and morphology.

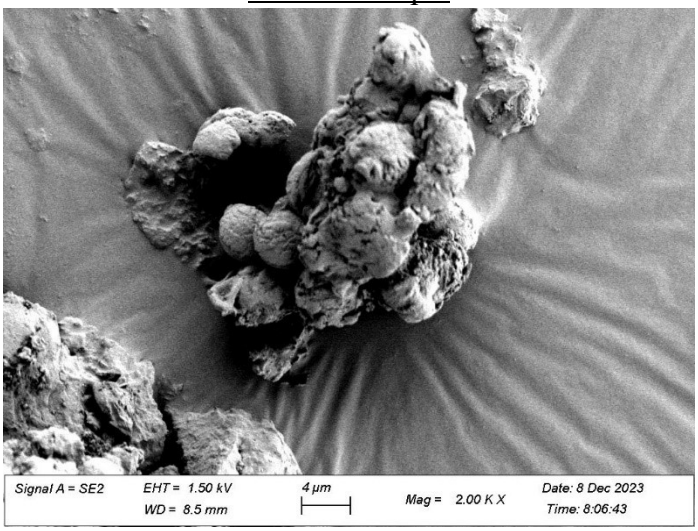


4A

This image is of the fourth residential sample and was collected from the homeowner on Plank Road.

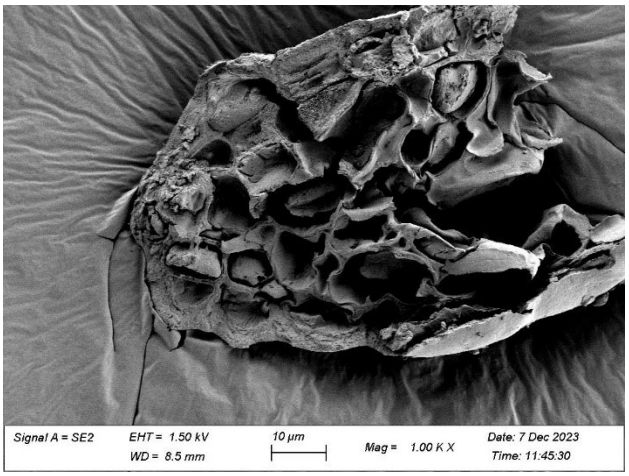
The image is consistent with the source collected from WhistlePig in size and morphology.

Control Sample

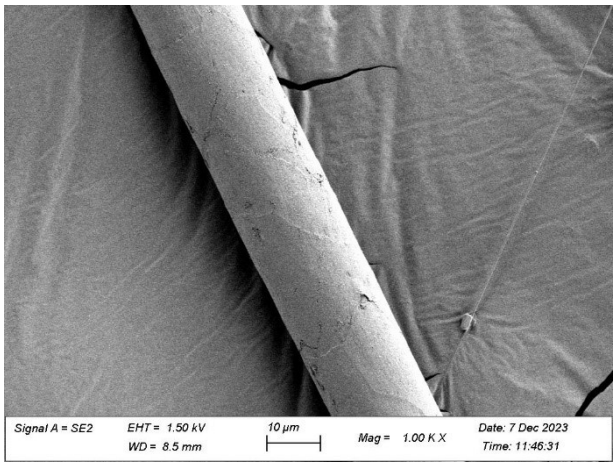


What appears to be Baudoinia is also present in the control sample. The control sample consisted mostly of growth other than Baudoinia.

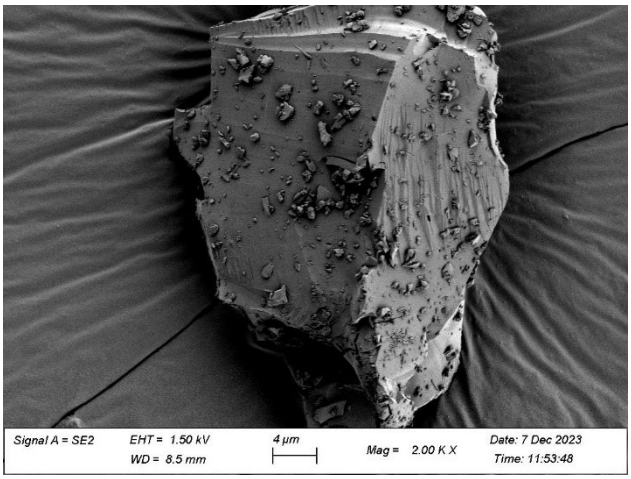
Other Particulate Matter Present on Residential Samples



Mold



Hair



Crustal Particulate Matter

The comparison of the samples to the source material revealed a significant amount of particulate matter that had a likeness to the source material. Sample 1A appeared to have the most and it also was closest to the facility. Sample 2A was the next closest, the homeowner indicated that they had been cleaning the outside of their home. All of the samples were collected in areas that appeared to have higher concentrations of dark particulate matter. The aeras with higher concentrations were areas that were darker in color compared to other areas on the outside of the house.

The table below shows the estimated percentages of what was observed on the sample analyzed. The column labeled crustal refers to but is not limited to any dust, mineral, concrete, or earthen agglomeration that was present during the examination.

Conclusions

The residential samples were compared to the samples collected from the WhistlePig warehouse surfaces. All the samples were collected directly onto a SEM stub.

A control sample was collected out of the area to determine background. The control was collected at the DEC Warrensburg office.

Based on all the available information, it is concluded that the fungus from the residences is consistent with that collected from the property of WhistlePig. The examination of the control sample shows evidence that the fungus material in the area is observed in greater quantities than what is

naturally found in the environment.

Estimated % of Particulate Observed on Prepared Sample Stub Analyzed

	Matched Source	Hair	Pollen	Crustal	Other Mold/Fungus	Insect Part	Uncategorized
R511923-1 1A	62%	2%	0%	20%	9%	1%	6%
R511923-2 2A	65%	0%	3%	16%	13%	0%	3%
R511923-3 3A	67%	0%	3%	3%	5%	0%	22%
R511923-4 4A	51%	0%	0%	0%	49%	0%	2%
Control	2%	1%	1%	14%	77%	0%	5%

EXHIBIT D

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Office of Environmental Quality, Region 5
232 Golf Course Road, Warrensburg, NY 12885
P: (518) 623-1200 | F: (518) 623-3603
www.dec.ny.gov

Sent Via Email and USPS

March 21, 2024

Ahren Wolson
Moriah Ventures, LLC
dba WhistlePig Whiskey Company
2139 Quiet Valley Rd
Shoreham, VT 05770
awolson@whistlepigrye.com

Re: WhistlePig Whiskey Company warehouse emissions
52 Tom Phelps Ln
Moriah (T), Essex County

Dear Ahren Wolson:

The Department of Environmental Conservation (DEC) has determined that emissions of ethanol from WhistlePig's whiskey aging warehouses in the Town of Moriah, New York, appear to be contributing to the growth of unsightly black whiskey fungus on building exteriors near the facility. The spread of this fungus has led to an increasing number of public complaints to DEC, including five in the last 12 months. In addition, DEC anticipates that WhistlePig's planned expansion of this facility is likely to cause additional fungus growth and lead to more complaints from community residents unless WhistlePig takes appropriate actions to mitigate the effects of its emissions.

