

# NEW HOPE CRUSHED STONE

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June 16, 2017

Mr. John Stefanko, Deputy Secretary  
Rachel Carson State Office Building  
400 Market Street  
Harrisburg, PA 17101

Mr. William Plassio, Bureau Director  
DEP New Stanton District Office  
131 Broadview Road  
New Stanton, PA 15672

Dear Mr. Stefanko and Mr. Plassio,

Per instructions from Mr Mike Menghini, we are writing to you on behalf of New Hope Crushed Stone & Lime Company. Located in Solebury township, New Hope, PA, our Quarry Mining permit # is7974SM3. As you know, New Hope Crushed Stone was issued an order on January 29, 2016 that unilaterally changed our reclamation plan. Currently, this letter is on appeal to the Environmental Hearing Board.

For multiple reasons, including mandates forcing us to place fill out of our proposed sequence and the difficult weather conditions, New Hope Crushed Stone fell short on the volume of reclamation fill that was required in Q2 2016. A notice of Non-Compliance was issued (#16-5-032-N) to NHCS August 26, 2016. NHCS had proposed to make up this deficiency over the DEP determined reclamation end date of Q1 2018. It was our hope that the summer and fall months would be better for fill placement as the weather was typically drier. DEP initially considered an additional three months to make up this deficiency. Ultimately a six month time frame was decided upon. As of May 31<sup>st</sup>, we have made up approximately 34,000 yards of the 76,868 yards short fall. NHCS has prepared this correspondence to detail the reasons it has been difficult to make up the shortfall in the time-period that was allotted.

With the constant pressure and challenges to meet the current reclamation volumes stated in the January 29<sup>th</sup> letter, we found it necessary to place reclamation fill at areas near active mining. A slide occurred between February 28<sup>th</sup> and March 1<sup>st</sup>, 2017. MHSA was notified and subsequently shut down the mining in the slide area and gave us citations that required all reclamation fill that was placed in that area to be removed. MHSA and the DEP met to discuss the issue. We were required to "un-reclaim" the area around the slide occurred throughout most of March. A lot of our resources were devoted to this work, which was essentially reclamation work. On March 29<sup>th</sup> MSHA lifted the citation and NHCS was able to return to prior operations.

In addition, MHSA closed down our only access road to the western side of the quarry which shut off access to the west side of the quarry and to the Primrose Creek. NHCS has always maintained two access roads to the western quarry area; however, due to mandated flooding of the quarry per the January 29<sup>th</sup> letter, the second access to the west through the southern pit has been flooded. Therefore, NHCS was forced to build a new road to access the western side.



Therefore the above unforeseen issues, coupled with a very wet spring time period has hindered our ability to catch-up on reclamation work. To be clear, we are still reclaiming as indicated in our monthly reports, but our efficiency has been reduced for these reasons. We found it very dangerous and difficult to travel on the newly reclaimed areas and to construct the new road given wet ground conditions. In fact, these conditions have made it increasingly more difficult to even meet the January 29<sup>th</sup> letter requirements, without adding on the catch-up volume.

Additional issues that have also hampered our reclamation efforts include:

- Employee defection. We are experiencing a high turnover rate due to our employees learning of the quarry's current problems. They are afraid for their future employment. NHCS is not a large mining corporation where we can move resources from other sites to complete our reclamation. In fact, most of our work force has less than a year's time at NHCS and is not experienced in the mining industry. MSHA Training has to be done to make sure safety is achieved. Training new employees removes another employee from the workflow to conduct the training.
- Rising Quarry Water Level. With the water level rising, safety issues arise regularly. The second access road into the quarry and to the western quarry area and the Primrose Creek is no longer usable due to flooding. Currently, our pumps have to be moved. We are now faced with the need to relocate the control panel for the pump as the water level is approaching it. This will take manpower to complete, and it is essentially a reclamation issue, although no trucks of dirt are being moved, nor can be counted.
- Increase in Quarry Trespass. We are experiencing an increase in trespassers. With Solebury Township posting pictures of the quarry filling with water, we are experiencing a lot of teenage children coming on the property to take pictures and to see the quarry. *This is a safety crisis.* The reclamation process requires our fence to be relocated and we cannot leave the property unsecured. Moving fences to complete reclamation is also essentially a reclamation issue, although no trucks of dirt are being moved, nor can be counted. During our work day, safe operations are paramount to counting truck loads and moving reclamation fill; it must be.

Since September 2016 we had made good progress in our reclamation efforts on the quarry. It is our goal to fully reclaim this property and meet our responsibilities but also so we can achieve the greatest property use for the land as we look at our next phase. We are doing our best and working hard. We are asking for relief on the reclamation requirements stated in the January 29<sup>th</sup> letter. Additionally, we request relief in the form of an extension to the deadline to resolve Compliance Order #16-5-032-N. We are finding it impossible to meet the requirements stated. With the quarry filling with water, we estimate another 3 to 4 months and we will not be able to mine any further product as it will be un-accessible. It is estimated an additional 2 – 3 years before the quarry is completely filled with water.

Thank you in advance for your consideration

Regards,



Christina Cursley

Greg Rodrigo