

SOLEBURY TOWNSHIP BOARD OF SUPERVISORS

August 19, 2015 – 10:00 a.m.

DEP Meeting – NHCS Quarry

Solebury Township Hall

Minutes

Attendance: James Searing, Vice Chair; Helen Tai, Edward McGahan, Jr., Jonathan Reiss, Solicitor, Christine Terranova, Administrator

Absent: Robert Heath, Jr. and Paul Cosdon

DEP members in attendance: Michael Menghini (District Mining Manager), Nathan Houtz, P.G. (Environmental Group Manager), Nels Taber (Regional Counsel), Virginia Cain (Office of Field Operations), Gary Latsha (Inspector Supervisor), Aimee Bollinger (Inspector) and Michael Kutney, P.G. (Permitting)

The meeting chair provided a brief summary of recent developments regarding New Hope Crushed Stone (NHCS) since the Environmental Hearing Board (EHB) adjudication was handed down on July 31, 2014.

Mr. Kutney provided an update on New Hope Crushed Stone's operations and regulatory matters.

Issues discussed included:

- Pending NPDES, Mining and Primrose Creek Restoration Permits
- Status of the Restoration Plan Agreed by NHCS, Primrose Creek Watershed Association and PennFuture
- Status of complaints filed with the DEP regarding wells, blasting and sinkholes
- Wells and groundwater monitoring
- Quarry pumping monitoring
- Inspections and violations (none)
- The change in the mining depth from -170 MSL to -120 MSL in response to Environmental Hearing Board (EHB) adjudication
- DEP's focus on abating the public nuisance declared by the EHB and restoring groundwater under neighboring properties to pre-mining levels in response to EHB adjudication
- DEP's rejection of the reclamation plan submitted by NHCS in June 2015, which may result in enforcement action if it is not satisfied with immediate and appropriate responses from NHCS
- DEP's request to NHCS for a more detailed reclamation plan with timelines
- Solebury Township's concern over the potential inadequacy of the quarry's bonding to ensure completion of reclamation

- Solebury Township's concern that the submissions of reclamation plans, timetables and public nuisance abatement plans be done promptly by NHCS
- DEP's enforcement options if issues are not satisfactorily addressed by NHCS
- NHCS's expressed interest in possibly mining the western highwall, which could require a change in zoning by the township
- DEP presented a recent limestone quarry reclamation at ESSROCK in Nazareth PA as an example of what a completed reclamation looks like

Public Comment

Peter Grover expressed concerns that the quarry may not comply with the township's setback requirements.

The DEP indicated that enforcement of township setback regulations is a township matter.

Kevin Morrissey requested that the township obtain an estimate of the cost of the quarry reclamation project and a better indication of when the NPDES might be issued. This will not be knowable until a detailed timetable is submitted to DEP by NHCS.

Camille Mancuso stated she was told 29 years ago that the quarry would be closed within five years and that decisions and choices need to be made.

Dennis Mankin expressed concerns that prior to the EHB decision, the DEP appeared to be acting more as an advocate and less as an objective determinant of facts related to the quarry. He expressed a view that the presentation and discussion was very encouraging.

Phil Getty expressed the view that the water level under neighboring properties should be brought up to pre-mining levels as soon as possible. He believes that grouting of the quarry walls is still a possibility. He voiced concerns that soil should be maintained on site at the quarry for use in reclamation rather than taken off site.

Tom Wilschutz of Solebury School expressed appreciation for the tenor of the meeting and the DEP's candor. There is a continuing concern about sinkholes and safety for students and staff. He urged the DEP to continue to pursue regulatory efforts to ensure reclamation and abatement of the public nuisance declared by the EHB.

Peter Grover inquired about the DEP's responsibility for reviewing the restoration plan for Primrose Creek. Mr. Menghini indicated that the DEP and Army Corps will have jurisdiction over the work performed on the creek.

David Benner asked the township to put pressure on NHCS to stop operating due to the dangerous sinkhole issues that need to be addressed.

The chair thanked the DEP for coming to Solebury and providing the update.

