



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

New Hope Crushed Stone and Lime Co. *Permit Depth Correction*

The Department of Environmental Protection (DEP) has received letters and other comments from the public regarding New Hope Crushed Stone and Lime Co.'s (NHCS) application for a permit depth correction, or permit correction, **seeking authorization to mine 50 feet deeper at NHCS's quarry in Solebury Township**. The department's responses to the primary issues raised regarding the depth correction and operations at NHCS are summarized here. If you have additional questions, please contact Mike Menghini at **DEP's Pottsville District Mining Office: (570) 621-3118**.

Permit Correction

Quarry activities have been happening since the late 1800s and NHCS was already permitted to mine limestone 200 feet below mean sea level, but the quarry has always had to seek approval at each 50-foot increment to continue to the next level. This permit correction is DEP's approval to continue for the next 50-foot increment, a mining action which had already been permitted.

Blasting

NHCS has an approved blasting plan as part of its mining permit. The company is required to keep detailed records of all blasting activities for review by DEP's surface mining inspector and the blasting inspector. That blast record can be reviewed in the event of a problem or complaint regarding dust or vibrations. If you would like to file a complaint regarding the impact of blasting on your home, please contact the Pottsville District Mining Office. A state blasting inspector will be assigned to investigate.

Noise

DEP does not have specific noise regulations, but does encourage mine operators to use noise-suppression techniques if noise becomes a nuisance.

Dust

Mine operators are responsible for sources of dust from their activity and must take all reasonable actions to prevent particulate matter from becoming airborne. The mine operator may not allow particulate matter to be visible at the point it passes outside the permitted mining area.

Groundwater

NHCS is required to monitor the groundwater elevation in 26 quarry and residential wells and report its findings quarterly to DEP. The quarry monitors and reports on 31 wells. The groundwater levels show only seasonal fluctuations, and no wells show a sustained decline in water levels. Based on groundwater elevation data over the past six years, the quarry is not adversely impacting the aquifer.

Water Well Losses

DEP has not received any complaints of water loss in the last three years.

Previous Permit Violations

In 2011, NHCS was assessed a civil penalty for violating its Surface Mining Permit. The penalty amount was calculated in a manner similar to that used to calculate civil penalties assessed to other quarries for the same type of violation. NHCS has cooperated with the department to correct the violation and has paid its penalty in full.

Township Agreements and Local Ordinances

Mine operators must comply with local ordinances. While the municipality cannot regulate activities already regulated under state jurisdiction (i.e. mining), other ordinances may apply. Questions about local ordinances should be directed to the municipality.

Truck Traffic

DEP does not regulate truck traffic on public roads. Complaints of this nature should be referred to your local municipal government.

Sinkholes

During its review of this application, DEP engaged the help of Mr. William Kochanov, an expert on sinkholes and karst terrain, from the Pennsylvania Geological Survey. The department specifically sought his expertise regarding the sinkhole issues at Solebury School. Mr. Kochanov visited the NHCS quarry and Solebury School sites several times with DEP staff and provided the department with two reports during the permit review. DEP considered Mr. Kochanov's reports before reaching a decision on the depth correction. Those reports are available for review at the Pottsville District Mining Office. In addition, DEP added special conditions to the permit correction that specifically require the company to correct any sinkholes which might develop in a certain area, regardless of whether the quarry caused the sinkhole.

Primrose Creek

DEP staff members have repeatedly sampled the quarry's pumped discharge, as well as several stream locations above and below the discharge, for Total Suspended Solids (TSS). The results show the quarry's discharge to be in compliance with the effluent limits in its NPDES (discharge) permit. Additionally, the quarry's discharge has the lowest concentration of TSS compared with the other eight sampling locations—four upstream and four downstream. Based on the available data, there is no evidence that operations at NHCS are responsible for excessive sediment downstream of the quarry. There is no indication that authorizing NHCS to mine 50 feet deeper will result in a change in the quality of the quarry's discharge.

Site Conditions and Inspections

The NHCS quarry is inspected regularly. During inspections, the quality of the pumped discharge is observed and a water sample is collected. The quality of water flowing into the quarry as well as the water quality upstream and downstream of the quarry is observed. Water quality samples at nine locations around the quarry are collected. In the past 15 years, there have been no effluent violations at the quarry. During each inspection, conditions of the rock highwall are observed with a focus on slope stability, the presence of carbonate voids and groundwater inflow. If any complaints are received, they are addressed during inspections. To date, the Pottsville District Mining Office has received no complaints in 2010 or 2011.

Previous Litigation

The NHCS permit has been the subject of litigation dating back to 2002. The Environmental Hearing Board ruled in 2004, 2005, 2007 and 2008 regarding this permit. The 2004 ruling and the mining regulations require DEP to consider what limits on the mining operation are necessary to minimize disturbance of the prevailing hydrologic balance of the Primrose Creek Basin. The Pottsville District Mining Office applied this standard when evaluating NHCS's application for the depth correction.

Permit Conditions

DEP requires NHCS to extensively monitor the surface and groundwater in the Primrose Creek Basin. As part of the new permit, special conditions were added addressing the possibility of unexpected inflows of water into the quarry. Should such inflows occur, the special conditions require NHCS to cease operations in the area in question until the department concludes that further mining will not adversely impact the basin's prevailing hydrologic balance. A condition in the permit correction states that if the operation negatively impacts the creek, all mining shall cease until the problem is abated. Mining would be allowed to resume only when and if DEP is satisfied that the situation has been permanently corrected. Another condition of the permit correction requires the quarry's operator to implement additional measures to help prevent and address sinkhole formation and subsidence on neighboring properties, including additional monitoring requirements. Further, the operator is required to repair any sinkholes, whatever their cause, that might occur within and adjacent to the quarry's hydrologic zone of influence, which includes Solebury School's property.

TO REPORT A COMPLAINT

To report a complaint about blasting, dust, water well losses, sinkholes or other environmental issues related to surface mining, contact **DEP's Pottsville District Mining Office at (570) 621-3118**. Complaints may be filed confidentially or anonymously.