



**INSPECTION REPORT
NONCOAL**

Date 8/26/2016

Mine Name New Hope Quarry

On Site Times N/A

Weather <u>N/A</u>	Complete		Partial X
PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
ADDRESS PO Box 248 New Hope, PA 18938-0248	VIOLATION HISTORY NOV'S 1 CO'S	X VIOLATIONS NOTED PREVIOUS VIOLATIONS: <input type="checkbox"/> CORRECTED <input type="checkbox"/> UNCORRECTED	X FOLLOW-UP INSP. REQUIRED X COMPLIANCE ORDER <input type="checkbox"/> FTC ORDER <input type="checkbox"/> CEASE ORDER
		LICENSE NO. & EXP. DATE 1879 8/31/2016	OPERATIONAL STATUS Active

GENERAL MINING INFORMATON: Large Small 10,000 2,000 GP 105 GP 103 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 Acres Actual 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.			

PERFORMANCE STANDARDS NONCOAL

Obs.	STANDARD	PC or Reg.	Viol.	Comp. Date	Obs.	STANDARD	PC or Reg.	Viol.	Comp. Date
	Unauthorized Mining		<input type="checkbox"/>			Air Resources Protection		<input type="checkbox"/>	
	Mining License		<input type="checkbox"/>		X	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	Subchapter E 77.102(f)(1) &(2)	Reg	X	9/23/16
	Blasting Requirement		<input type="checkbox"/>		X	NCSMRA Section 11(b)	Reg	X	9/23/16

COMMENTS AND RECOMMENDATIONS: This inspection report is being generated to issue a violation. The proposed Reclamation Plan submitted, to the Department, on November 30, 2015 by EarthRes Group (ERG) was determined to be unacceptable. The proposed Reclamation Plan timetable did not abate the public nuisance noted in the Environmental Hearing Board Adjudication (EHB) dated July 31, 2014 in a timely manner. Also, the plan did not propose to reclaim the quarry as concurrently as possible. It was determined that the proposed timetable appeared to be based on the time required to mine out the currently permitted mineral reserves and not the time required to conduct the Primrose Creek stream restoration work and the quarry highwall reclamation work. To address the deficiencies in the Reclamation Plan the Department modified the Reclamation Plan in a letter dated January 29, 2016. In the Department's January 29, 2016 letter, New Hope Crushed Stone & Lime Co. (NHCS) was informed of the work that needed to be conducted in accordance with the modifications to the Reclamation Plan in order for the Department to consider that NHCS is abating the public nuisance declared by the EHB

Person Contacted Christina Cursley	Title General Manager	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 to
Signature To be mailed Certified Mail No. 70131710000127625537	Investigator Signature <i>Gary A. Latske</i>	Collector ID No. 4525 Employee ID No. 502407

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

COMMENTS AND RECOMMENDATIONS

Mine Name New Hope QuarryDate 8/26/2016

PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
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in a timely manner and concurrently reclaiming the quarry. The Department's January 29, 2016 letter, outlined the minimum standards for concurrent reclamation and abatement of the nuisance for NHCS to perform. The January 29, 2016 letter also requires NHCS to submit a reclamation progress report. On August 1, 2016 on behalf of NHCS, ERG submitted, to the Department, the 2nd Quarter Monitoring Report, which included the reclamation progress report.


Following a review of the reclamation progress information submitted, the Department has determined that NHCS has failed to conduct concurrent reclamation and abatement of the nuisance to the minimum standards outlined in the Department's January 29, 2016 letter. The Department calculated that 64 days were available to conduct concurrent reclamation and abatement of the nuisance, during the 2nd Quarter 2016. Calculating 64 days of work by 200 cubic yards per hour of backfill material to be placed for highwall reclamation, by 7 hours of actual work per day equals 89,600 cubic yards of backfill material to be placed for reclamation during the 2nd Quarter 2016 (64 days x 200 cu yds/hr x 7 hr/day = 89,600 cu yds). The reclamation progress report indicated that 12,732 cubic yards of backfill material was placed for reclamation in the 2nd Quarter 2016. No stream work was conducted by NHCS during the 2nd Quarter 2016.

Since NHCS has failed to conduct concurrent reclamation and abatement of the nuisance, to the minimum standards outlined in the Department's January 29, 2016 letter, Compliance Order No. 16-5-032-N is issued.