The meeting was adjourned the meeting at 11:45 a.m.



Solebury Township Annual NHCS Update Meeting 2015

Pottsville District Mining Office

Michael Menghini – District Mining Manager
Nathan Houtz, P.G. – Environmental Group Manager
Nels Taber – Regional Counsel
Virginia Cain– Office of Field Operations
Gary Latsha – Inspector Supervisor
Amiee Bollinger – Inspector
Michael Kutney, P.G. – Permitting

August 2015

Overview

- Pending Permits
- PCWA & PennFuture Settlement
- Complaints
- Sinkholes
- Basin Sedimentation
- Monitoring Wells & Groundwater
- Quarry Pumping
- Inspections & Violations
- EHB Adjudication
- PADEP Plans
- Essroc Quarry Reclamation Photos
- Questions

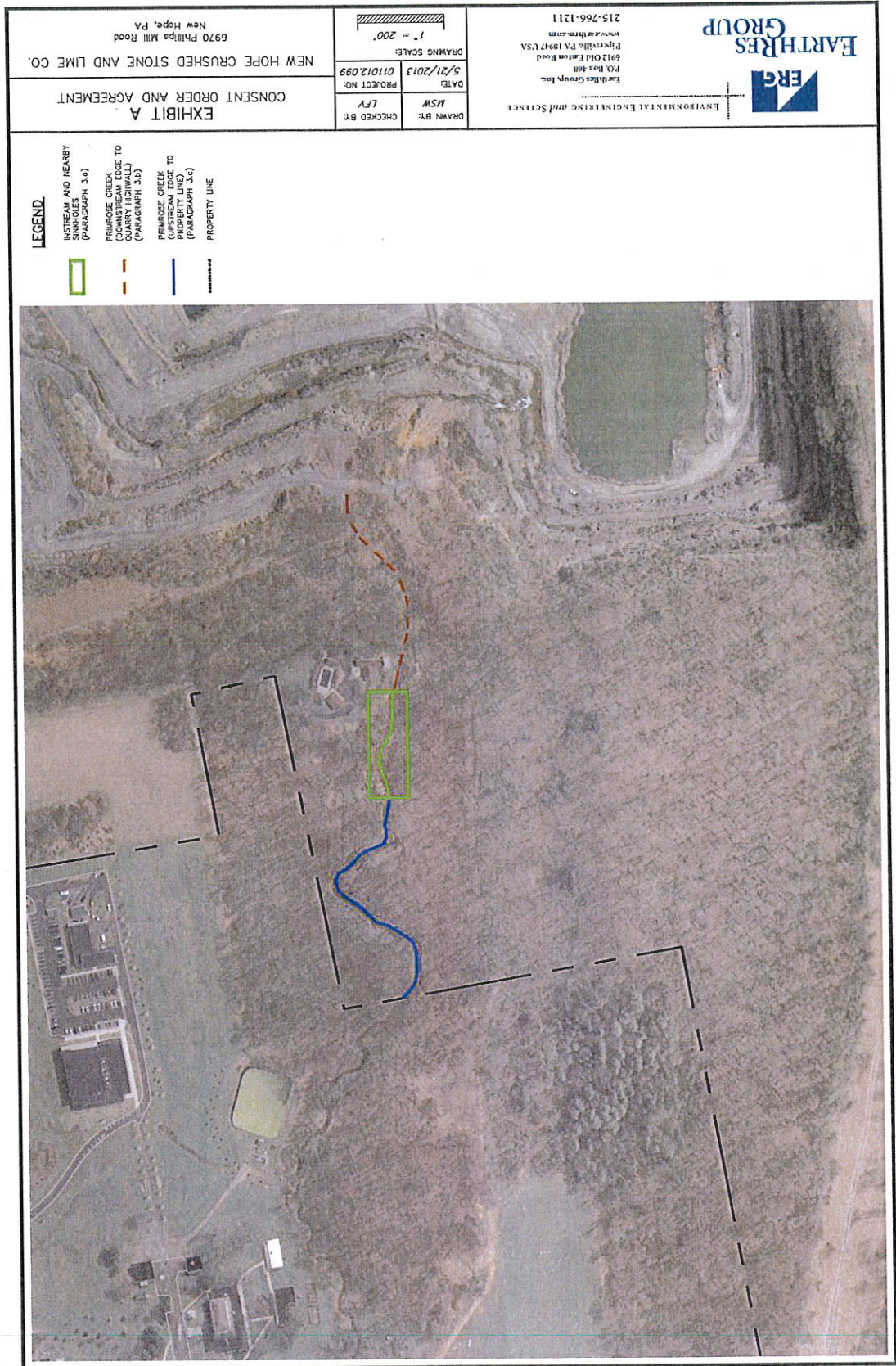
Pending Permits

- Received NPDES renewal application in late June 2012 – no decision made
 - Solebury Township was copied on application
 - Solebury Township was copied on correspondence

Pending Permits

- Received minor correction to reclamation plan
July 2013
 - Solebury township was copied on application
 - Part of CO & A with PCWA and PennFuture
 - Army Corps declined jurisdiction on July 29, 2015,
PADEP will review

PCWA & PennFuture Settlement



PCWA & PennFuture Settlement

- NHCS Obligations
 - Perform stream restoration work
 - Different segments prioritized:
 - swallet area (instream sinkholes)
 - Downstream of swallet area to quarry