"Whiskey fungus" is the common name for *Baudoinia compniacensis*, a naturally occurring fungus that thrives in the presence of ethanol. The tens-of-thousands of whiskey barrels aging in your warehouses emit ethanol, which is passively vented from the facility. These emissions appear to be contributing to the growth of whiskey fungus on nearby buildings. The enclosed reports prepared by DEC's Division of Air Resources analyzed mold samples collected in 2023 from your facility and from six local addresses up to 1,379 yards from your warehouses. Samples from five of the six addresses and from the outside of your warehouse are consistent with whiskey fungus.

DEC coordinated with the New York State Department of Health to evaluate these results, and although whiskey fungus is not typically associated with adverse health effects and does not pose a unique or significant health risk to people, the spread of whiskey fungus on outside surfaces such as building exteriors, decks, playgrounds, and furniture has the potential interrupt residents' quality of life and enjoyment of their properties. DEC has authority under New York Environmental Conservation Law Article 19, Section 19-0301, and Title 6 of the New York Codes, Rules, and Regulations, Part

211, to regulate emissions of air contaminants that “unreasonably interfere with the comfortable enjoyment of life or property.”

Without a protocol in place to neutralize emissions of ethanol or mitigate the growth of whiskey fungus, WhistlePig’s operations are likely to contribute to an actionable interference under these provisions.

Therefore, as the owner of this facility, DEC is requiring WhistlePig Whiskey Company to submit, within 30 days, a written corrective action plan for DEC’s review and approval to address the effects of the WhistlePig facility’s emissions. The plan should include specific measures and a schedule for implementation to either neutralize ethanol emissions or to mitigate the effects of whiskey fungus in the facility’s environs. Thank you for your attention to this matter and if you have any questions about this letter or the required corrective action plan, please contact me at 518-623-1715 or rachel.savarie@dec.ny.gov.

Sincerely,

Rachel Savarie, P.E.
Division of Air Resources

Enclosure: Lab Summary Reports

Ec (w/enc.): T. Schmelzer, WhistlePig (tschmelzer@whistlepigrye.com)
Y. Zeng/File

REPORT
for
Mineville 2023

Bureau of Air Quality Surveillance
Division of Air Resources
NYS Department of Environmental Conservation
Final 03/18/2024

MINEVILLE SAMPLING REPORT

SUMMARY

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Sampling

Sample descriptions	Sample Location	Distance from WhistlePig Facility
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-The distance from WhistlePig facility was approximated by using tools available on Google Earth

The map on the previous page marks the sampling locations with green flags. A total of seven samples were collected, six appear on the map above, the other was the background sample.

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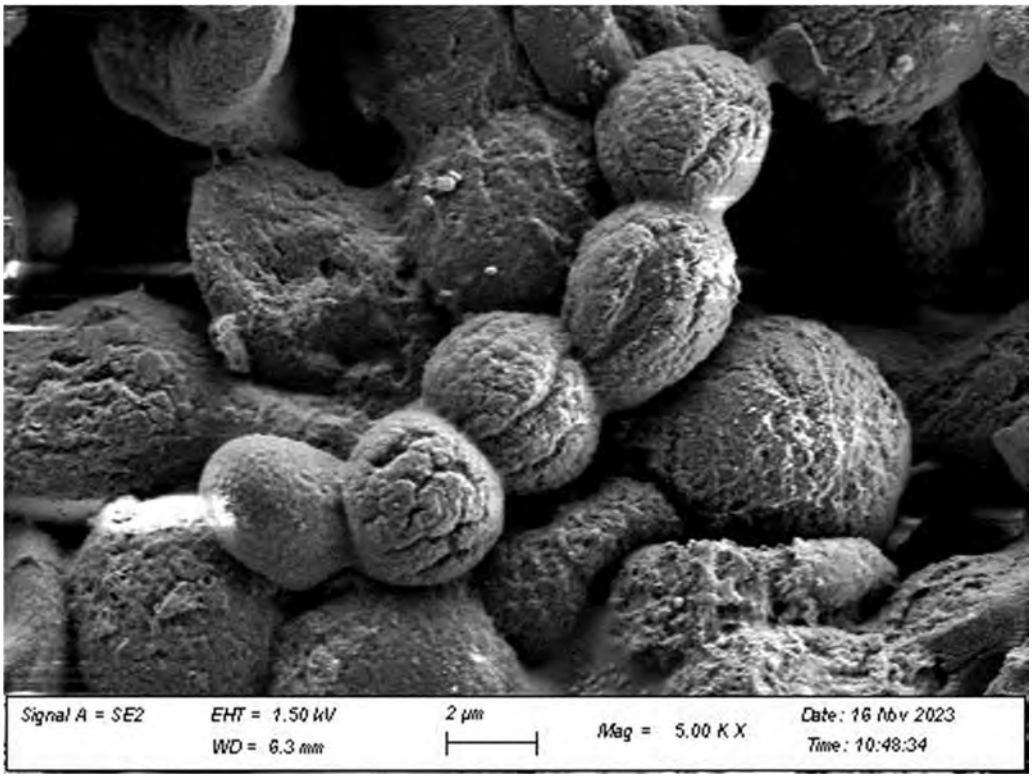
1 Rackhousewhiskeyclub.com

RESULTS:

Scanning Electron Microscopy (SEM)

WhistlePig Warehouse Source Sample



WhistlePig Warehouse Source.