NHCS shall immediately conduct concurrent reclamation and abatement of the nuisance to the minimum standards outlined in the Department's January 29, 2016 letter. In addition, NHCS shall submit a detailed corrective action plan explaining: 1) how NHCS will conduct concurrent reclamation and abatement of the nuisance to the minimum standards outlined in the Department's January 29, 2016 letter, 2) how NHCS will address and/or make-up the reclamation deficiencies of 76,868 cubic yards (89,600 cu yds required - 12,732 cu yds placed = 76,868 shortfall) from the 2nd Quarter 2016. The corrective action plan shall be submitted to the Department on or prior to 4:00PM, September 23, 2016.

NHCS shall also submit on a monthly basis an actual count of how many truckloads of fill were placed for final reclamation during that month, and an estimate of the cubic yards placed for reclamation by the operator. This report shall be submitted to the Department by the 5th of the month for the preceding month. The first report, providing the information for September, shall be submitted on or before October 5, 2016.

Compliance History: 2 years - CO issued 10/1/2015 - Section 7 (c)(5) and (10) of the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. § 3307(c)(5) and (10). (GL)

Person Contacted Christina Cursley	Title General Manager	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 Certified Mail No. 70131710000127625537	Investigator Signature & I.D. 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.

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 16-5-032-N		
ADDRESS PO Box 248 New Hope, PA 18938-0248		PERMIT NUMBER 7974SM3		
		MUNICIPALITY Solebury Township		
NAME AND TITLE OF PERSON SERVED Christina Cursley General Manager		COUNTY Bucks		
MINE NAME OR DESCRIPTION New Hope Quarry		LICENSE NUMBER 1879		
DATE OF INSPECTION 8/26/2016	DATE OF ORDER 8/26/2016	DATE OF SERVICE/MAIL 8/26/2016	CERT. MAIL NO. 70131710000127625537	CESSATION ORDERED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

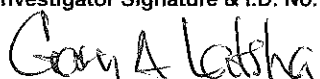
The Department of Environmental Protection is the agency with the authority to administer and enforce the Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §691.1 *et seq.*, the Surface Mining Conservation and Reclamation Act, the Act of May 31, 1945, P.L. 1198, as amended, 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. 70131710000127625537	Department Representative Name and Title Gary A. Latsha SMCIS
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

16-5-032-N

PARAGRAPH NO. 1

Description of Violation: Following a review of the reclamation progress information submitted, the Department has determined that NHCS has failed to conduct reclamation and abatements to the minimum standards outlined in the Department's January 29, 2016 letter. The Department calculated that 64 days were available to conduct concurrent reclamation and abatement of the nuisance during the 2nd Quarter 2016. Calculating 64 days of work by 200 cubic yards per hour of backfill material to be placed for highwall reclamation, by 7 hours of actual work per day equals 89,600 cubic yards of backfill material to be placed during the 2nd Quarter 2016 (64 days x 200 cu yds/hr x 7 hr/day = 89,600 cu yds). The reclamation progress report indicated that 12,732 cubic yards of backfill material was placed for reclamation during the 2nd Quarter 2016. Since NHCS has failed to conduct concurrent reclamation and abatement of the nuisance to the minimum standards outlined in the Department's January 29, 2016 letter, Compliance Order No. 16-5-032-N is issued.

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

Provisions of Regulation, Statute or Permit Violated: Subchapter E 77.102(f)(1) & (2) and Section 11(b) of the Noncoal Surface Mining Conservation and Reclamation Act.

Corrective Action Required or Activity to be Ceased: NHCS shall immediately conduct concurrent reclamation and abatement of the nuisance to the minimum standards outlined in the Department's January 29, 2016 letter. In addition, NHCS shall submit a detailed corrective action plan ("CAP") explaining: 1) how NHCS will conduct concurrent reclamation and abatement of the nuisance to the minimum standards outlined in the Department's January 29, 2016 letter, 2) how NHCS will address and/or make-up the reclamation deficiencies of 76,868 cubic yards (89,600 cu yds required - 12,732 cu yds placed = 76,868 shortfall) from the 2nd Quarter 2016. The CAP shall be submitted to the Department on or prior to 4:00PM, September 23, 2016.

NHCS shall also report on a monthly basis an actual count of how many truckloads of fill were placed for final reclamation during the month, and an estimate of the cubic yards placed for reclamation by the operator. This report shall be submitted to the Department by the 5th of the month for the preceding month. The first report, providing the information for September shall be submitted on or before October 5, 2016.

Required Abatement Date and Time:

The corrective action plan shall be submitted to the Department on or prior to 4:00 PM, September 23, 2016.

The report on the actual count of how many truckloads of fill were placed for final reclamation during the each month, and an estimate of the cubic yards placed for reclamation by the operator shall be submitted to the Department by the 5th of the month for the preceding month. The first report, providing the information for September, shall be submitted on or before October 5, 2016.

Date of Service/Mail: 8/26/2016

For the Department: