



C.T. Boritski

G. Laska

A. Ballinger

**INSPECTION REPORT
NONCOAL**

Mine Name New Hope Quarry

Complete Partial X *24/1/15*

On Site Times

Weather		TOWNSHIP		COUNTY		PERMIT NO.	
New Hope Crushed Stone & Lime Co.		Solebury		Bucks		7974SM3	
ADDRESS		VIOLATION HISTORY		X VIOLATIONS NOTED PREVIOUS VIOLATIONS:		X FOLLOW-UP INSP. REQUIRED X COMPLIANCE ORDER	
PO Box 248		NOV'S		X CORRECTED		□ FTC ORDER	
New Hope, PA 18938-0248		CO'S		□ UNCORRECTED		□ CEASE ORDER	
GENERAL MINING INFORMATION:		Large <input checked="" type="checkbox"/>		Small 10,000 <input type="checkbox"/> 2,000 <input type="checkbox"/>		GP 105 <input type="checkbox"/> GP 103 <input type="checkbox"/> Expiration Date	

a. Areas-Minerals-Pit Dimensions (L/W/H)-Method: Dolomite
open pit- ~2550' x ~1100' x ~315'

b. Equipment-Use & Conditions: crushing/screening plants; asphalt plant; FELs; haul trucks; track excavators; backhoes; water truck- good condition

c. Contract Miner: Yes No Name _____ d. Approved Blast Plan: Yes No Is there blasting today? Yes No

Approved Acres	Approved Pit Volume	Progress of Reclamation	Liability
Mining Area: 141 Support:	N/A yd ³	Regraded 0 acres Topsoiled 0 acres	Current Bond
Disturbed not planted:	Current Pit Volume	Water Impoundment: Acres Approved 0	\$465,850.00
Affected acres	N/A yd ³	Planted, Grasses 0 acres	Current Liability
Mining Area: 141 Support:	Selective Grading of Highwall	Trees Required 0 ac. Planted 0 ac.	\$
Disturbed not planted:	Approved: yd ³ Current:	Meeting Stage 1 criteria: 0 acres	

Highwall Bond (Blasting to achieve reclamation) Approved/Affected

<20 ft.	ft.	ft.	>20<30 ft.	ft.	ft.	>30<40 ft.	ft.	ft.	>40<50 ft.	ft.	ft.	>50 ft.	ft.	ft.
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PERFORMANCE STANDARDS NONCOAL

Obs.	STANDARD	PC or Reg.	Viol.	Comp. Dats	Obs.	STANDARD	PC or Reg.	Viol.	Comp. Dats
	Unauthorized Mining		<input type="checkbox"/>			Air Resources Protection		<input type="checkbox"/>	
	Mining License		<input type="checkbox"/>			Concurrent Reclamation		<input type="checkbox"/>	
	Signs and Markers		<input type="checkbox"/>			Backfilling and Grading		<input type="checkbox"/>	
	Topsoil-Rem/Storage/Handling		<input type="checkbox"/>			Revegetation		<input type="checkbox"/>	
	Effluent Standard		<input type="checkbox"/>			Haul Roads		<input type="checkbox"/>	
	Diversions and Conveyance		<input type="checkbox"/>			General Safety		<input type="checkbox"/>	
	Sediment Control Measures		<input type="checkbox"/>			Permit Conditions		<input type="checkbox"/>	
	Treatment Facilities		<input type="checkbox"/>			Temporary Mining Cessation		<input type="checkbox"/>	
	Sedimentation Ponds		<input type="checkbox"/>			Distance Limitations-Barriers		<input type="checkbox"/>	
	Discharge Structures		<input type="checkbox"/>			Bench Development		<input type="checkbox"/>	
	Dams, Ponds-Design/Const/Maint.		<input type="checkbox"/>			Permit Line Setback		<input type="checkbox"/>	
	Water Monitoring-Ground/Surface		<input type="checkbox"/>			Stability Analysis		<input type="checkbox"/>	
	Water Discharge-Underground Mine		<input type="checkbox"/>		X	Section 7(c)(5) and (10) NCSMCRA	Reg		10/30/15
	Blasting Requirement		<input type="checkbox"/>						

COMMENTS AND RECOMMENDATIONS: This inspection report is being generated to issue a violation. On July 31, 2014, the Environmental Hearing Board (EHB) rescinded the depth correction issued by the Department on July 29, 2011. As part of and included in the EHB Adjudication was the restoration of the groundwater and the abatement of a public nuisance, in that New Hope Crushed Stone & Lime Co. (NHCS) continued mining and associated dewatering is causing and perpetuating a hazardous condition on its neighbor's property that endangers the public health, safety and welfare. As per the EHB decision and requirements, the Department required NHCS to submit permit revisions to both the mining permit and NPDES permit that brings both permits into compliance with the EHB Adjudication. In a letter dated August 11, 2015, the Department notified NHCS that information submitted to the Department failed to provide the information requested by the Department in letters dated February 24, 2015 and July 10, 2015 and at the meeting held on May 13, 2015, between the Department and NHCS.