 - Upstream to School property
 - Additional discharge monitoring (TSS)
 - Weekly sampling or within 24 hours of a 1-year, 24-hr storm
 - Currently ongoing
 - PECO culvert clean out

PCWA & PennFuture Settlement

- PADEP Obligations
 - Require additional discharge monitoring (TSS) in next NPDES permit
 - Weekly sampling or within 24 hours of a 1-year, 24-hr storm
 - Currently ongoing
 - Provide PCWA and PennFuture 30 days to comment on restoration work
 - Will provide response to comments not being addressed by PADEP actions

Complaints

- 3rd Quarter 2014 – 3 well complaints
 - Reported in 3rd quarter report
 - All three were mechanical problems
- 1st Quarter 2015 – 1 well complaint
 - Reported in 1st quarter report
 - Mechanical & outside ZOI
- No well complaints reported to Pottsville Office

Complaints

- Blasting Complaint January 2015
 - River Road
 - Complainant withdrew complaint before investigation
- Blasting Complaint May 2015
 - Sagan Road
 - Shot in compliance

Complaints

- Blasting Complaint June 2015
 - Sunset Drive
 - Shot in was compliance
- Blasting Complaint August 2015
 - Route 202
 - Under investigation

Sinkholes

- Sinkhole Summary
 - 1st quarter 2015
 - North of Phillips Mill Rd
 - Repaired by NHCS
 - 1st Quarter 2015
 - On Quarry Property
 - Repair in progress
 - 2nd quarter 2015
 - North of Phillips Mill Rd
 - Repaired by NHCS