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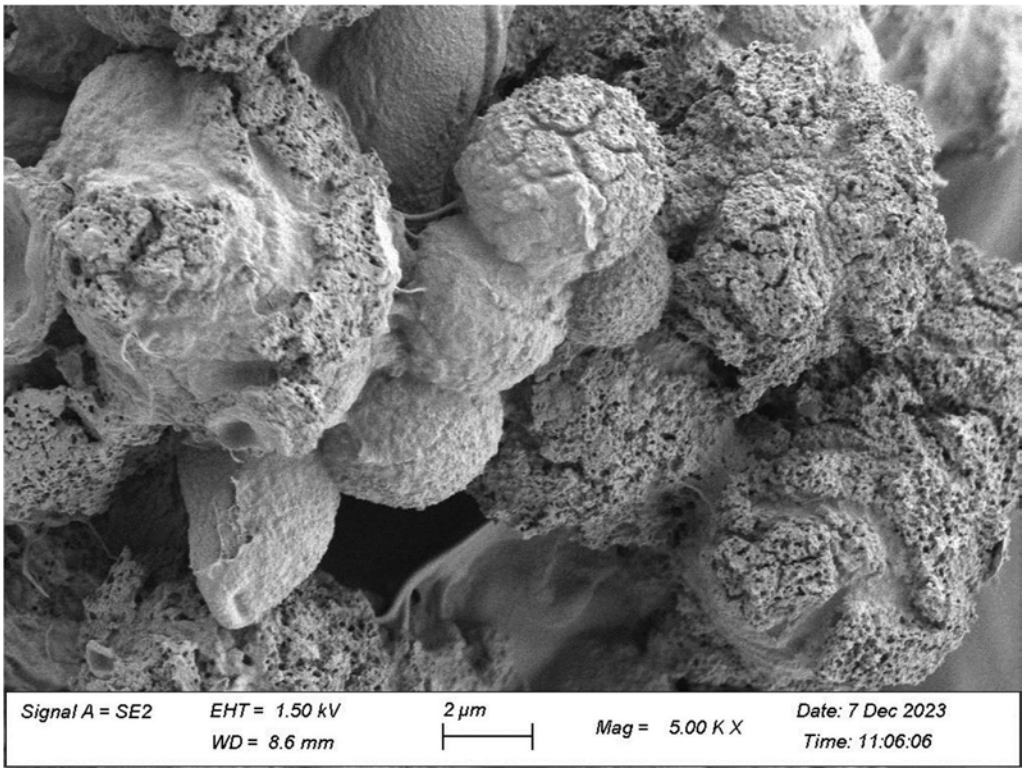
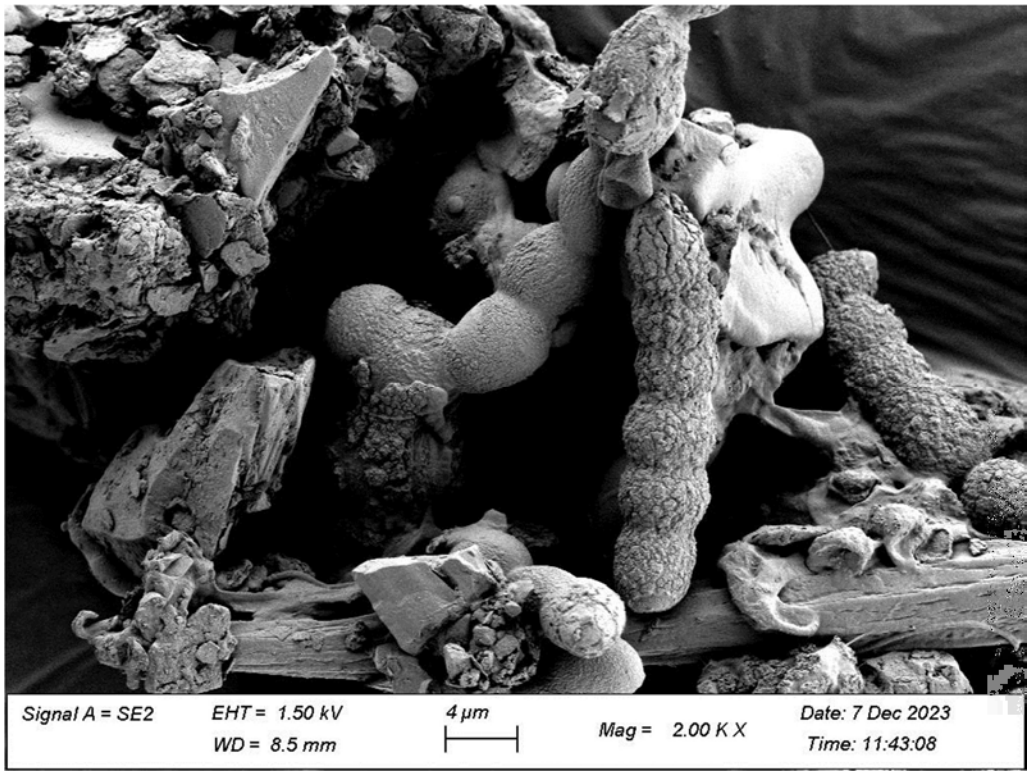


WhistlePig Warehouse second source.

This is consistent with the first source collected.

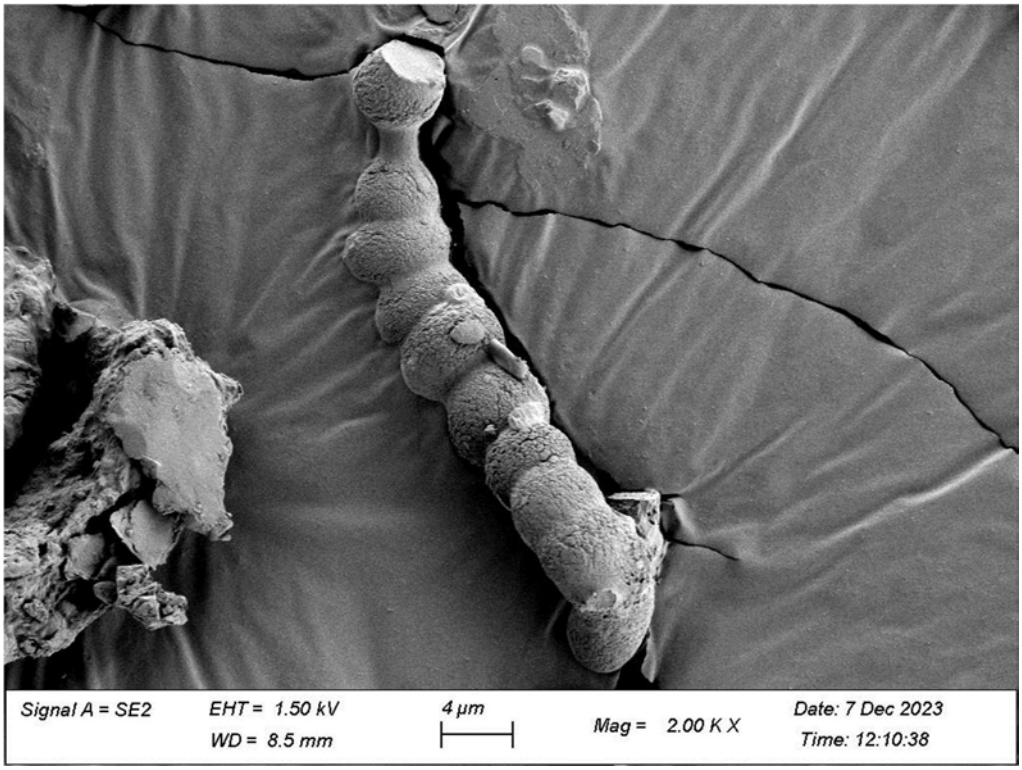
Residential Samples



1A

This image is of the first residential sample collected from the homeowner on [redacted]. The homeowner just had his garage resided and the growth was new. It was black and relatively concentrated.

The image is consistent with the source collected from WhistlePig in size and morphology, and crusty exterior.

