



Only File
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August 26, 2015

Mike Menghini
District Mining Manager
Pottsville District Mining Operations
PA Department of Environmental Protection
5 West Laurel Boulevard
Pottsville, PA 17901-2522

**RE: Proposed Reclamation Plan and Sequence
Proposed Primrose Creek Restoration
New Hope Crushed Stone & Lime Co.
NPDES Permit Renewal No. PA0595853
SMP No.: 7974SM3
Solebury Township, Bucks County
EarthRes Project Number: 011012.015**

Dear Mr. Menghini:

On behalf of NHCS, I am responding your letter of August 11, 2015. This letter and the following information are provided in good faith, as with our prior responses on NHCS' behalf, to answer the Department's questions, to address certain findings of fact set out in the Adjudication, and to provide a reasonable estimate of a timeline for reclamation.

To reclaim the quarry and restore groundwater levels to the predicted reclamation levels, significant work needs to be completed:

- 1) Mining of the quarry to -120 msl;
- 2) Reclamation of the quarry; and,
- 3) Restoration of the Primrose Creek per the Consent Order signed in party with the Department in 2013.

Each above item is presented below, noting actions completed and a timeframe for ongoing reclamation and restoration actions.

Mining of the Quarry to -120 msl

Mining actions in conformance with the Adjudication are detailed below:

- 1) Immediately being informed of the EHB's Adjudication on July 29, 2014, NHCS ceased blasting and mining of rock at elevations below -120 msl to comply fully with Board's Order. By complying with the Order and by withdrawing its appeal to that Order, NHCS

- 2) voluntarily significantly reduced the reserves and life of the quarry. As you know, the quarry's SMP broadly authorized mining to a depth of -200 msl.
- 3) Pumping of groundwater from the sump at approximately -160 msl was also halted, that enabled north pit water levels to rise approximately 25 feet.
- 4) Addressing water quality, NHCS initiated increased water quality sampling (weekly). The monitoring of the permitted outfall continues to show compliance with the NPDES permit conditions.
- 5) Although the Adjudication revoked the Depth Correction that had included conditions to reduce the risk of a dewatering event, NHCS voluntarily confined its permitted mining such that it has not and will not mine Dike #1 at levels below -50 msl on the western quarry wall, thereby mitigating groundwater drawdown impacts. This action also reduced quarry reserves and shortened the life of the quarry.
- 6) NHCS has filed a revised mining plan that limits mining in the area of the Furlong Fault. The modification reduced the NHCS's permitted mining area limit to 50-ft west of the fault and reduced the quarry's minable reserves and lifetime. The modification was made based upon claims made by Solebury School's headmaster and counsel unsupported by expert reports, that mining through the fault would lower the post mining water level. Although we vigorously disagreed with those assertions, NHCS chose to avoid anticipated costly litigation and elected a course of action that further reduced its permitted mining reserves and shortened the life of the quarry.

In summary, by electing not to pursue its appeal to the Commonwealth Court from the Adjudication, along with the above listing of actions, NHCS has abandoned adversarial positions towards Solebury School and the Department, has agreed to reduce its minable reserves and has shortened the quarry's life as a result.

Reclamation of the Quarry

NHCS has begun reclamation of the quarry and will shortly begin restoration of the stream.

Based upon the existing mining authorizations that permit mining to -120 ft. msl, the quarry reserves are estimated at 9.16 million tons. Taking into account the capacity of the crushers and related equipment, and taking into account seasonal stoppages, and subject to future market conditions, equipment conditions, and other factors that NHCS can neither control nor predict, it is estimated that the quarry can mine approximately 1.2 million tons per year. A reasonable estimate of the life of the quarry is approximately 7.6 years.

Reclamation will be accomplished through backfilling and blasting to grade. NHCS has sufficient fill onsite to complete the reclamation. The proposed benching and final reclamation slopes have been provided to the Department in our submittal of June 30, 2015. Over the mining timeframe, NHCS will conduct reclamation concurrent with mining in the following sequence. Equipment and personnel will be dual-purposed allowing concurrent operations.