Person Contacted Mr. George Riordan	Title Vice President	Discharge/Seeps <input type="checkbox"/> yes <input type="checkbox"/> no Samples Collected <input type="checkbox"/> yes <input type="checkbox"/> no Range of Samples Collected _____ to _____
Signature To be mailed Certified Mail No. 70131710000127616252	Investigator Signature <i>Greg A. Laska</i>	Collector ID No. 4525 Employee ID No. 502407

The Operator's signature acknowledges that he has read the report, including the reverse side, and that he was given the opportunity to discuss it with the investigator. The signature does not necessarily mean he agrees with the report. White - District File Yellow - Permittee Pink - Inspector

A. T. Boritski, M. G. E. ...

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION

COMMENTS AND RECOMMENDATIONS

Mine Name New Hope Quarry

Date 10/1/2015

PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
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The Department's letter of August 11, 2015 specified that a formal submission for the Reclamation Plan and Sequence that meets all of the requirements previously explained by the Department was due by August 26, 2015. NHCS has failed to submit a plan that includes all of the requested information required to bring both the mining permit and NPDES permit into compliance with the EHB Adjudication. Specifically, NHCS has failed to submit to the Department an adequate Reclamation Plan and Sequence that addresses an acceptable timeline for reclamation of the quarry and how the hydrologic balance will be restored in the surrounding area to abate the public nuisance caused by NHCS lowering of the groundwater. Specifically, the reclamation plan provided by NHCS fails to address the following: (1) The reclamation plan provided by NHCS is based on the time needed to mine out existing reserves instead of the time required to reclaim the quarry. Item no. 1 of the Department's letter dated July 10, 2015 specifically identified this proposal as unacceptable. (2) The reclamation plan does not provide a timetable for abating the public nuisance caused by the quarry's dewatering activities. The plan to begin flooding the pit in 2023 is unacceptable. Item no. 3a of the Department's letter dated July 10, 2015 specifically requests revisions to both the mining permit and the NPDES permit to abate the nuisance caused by NHCS' lowering of the water table. (3) The reclamation plan does not revise the existing NPDES permit to account for the flooding of the lower lifts of the quarry. Item no. 3 of the Department's letter dated July 10, 2015 specifically requests revisions to both the mining permit and the NPDES permit. (4) The reclamation plan does not address installation of a monitoring well on Solebury School's campus to monitoring groundwater elevations. Item no. 5 of the Department's letter dated July 10, 2015 specifically requests an update regarding the installation of the above-referenced monitoring well. (5) The reclamation plan does not identify approximate acreages that will be reclaimed during the proposed timeframe, nor does it identify these areas on a map.

The failure of NHCS to submit the previously requested information constitutes a violation of Section 7(c)(5) and (10) of the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. § 3307(c)(5) and (10).

Therefore, Compliance Order No. 15-5-048-N is being issued. NHCS shall submit the following:

1. A reclamation plan based on the amount of time required to reclaim the quarry, not based on mineable reserves. Mining may occur concurrently with reclamation, however timely abatement of the public nuisance caused by NHCS's lowering of the water table under Solebury School is required.

At a minimum, the reclamation plan and schedule submittal must include the following:

- A) A timetable for the reclamation of each highwall area of the quarry. This timetable must include a specific description of the reclamation methods for each highwall (i.e., blasting and/or backfilling), and the associated estimated reclamation costs. For each method to be utilized, the description must include the following:
 - 1) The amount of blasting needed for each highwall area in order to achieve the required final reclamation grades. This description must include, at a minimum, the required number of blasts, the time required to drill and blast each area and any other associated or pertinent information.
 - 2) The amount of excavation, filling and/or grading work required to achieve the final reclamation grades. This description must include, at a minimum, the volumes of fill material required for each highwall area, the source

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF MINING AND RECLAMATION

COMMENTS AND RECOMMENDATIONS

Mine Name New Hope Quarry

Date 10/1/2015

PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
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of the fill material, the equipment to be utilized to achieve reclamation slopes, and the estimated time required for this equipment to backfill each highwall area.