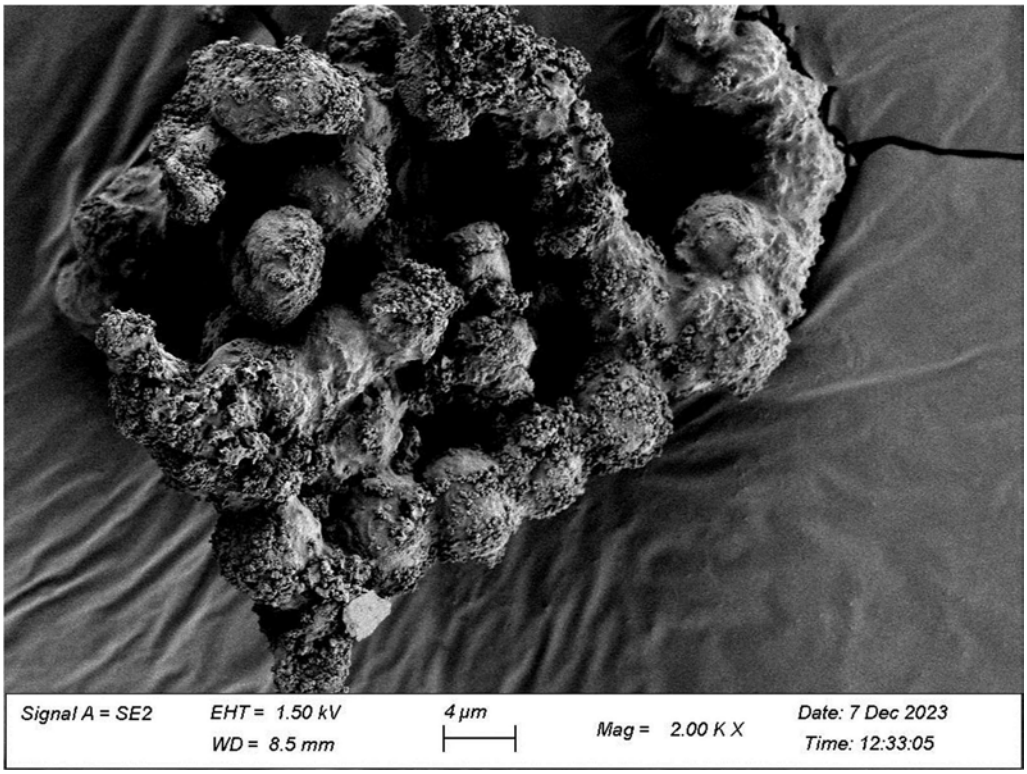


2A

This image is of the second residential sample and was collected from the homeowner on [redacted].

The homeowner was in the process of cleaning her house.

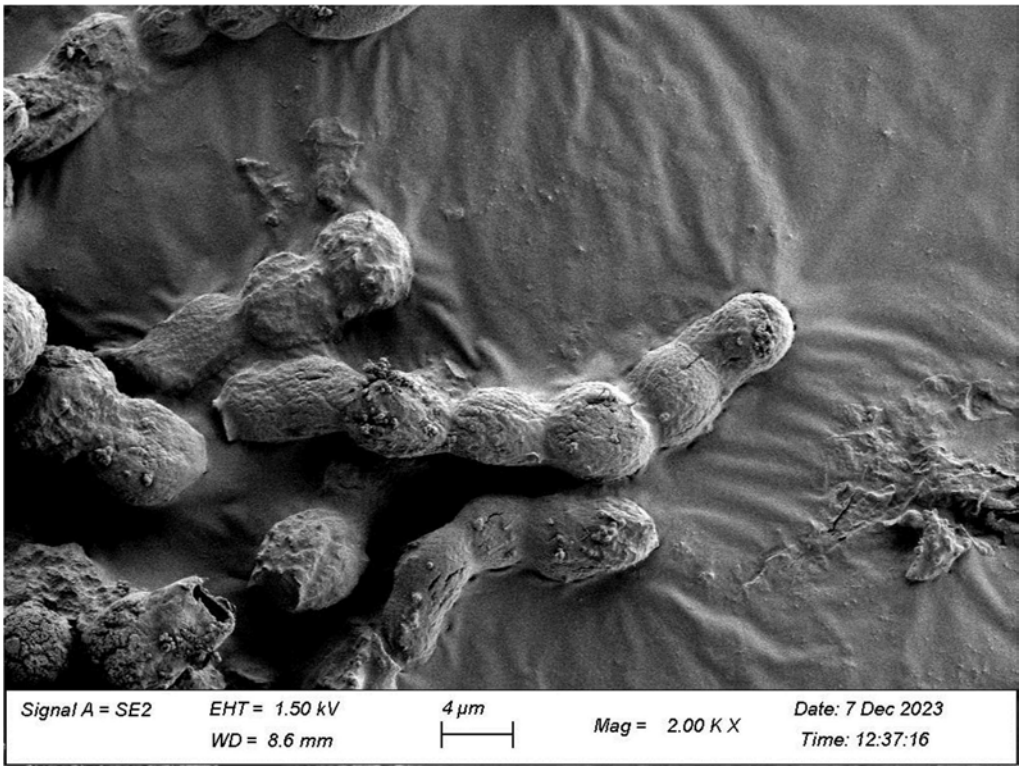
The image is consistent with the source collected from WhistlePig in size and morphology.



3A

This image is of the third residential sample and was collected from the homeowner on [redacted].

The image is consistent with the source collected from WhistlePig in size and morphology.

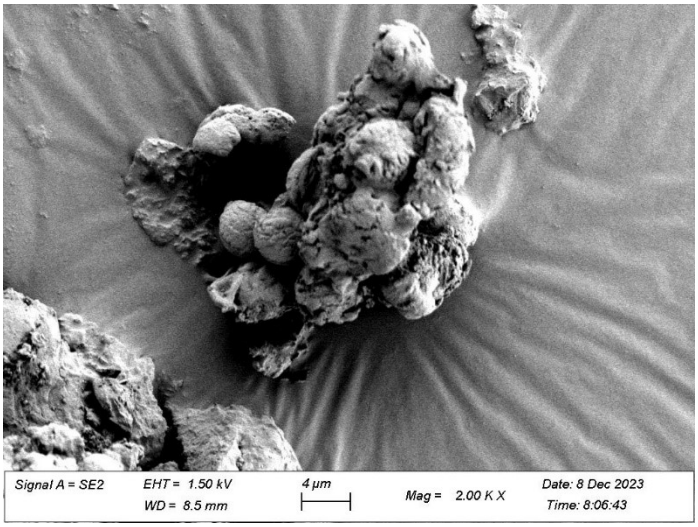


4A

This image is of the fourth residential sample and was collected from the homeowner on [redacted].