Proposed Reclamation Schedule

Proposed Timeframe	Reclamation Actions
October 2015	Initiate stream restoration activities outlined in the consent order.
Present through 2017	Mine the north wall and backfill to final reclamation grade, excepting the NW wall corner, which will be blasted to grade and graded to the final reclamation slope.
2017 through 2018	Mine the east wall in a southward direction and backfill the wall to the final reclamation slope
2018 through 2020	Mine the western wall, blast to grade and regrade to the final reclamation slope
2020 through 2022	Fill/cover-up the ramps on the northern wall and back-out of the mine
2022 through 2023	Fill/cover up the ramps adjacent to the eastern pre-Act highwall and back-out of the mine. Begin flooding the quarry pit, while maintaining the required discharge.
2023	Build the impoundment outlet structure to Primrose Creek
2023	Continue flooding the quarry pit while maintaining 500,000 gallons per day (gpd) of discharge to the Primrose Creek, in accordance with conditions of NHCS' NPDES permit. Complete final adjustments to the outlet structure, and turn off the quarry pumps once the post mining water level (approximately 98 ft. msl) is achieved.

The reclamation sequence may vary depending upon the stone color and quality encountered and market demands. The activities proposed towards mine closure and reclamation brings NHCS into compliance with the Adjudication and further mitigates nuisance concerns.

Restoration of the Primrose Creek

Permitting for the Primrose Creek restoration project is now in its final stages. NHCS could not start the restoration work until applicable permits issued. EarthRes was recently informed that the U.S Army Corps of Engineers decided not to take jurisdiction over the restoration thus allowing the Department to issue the required permits. Expecting fairly quick permit dispensation in the current construction season, NHCS is providing the following restoration sequence per the Consent Order timeline, assuming an initial start date of October.

Proposed Timeframe	Stream Restoration Actions
Oct. 2015 – Dec. 2015 (90 day timeframe)	Commencing with final approval, Sinkholes in the Primrose Creek identified on Quarry Property will be repaired per the approved plans.
Oct. 2015 – Dec. 2016 (15 month timeframe)	NHCS will conduct stabilization and restoration work in the downstream areas of the Primrose Creek, from the quarry highwall to the western-most instream sinkhole, as identified on the permit plan sets.
Oct. 2015 – Mar. 2016 (18 month timeframe)	NHCS will conduct stabilization and restoration work in the upstream areas of the Primrose Creek, from the western instream sinkhole to the western quarry property boundary, as identified on the permit plan sets.

Response Summary and Conclusion

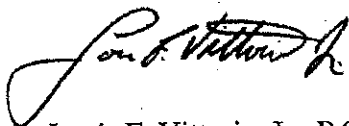
As provided herein, NHCS has taken significant actions to address certain findings of fact in the Adjudication that quarry operations raise to the level of being a public nuisance, a claim that NHCS has and continues to challenge. As quarterly monitoring reports show consistently, groundwater levels within the quarry's ZOI have not decreased. Rather, groundwater levels within the Primrose Creek Basin respond to seasonal events, not to quarry operations. That aside, NHCS has begun the reclamation process; it has voluntarily reduced its minable reserves; it will begin the stream restoration actions this year, and mining is being completed in compliance with the current quarry permit.

NHCS is currently removing the lowest elevation reserves to enable pit flooding as soon as practical. However, this ongoing work must be balanced with reclamation activities and stream restoration work, which require quarry resources that are subject to firm timelines. Additionally, quarry pumping and water levels will be influenced by drought/flood conditions, discharge requirements, access to equipment and material, and maintenance of sound and safe access per prevailing state and federal regulations. Therefore, NHCS proposes that the exact schedule for restoration of water levels in the quarry be determined based upon site conditions, required operations and ongoing consultation with Department. NHCS' management is committed to this process and assures the Department of its full co-operation.

Through the processes that have led to current quarry reclamation, NHCS has settled issues with the surrounding community and has avoided becoming adversarial with its closest neighbor—sometimes to its economic detriment on claims that the quarry's legal team believed lacked merit. This has included cessation of legal proceedings and/or settlements with Solebury Township, the Primrose Creek Watershed Association, Solebury School and PennFutures. Through these actions NHCS has almost surely reduced the regulatory burden of the Department, has shown continued compliance with regulations, and its willingness to complete reclamation in a timely and orderly manner.

Should you have any questions regarding the enclosed information, detailing NHCS' current and futures actions towards full reclamation, please contact me at 215-766-1211.

Sincerely,
EarthRes Group, Inc.



Louis F. Vittorio, Jr., P.G.
Vice President

Michael Menghini.
August 26, 2015
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