

# Bishop Brothers Construction Company, Inc. Minard Mine Permit Application

Mining Permit Application No. 08230301, NPDES Permit Application No. PA0270041

## Background

Bishop Brothers Construction Company, Inc. (“Bishop Brothers”) has applied for an industrial mineral surface mining permit and associated National Pollutant Discharge Elimination System (NPDES) permit for its proposed Minard Mine. The proposed project location is in Athens Township, Bradford County. The site is located along the Chemung River just west of Sayre and Athens, PA. The site is approximately half a mile from the intersection of Mile Lane Road (SR-4020) and Meadowlark Drive (T-303).

The proposed total project area would be 360.7 acres. Within that project area, Bishop Brothers is proposing to disturb a total 150.7 acres that currently has a land use of cropland and forestland.

## What will the project entail?

The proposed surface mining activity would include blasting and removal of sandstone from the currently forested hillside above Tutelow Creek. Mining of sand and gravel would be done in the area between Tutelow Creek and Chemung River currently used as cropland. A processing area is proposed for crushing and screening of material being mined. Air Quality permits will be required to be issued prior to the start of any processing on the permit. The proposed entrance to the project area will be off Meadowlark Drive.

Water pumped from the pits in the sandstone mining area and stormwater would be discharged into Tutelow Creek from the project area. Erosion and sedimentation controls are required around all affected areas. The receiving waterways have a designated use of Warm Water Fishes. There are two stream crossings proposed to be constructed to access the sandstone mining area across Tutelow Creek. One crossing will be a bridge over Tutelow Creek, and a culvert pipe will be installed to cross a small unnamed tributary to Tutelow Creek.

The mining plan is proposed to be phased over a number of years. The initial proposed mining area is shown on the map on Page 2. If approved, the estimated life of this operation would be expected last for over 20 years. The sand and gravel mining area is proposed to be reclaimed as a water impoundment, while the sandstone mining area on the hillside is proposed to be reclaimed as grassland.

## What is an Environmental Justice Area?

An Environmental Justice Area is a census tract with a 30% or greater minority population or 20% or greater population at or below the poverty level. Census Tract 9504, which covers Athens Borough, is an Environmental Justice Area, so DEP is working to facilitate enhanced public participation to ensure that the public is informed and has the opportunity to be involved. More information on Environmental Justice can be found on DEP’s website at <https://dep.pa.gov/environmentaljustice>.

## What is the review process?

Bishop Brothers submitted the permit application to DEP on May 15, 2023. DEP accepted this application as administratively complete on May 18, 2023, and is currently reviewing the application to determine if it complies with Pennsylvania’s laws and regulations for noncoal surface mining. Bishop Brothers also published a notice of the application in the local Morning Times newspaper as required by regulation.

## What will happen if the permit is issued?

If DEP approves the permit, Bishop Brothers may begin mining and related activities. The issuance of the permit may be appealed by the public if anyone thinks that DEP erred in its decision. Anyone who provides comments on the permit application, whether in writing or orally at the public meeting, will be notified once the permit is issued.

## Where can I review the application?

An electronic copy of the application can be viewed and downloaded from the DEP's website at:

<https://www.dep.pa.gov/About/Regional/North-central-Regional-Office/Community-Information/Pages/Minard-Mine.aspx>

The public can review a paper copy of the application at:

- Athens Township Municipal Building, 45 Herrick Avenue, Sayre, PA 18840  
Open 8:00 a.m. - 4:00 p.m., Monday-Friday. Telephone: (570) 888-2319
- DEP Moshannon District Mining Office, 186 Enterprise Drive, Philipsburg, PA 16866  
Open 8:00 a.m. - 4:00 p.m., Monday-Friday. Telephone: (814) 342-8200

## Will there be a public meeting?

Yes, there will be a meeting where the public can ask questions of DEP and Bishop Brothers representatives.

- Location: Athens Area High School Auditorium, 401 W Frederick St, Athens, PA 18810
- Date/Time: Monday July 31, 2023 at 6:00 p.m.
- Attendees may bring written comments to the meeting and give them to DEP staff, or they may make a verbal statement at the meeting. Comments will become part of the public record of the permit application and DEP will respond to all comments prior to making a decision to approve or deny the application. Comments will be accepted until August 25, 2023 (30 days after the date of final publication in the Morning Times newspaper).

## Who can I contact with questions or comments?

- John Mital, Licensed Professional Geologist, Lead Permit Reviewer, DEP Moshannon District Mining Office  
Telephone: 814-342-8117 Email: [jmital@pa.gov](mailto:jmital@pa.gov)