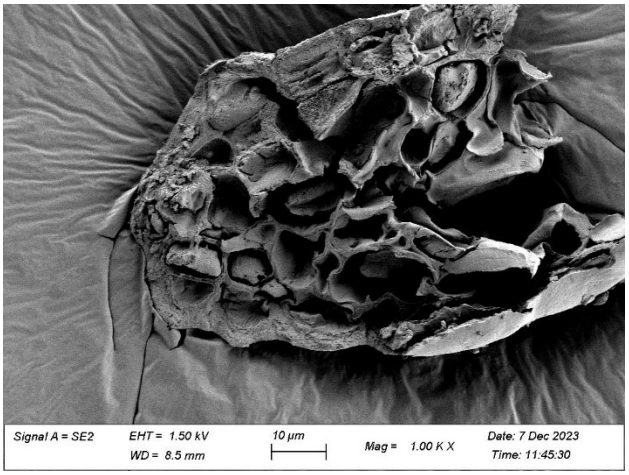
The image is consistent with the source collected from WhistlePig in size and morphology.

Control Sample

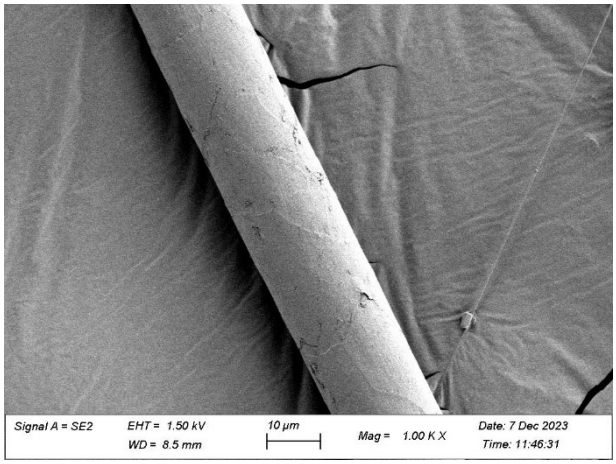


What appears to be Baudoinia is also present in the control sample. The control sample consisted mostly of growth other than Baudoinia.

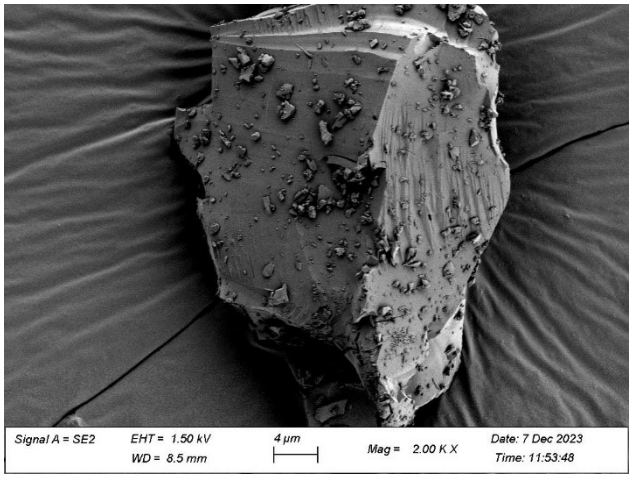
Other Particulate Matter Present on Residential Samples



Mold



Hair



Crustal Particulate Matter

The comparison of the samples to the source material revealed a significant amount of particulate matter that had a likeness to the source material. Sample 1A appeared to have the most and it also was closest to the facility. Sample 2A was the next closest, the homeowner indicated that they had been cleaning the outside of their home. All of the samples were collected in areas that appeared to have higher concentrations of dark particulate matter. The aeras with higher concentrations were areas that were darker in color compared to other areas on the outside of the house.

The table below shows the estimated percentages of what was observed on the sample analyzed. The column labeled crustal refers to but is not limited to any dust, mineral, concrete, or earthen agglomeration that was present during the examination.

Conclusions

The residential samples were compared to the samples collected from the WhistlePig warehouse surfaces. All the samples were collected directly onto a SEM stub.

A control sample was collected out of the area to determine background. The control was collected at the DEC Warrensburg office.

Based on all the available information, it is concluded that the fungus from the residences is consistent with that collected from the property of WhistlePig. The examination of the control sample shows evidence that the fungus material in the area is observed in greater quantities than what is naturally found in the environment.

Estimated % of Particulate Observed on Prepared Sample Stub Analyzed

	Matched Source	Hair	Pollen	Crustal	Other Mold/Fungus	Insect Part	Uncategorized
R511923-1 1A	62%	2%	0%	20%	9%	1%	6%
R511923-2 2A	65%	0%	3%	16%	13%	0%	3%
R511923-3 3A	67%	0%	3%	3%	5%	0%	22%
R511923-4 4A	51%	0%	0%	0%	49%	0%	2%
Control	2%	1%	1%	14%	77%	0%	5%

NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Air Resources
625 Broadway, Albany, New York 12233-3250
P: (518) 402-8452 | F: (518) 402-9035
www.dec.ny.gov

To: Paul Siezenga, Rachel Savarie
From: Malissa Kramer, Environmental Chemist 2
Re: Region 5,
Date: 08/15/2023

A complaint was received and responded to by the Department of Environmental Conservation's (DEC) personnel on August 15, 2023. Samples were collected by DEC personnel to determine if the mold was from a nearby distillery from [redacted] The samples were submitted to the Particle ID Laboratory for characterization. Samples were collected using prepared sampling devices as well as brushing material into petri dishes.

