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January 20, 2016

Via Overnight Mail

Gary A. Latsha
Surface Mine Conservation Inspection Supervisor
PA Department of Environmental Protection
Pottsville District Mining Office
5 West Laurel Boulevard
Pottsville, PA 17901

Re: Request for a meeting regarding Compliance Order No. 15-5-048-N, in accordance with Department's letter of January 14, 2016

Dear Mr. Latsha:

Pursuant to your letter dated January 14, 2016, I write on behalf of Solebury School to request a meeting with the Department and New Hope Crushed Stone & Lime for the purpose of discussing the civil penalty assessment for the violations detailed in Compliance Order No. 15-5-048-N (as amended by Compliance Order No. 15-5-048-N(A)).

As you know, the Compliance Order is the subject of an appeal currently before the Pennsylvania Environmental Hearing Board at Docket No. 2015-164-L (consolidated with 2015-187-L). Solebury School, which has intervened and been granted full-party status in that appeal, is entitled to participate in the negotiation of any civil penalty that may effectively settle, resolve, or otherwise impact the pending appeal or the Compliance Order upon which that appeal is based.

Your letter of January 14, 2016 indicates that the Department has preliminarily determined a penalty assessment for these violations, and also indicates that this assessment may be changed upon consideration by the Department of new information. As contemplated by the letter, Solebury School wishes to bring to the Department's attention "information concerning the culpability, speed of and effectiveness of compliance,

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CC: MIKE K.
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diligence, unforeseen circumstances, and other factors" that bears upon the appropriate amount of any civil penalty.

Additionally, Solebury School will seek information at that meeting regarding the status of NHCS's reclamation plan, which bears on the question of whether the violation is ongoing.

Therefore, pursuant to your letter of January 14, 2016, the School requests a meeting to present this information to the Department and discuss the Department's penalty assessment for NHCS's violations. We look forward to setting up a mutually convenient time for this meeting.

Sincerely,



Steven T. Miano

cc via email: Nels J. Taber, Esq.
Alicia Duke, Esq.
William Benner, Esq.
Tom Wilschutz