3) The reclamation plan must include a proposed timeframe for reclaiming all affected acreage within the surface mining permit. A map showing the stages of reclamation must be included.

4) A detailed cost estimate, to include line items for each phase of reclamation.

B) A timetable for the stream restoration work required under the existing Primrose Creek Consent Order and Agreement. The stream restoration timetable must be detailed in the same manner as the timetable for reclamation required under Section A above.

2. A schedule describing when the lower lifts of the quarry will be flooded. The EHB decision requires abatement of the public nuisance, thus restoration of the water table under the school must be conducted concurrently with the reclamation plan.

3. A plan to install a monitoring well on Solebury School's campus to monitor groundwater elevations.

NHCS shall submit this information on or prior to 8:00AM, October 30, 2015.

Compliance History: 2 years - None

Person Contacted Mr. George Riordan	Title Vice President	Discharge/Seeps <input type="checkbox"/> yes <input type="checkbox"/> no Samples Collected <input type="checkbox"/> yes <input type="checkbox"/> no Range of Samples Collected None
Signature To be mailed	Investigator Signature & I.D. No. 502407 <i>Cory A. Latsha</i>	

The Operator's signature acknowledges that he has read the report, including the reverse side, and that he was given the opportunity to discuss it with the investigator. The signature does not necessarily mean he agrees with the report.

District File/Permittee/Inspector

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION
P.O. BOX 8461
HARRISBURG, PA 17105-8461



COMPLIANCE ORDER

OPERATOR NAME New Hope Crushed Stone & Lime Co.			DOCKET NUMBER 15-5-048-N	
ADDRESS PO Box 248 New Hope, PA 18938-0248			PERMIT NUMBER 7974SM3	
			MUNICIPALITY Solebury Township	
NAME AND TITLE OF PERSON SERVED Mr. George Riordan Vice President			COUNTY Bucks	
MINE NAME OR DESCRIPTION New Hope Quarry			LICENSE NUMBER .1879	
DATE OF INSPECTION 10/1/2015	DATE OF ORDER 10/1/2015	DATE OF SERVICE/MAIL 10/1/2015	CERT. MAIL NO. 70131710000127616252	CESSATION ORDERED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No


The Department of Environmental Protection is the agency with the authority to administer and enforce the Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §691.1 *et seq.*, the Surface Mining Conservation and Reclamation Act, the Act of May 31, 1945, P.L. 1198, as amended, 52 P.S. §1396.1 *et seq.*, the Noncoal Surface Mining Conservation and Reclamation Act, the Act of December 19, 1984, P.L. 1093, No 219, as amended, 52 P.S. §3301 *et seq.*, the Coal Refuse Disposal Control Act, the Act of September 24, 1968, P.L. 1040, as amended, 52 P.S. §30.51 *et seq.*, the Bituminous Mine Subsidence and Land Conservation Act, the Act of April 27, 1966, P.L. 31, No. 1, as amended, 52 P.S. §1406.1 *et seq.*, the Anthracite Coal Mine Act, the Act of November 10, 1965, P.L. 721, No. 346, as amended, 52 P.S. §70-101 *et seq.*, the Bituminous Coal Mine Act of 1961, the Act of July 17, 1961, P.L. 659, No. 339, as amended, 52 P.S. §701-101 *et seq.*, and Section 1917-A of the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §510-17, and the Rules and Regulations of the Environmental Quality Board adopted thereunder.

The Undersigned authorized representative of the Department has determined that the violations listed in the attachment(s) exist on the above referenced mine site. This Order constitutes a separate order for each violation listed.

Pursuant to §§5, 301, 307, 315, 316, 401, 402, 601 and 610 of The Clean Streams Law (35 P.S. §691.5, 691.301, 691.307, 691.315, 691.316, 691.401, 691.402, 691.601, and 691.610), §§4.2 and 4.3 of the Surface Mining Conservation and Reclamation Act (52 P.S. §1396.4b and 1396.4c), §11 of the Noncoal Surface Mining Conservation and Reclamation Act, (52 P.S. §3311), §§3.1 and 9 of the Coal Refuse Disposal Control Act, (P.L. 31, 52 P.S. §1406.1), §§701-101 *et seq.*, of the Bituminous Coal Mine Act (52 P.S. §§701-101) and Section 1917-A of the Administrative Code (71 P.S. §510-17) and 25 Pa. Code §§86.211 and 86.213, it is hereby ordered that the operator shall perform the corrective actions listed in the attachment within the designated abatement time.