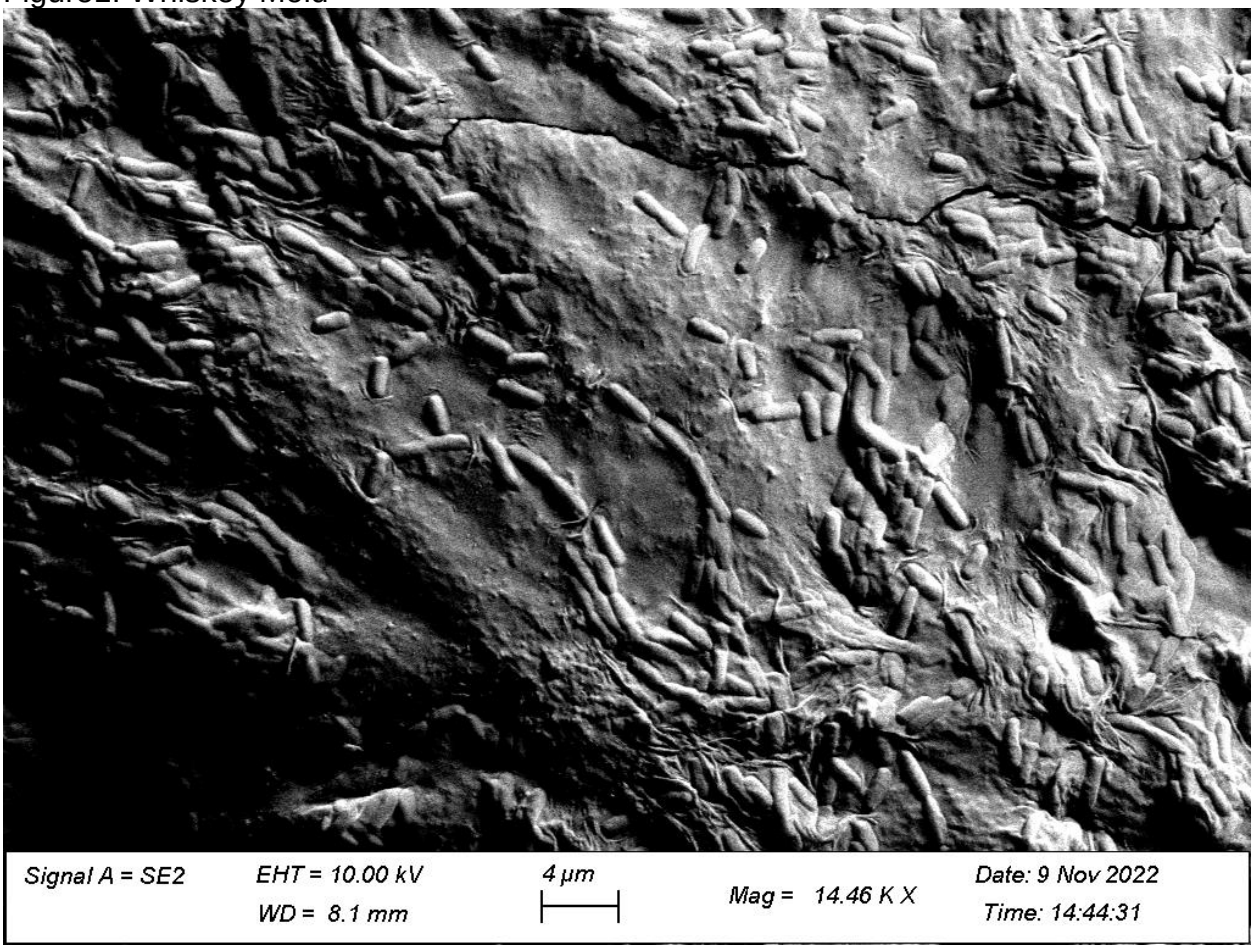
Sample Number	**Sample Location**
R581523-1 Garage 1	[redacted]
R581523-2 Garage 2	
R581523-3 House 1	
R581523-4 Hospice 1	
R581523-5 Hospice 2	

SAMPLING LOCATION

The residence is approximately 2000 ft South of the suspected distillery.

Scanning Electron Microscope Images

Figure1: Whiskey Mold



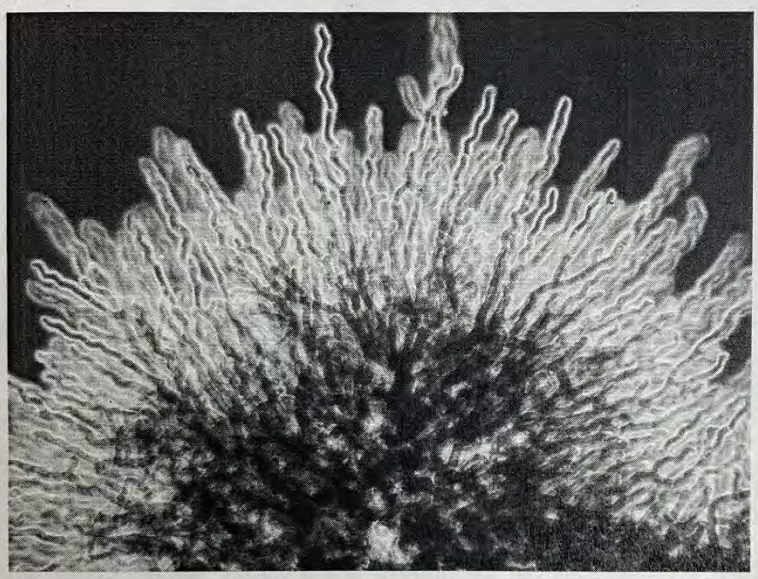
The image above represents whiskey mold that was cultivated in the laboratory. The whiskey used for this experiment was Whistle Pig, Piggy Back 100% Rye Whiskey. The mold was cultivated by placing the whiskey in a petri disk and adding standard plate count media to the petri dish. The growth was examined after 7 days, but was not separated from the auger. The morphology of the growth was analyzed and compared to images published by Daniel Mosquin (https://botanyphoto.botanicalgarden.ubc.ca/author/danielmosquin/) December 22, 2011.
See Figure 2.

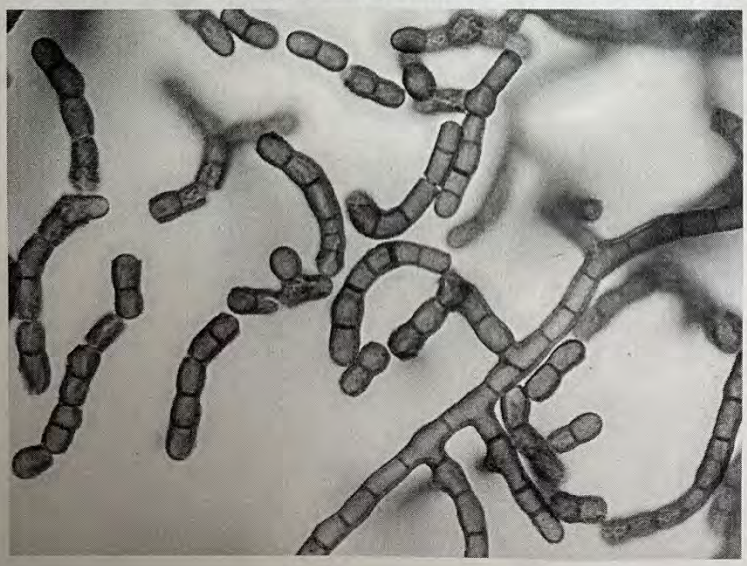
Figure 2:

Baudoinia compniacensis

Published by Daniel Mosquin (https://botanyphoto.botanicalgarden.ubc.ca/author/danielmosquin/) on December 22, 2011