Basin Sedimentation

New Hope Crushed Stone PA DEP Sample Locations



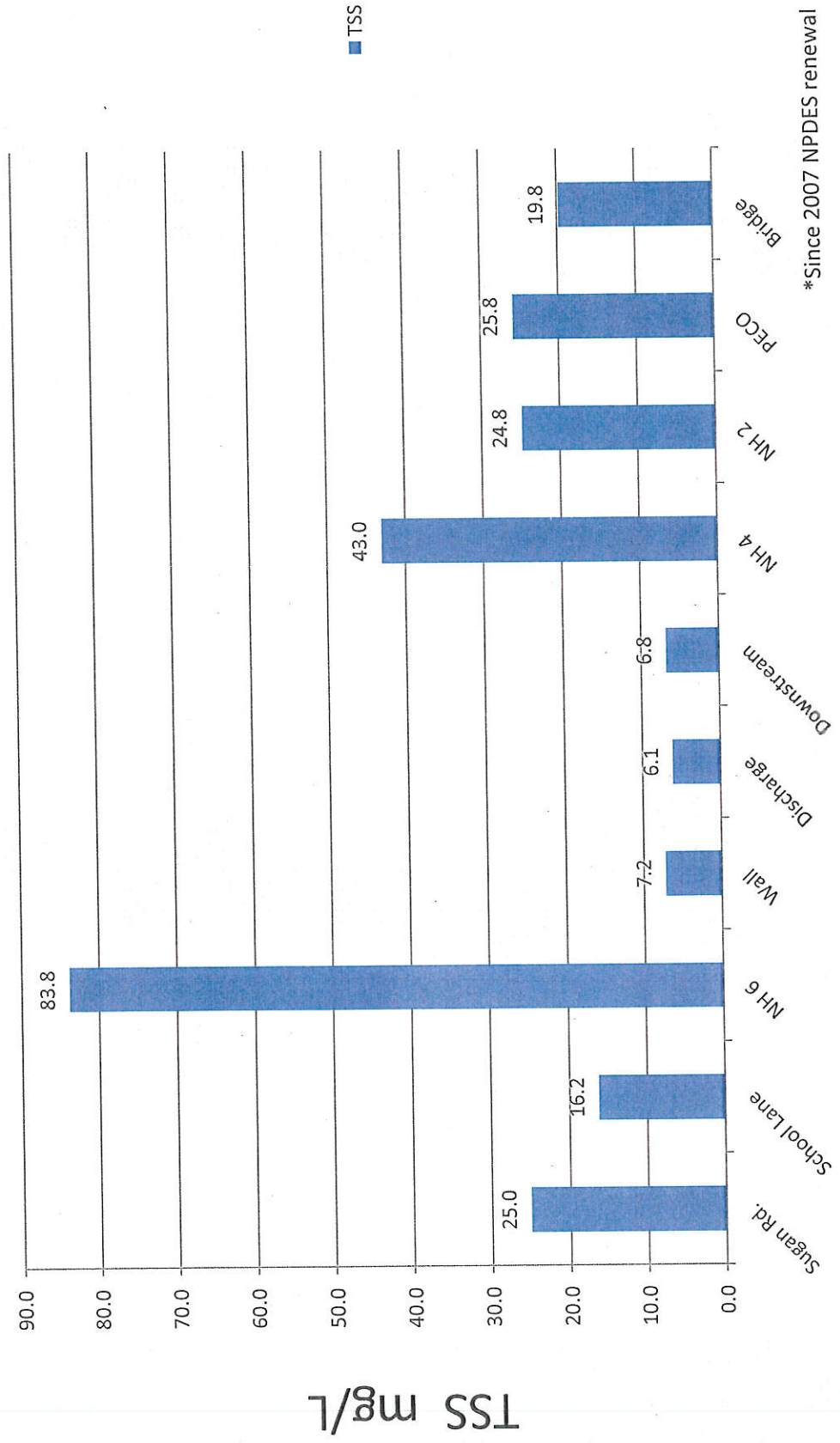
Feet
0 500 1,000 2,000

1 inch = 1,000 feet



Basin Sedimentation

Primrose Creek Basin-Wide Average Total Suspended Solids*



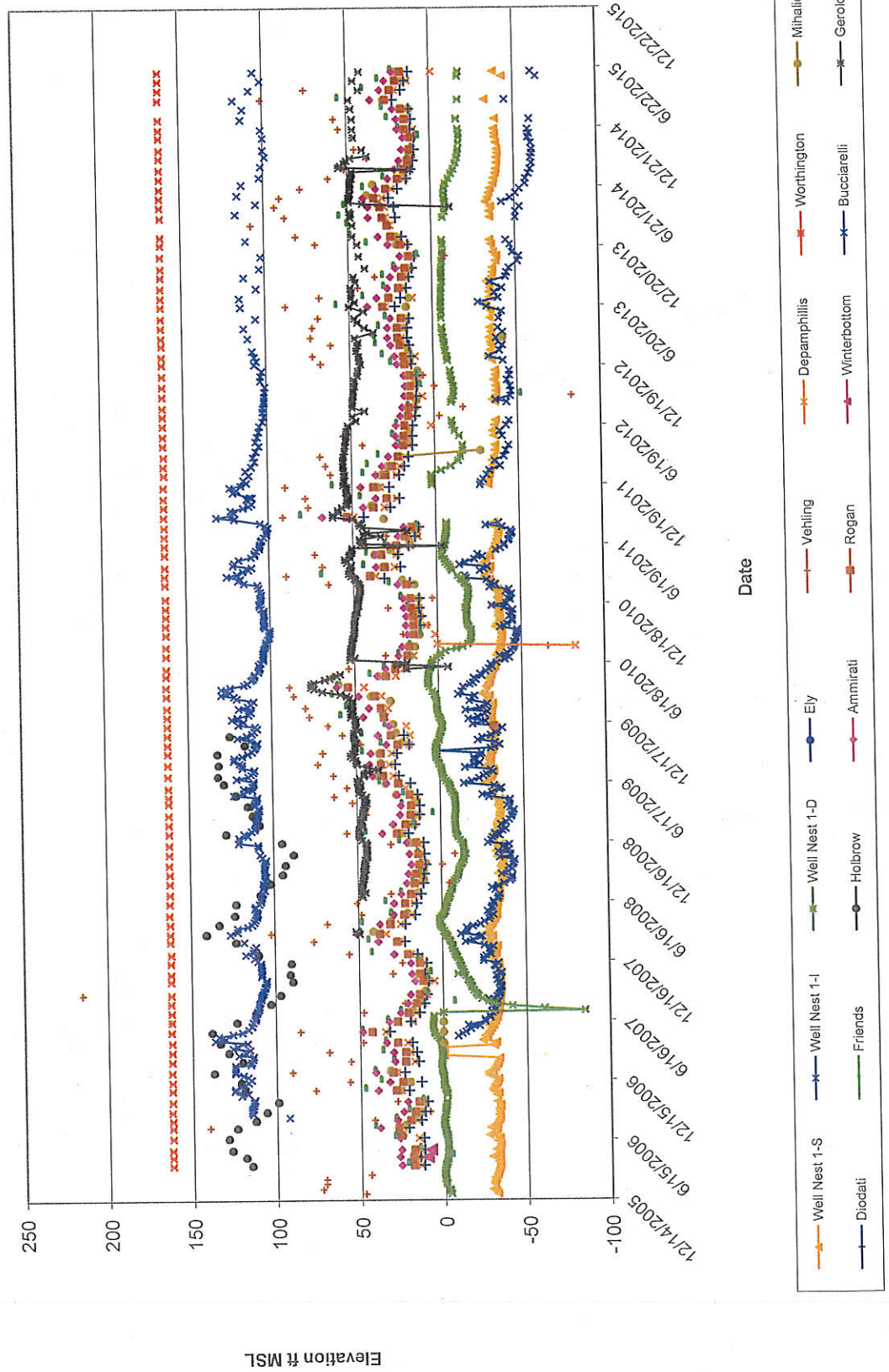
*Since 2007 NPDES renewal

**Monitoring Well Elevations at
New Hope Crushed Stone and Lime Co., Inc. SMP# 7974SM3**