APPEAL NOTICE

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Section Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law. IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD. IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

Cert. Mail No. 70131710000127616252	Department Representative Name and Title Gary A. Latsha
Operator/Representative Signature To be mailed	Investigator Signature & I.D. No.  502407



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION
P.O. BOX 8461
HARRISBURG, PA 17105-8461

ORDER (Continuation)

DOCKET NUMBER

15-5-048-N

PARAGRAPH NO. 1

Description of Violation: NHCS has failed to to submit a plan that includes all of the requested information required to bring both the mining permit and NPDES permit into compliance with the EHB Adjudication. Specifically, NHCS has failed to submit to the Department an adequate Reclamation Plan and Sequence that addresses an acceptable timeline for reclamation of the quarry and how the hydrologic balance will be restored in the surrounding area to abate the public nuisance caused by NHCS lowering of the groundwater. Specifically, the reclamation plan provided by NHCS fails to address the following: (1) The reclamation plan provided by NHCS is based on the time needed to mine out existing reserves instead of the time required to reclaim the quarry. Item no. 1 of the Department's letter dated July 10, 2015 specifically identified this proposal as unacceptable. (2) The reclamation plan does not provide a timetable for abating the public nuisance caused by the quarry's dewatering activities. The plan to begin flooding the pit in 2023 is unacceptable. Item no. 3a of the Department's letter dated July 10, 2015 specifically requests revisions to both the mining permit and the NPDES permit to abate the nuisance caused by NHCS' lowering of the water table. (3) The reclamation plan does not revise the existing NPDES permit to account for the flooding of the lower lifts of the quarry. Item no. 3 of the Department's letter dated July 10, 2015 specifically requests revisions to both the mining permit and the NPDES permit. (4) The reclamation plan does not address installation of a monitoring well on Solebury School's campus to monitor groundwater elevations. Item no. 5 of the Department's letter dated July 10, 2015 specifically requests an update regarding the installation of the above-referenced monitoring well. (5) The reclamation plan does not identify approximate acreages that will be reclaimed during the proposed timeframe, nor does it identify these areas on a map.

Location of Violation: Permit No. 7974SM3, Solebury Township, Bucks County

Provisions of Regulation, Statute or Permit Violated: Section 7 (c)(5) and (10) of the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. § 3307(c)(5) and (10).

Corrective Action Required or Activity to be Ceased: NHCS shall submit the following:

1. A reclamation plan based on the amount of time required to reclaim the quarry, not based on mineable reserves. Mining may occur concurrently with reclamation, however timely abatement of the public nuisance caused by NHCS's lowering of the water table under Solebury School is required.

At a minimum, the reclamation plan and schedule submittal must include the following:

A) A timetable for the reclamation of each highwall area of the quarry. This timetable must include a specific description of the reclamation methods for each highwall (i.e., blasting and/or backfilling), and the associated estimated reclamation costs. For each method to be utilized, the description must include the following:

1) The amount of blasting needed for each highwall area in order to achieve the required final reclamation grades. This description must include, at a minimum, the required number of blasts, the time required to drill and blast each area and any other associated or pertinent information.

2) The amount of excavation, filling and/or grading work required to achieve the final reclamation grades. This description must include, at a minimum, the volumes of fill material required for each highwall area, the source of the fill material, the equipment to be utilized to achieve reclamation slopes, and the estimated time required for this equipment to backfill highwall areas.

3) The reclamation plan must include a proposed timeframe for reclaiming all affected acreage within the surface mining permit. A map showing the stages of reclamation must be included.

4) A detailed cost estimate, to include line items for each phase of reclamation.

B) A timetable for the stream restoration work required under the existing Primrose Creek Consent Order and Agreement. The stream restoration timetable must be detailed in the same manner as the timetable for reclamation required under Section A above.

2. A schedule describing when the lower lifts of the quarry will be flooded. The EHB decision requires abatement of the public nuisance, thus restoration of the water table under the school must be conducted concurrently with the reclamation plan.

3. A plan to install a monitoring well on Solebury School's campus to monitor groundwater elevations.

Required Abatement Date and Time: NHCS shall submit this information on or prior to 8:00AM, October 30, 2015.

Page ___ of ___ Pages

Date of Service/Mail: 10/1/2015

For the Department: Gary A. Latsha

Gary A. Latsha