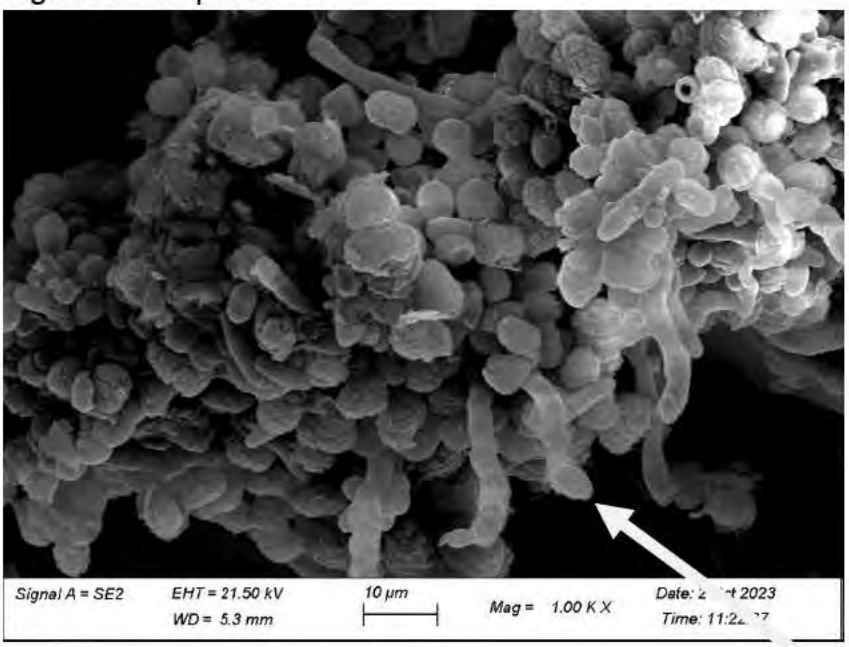
Learning about *Baudoinia compniacensis* was the prompting for a "Botany and Spirits" series, as the story intrigued me so much. A big thank you to Dr. James Scott (http://individual.utoronto.ca/jscott) , Associate Professor from the Dalla Lana School of Public Health at the University of Toronto for sharing the first three images, and a nod of appreciation to Shadle@Wikimedia Commons for a photograph (http://en.wikipedia.org/wiki/File:Heaven_Hill.jpg) of the phenomenon caused by the organism at Heaven Hill Distillery in Bardstown, Kentucky, USA.





Scanning Electron Microscope Images

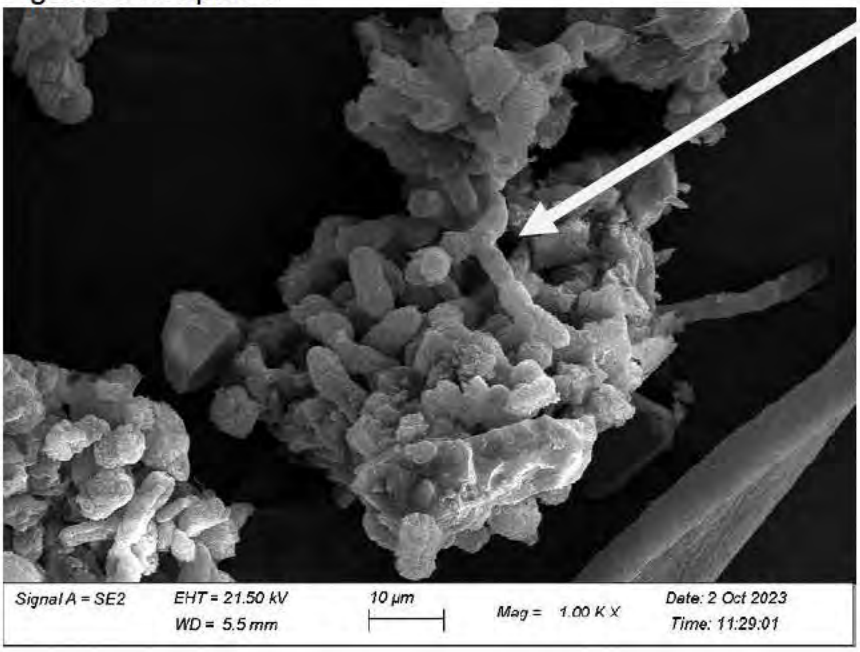
Figure 1: Hospice 1



This image represents the sample collected from Hospice 1. These samples were collected from [redacted], which is adjacent to the Whistle Pig warehouses where whisky is stored.

There is a strong correlation to "Whiskey" Mold.

Figure 2: Hospice 2

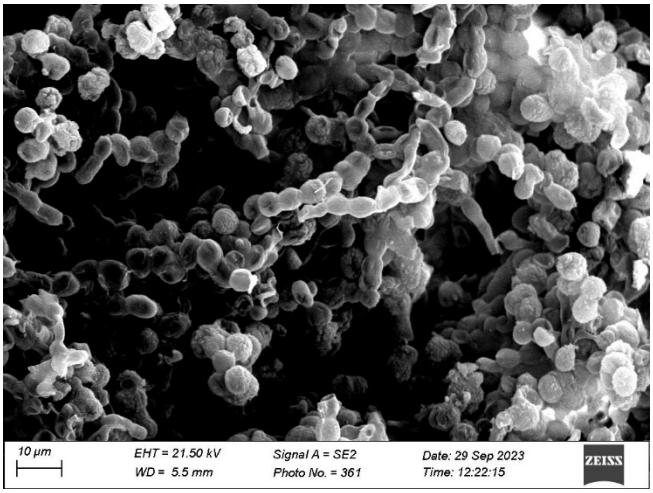


The morphology is consistent with "whiskey" mold and, filament is present in both hospice samples.

Filaments are associated with mold

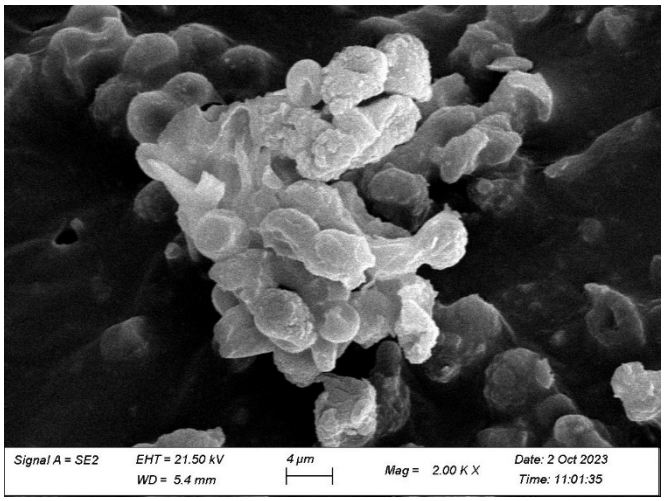
Scanning Electron Microscope Images

Figure 1: Garage 1



The images on the left represent the analysis of the samples collected from the residence located at [redacted]

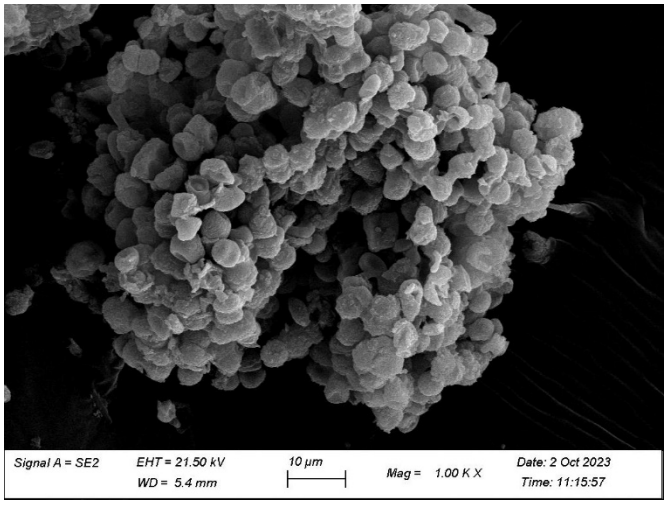
Figure 2: Garage 2



The particulate matter collected from the residence is smaller in size compared to the particulate matter collected from Hospice.