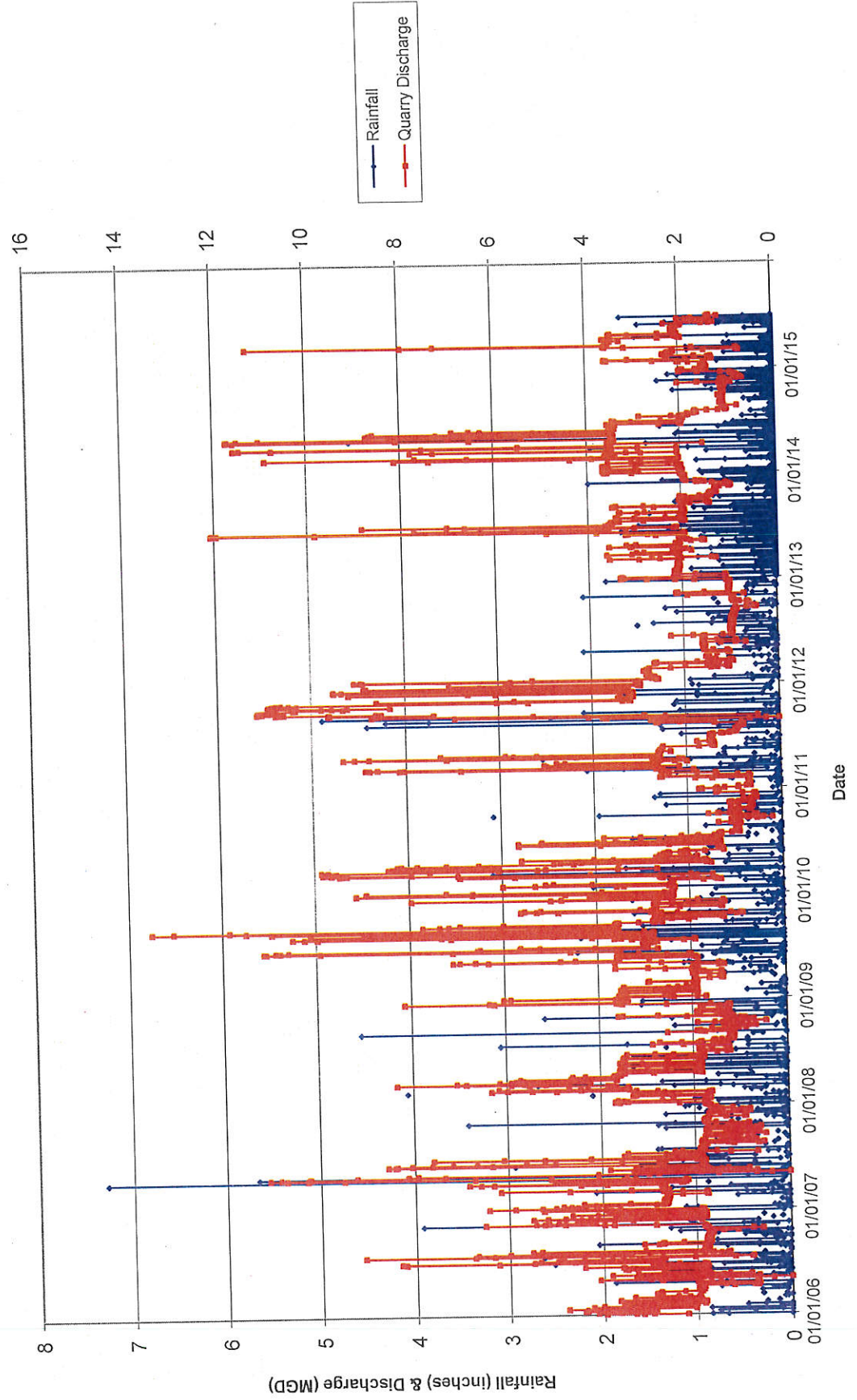
Monitoring Wells & Groundwater

Residential Well Elevations at
New Hope Crushed Stone and Lime Co., Inc. SMP# 7974SM3



Quarry Pumping

Rainfall and Quarry Discharge (MGD) at New Hope Crushed Stone & Lime Co., SMP# 7974SM3



Inspections & Violations

- No violations in last 12 months
- Inspection reports forwarded to Solebury Twp.
- Ensure compliance with EHB adjudication

EHB Adjudication

- Rescinded the depth correction
- No mining below -120' MSL level
- EHB did not address stream issues
- PADEP did not appeal
- NHCS appealed, then withdrew its appeal

PADEP Plans

- Review NPDES renewal application
- Review minor correction (stream restoration)
- Enforce the EHB adjudication

Quarry Reclamation Photos



Quarry Reclamation Photos



Quarry Reclamation Photos



Quarry Reclamation Photos



Questions?