Figure 3: House 1

Filaments are not present on any of the samples collected from the residence.



Conclusion:

The analysis of the collected samples has been completed and at this time the determination is that samples collected from [redacted] do not agree with what the Particle ID Laboratory has

determined to be “Whiskey” mold. The specimen’s analyzed from [redacted] however do show agreement with ‘Whiskey” mold. The filaments present and the morphology and size of the particulate matter agree with that of Baudoinia Compniacenasis (also known as whiskey mold). The material observed on the samples collected from [redacted] do appear to be mold. The lab will investigate further to attempt to determine what type.

EXHIBIT E

Draft for Discussion Purposes Only
Internal Company Policy
Not for Disclosure under Freedom of Information Law

Moriah Ventures Internal Policy					
Department:	Operations	**Title:**	Community Washing Policy	**Doc #:**	WP-MV-OPS-236
Pages:	**2**	**Approved:**	6/5/2024	**Revision #:**	2.0

1.) Purpose:

To set forth practices to guide Company employees when receiving requests for exterior cleaning services from homeowners in proximity to our Mineville, New York barrel storage warehouses.

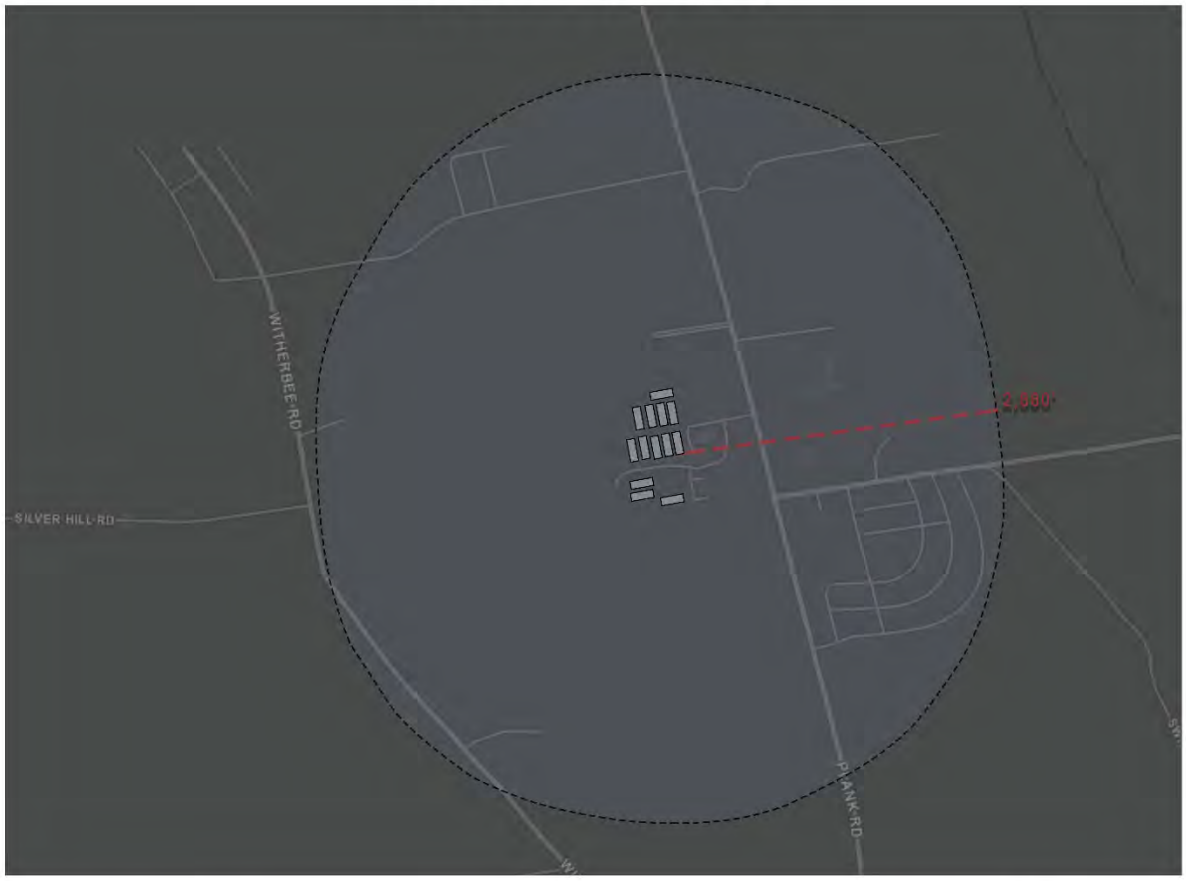
2.) Policy:

1. Historically the Company has voluntarily provided power wash services to clean the exteriors of homes within a 300-yard radius of our Mineville, New York whiskey barrel storage warehouses. We have provided these services upon request and free of charge to residents within that designated radius.
2. Based on our investment in and commitment to the Mineville community, we are expanding the coverage area for the provision of home washing services offered. Effective immediately, residences located within a 960-yard (2,880') radius of the nearest warehouse wall at our Mineville facility, will be offered free washing upon request.
3. Requests for washing and/or any questions regarding our policy can be directed to our appointed Community Liaison, by emailing community@whistlepigrye.com
4. Any employee receiving a request for power wash services from a resident should record the resident's contact information and inform them that the request will be referred to our Community Liaison for follow up.
5. Our Community Liaison, or a designee, will verify that the property is located within the 960-yard radius to which this Policy applies. A figure is attached to this policy which identifies the applicable radius.
6. Provided the property is within the 960-yard radius, a Company representative will contact the owner to schedule a site visit to confirm the offer and discuss scheduling.
7. Arrangements will be made with owners to schedule any cleaning based upon mutual availability of the owner and the third-party wash contractor.
8. The Company will provide power wash services no more than once per year per residence, and will only provide such services on the exterior of buildings.
9. The Company reserves the right, in its discretion, to consider requests for power wash cleaning from property owners located outside the 960-yard radius.
10. Details of this policy and the contact information for our Community Liaison will be made publicly available at our Mineville location, the town hall, and digitally on our website.
11. This Policy is effective immediately and will be in place until further notice.

Moriah Ventures Internal Policy					
Department:	Operations	**Title:**	Community Washing Policy	**Doc #:**	WP-MV-OPS-236
Pages:	**2**	**Approved:**	6/5/2024	**Revision #:**	2.0

Please submit questions regarding this Policy to the assigned Community Liaison by email at community@whistlepigrye.com or by phone (518) 603-4460

Approximate Coverage Area
(For illustrative purposes only)



1:18,056
0 0.1 0.2 0.4 mi
0 0.17 0.35 0.7 km
Esri, HERE, Esri, HERE, Garmin, GeoTechnologies, Inc., USGS, EPA