



February 7, 2022

David S. Herrholtz, President
Ligonier Stone & Lime Co., Inc
117 Marcia Street
Latrobe, PA 15650

Re: Plan Approval PA-65-01128A
Ligonier Stone & Lime Company, Inc.
SMT-East Non-Coal Surface Mine
Derry Township Westmoreland County

Dear Mr. Herrholtz:

Please find enclosed a Department plan approval to construct, modify, reactivate, or install an air contamination source. This plan approval contains special conditions that must be fulfilled. Failure to do so violates Section 127.25 of the Department's Rules and Regulations, which may result in enforcement action and denial of an operating permit.

A Department operating permit will be issued if (1) the special conditions incorporated within the plan approval have all been fulfilled; (2) the Department is satisfied that the project was carried out as proposed in the application, and that the operation of the source(s) and any associated air pollution control equipment conforms with the operational information stated on the application; and (3) the Department is satisfied that the air contaminant emissions from the source(s) comply with the requirements specified in, or established pursuant to, all applicable Department rules and regulations.

This authorization does not relieve the applicant from applying for and obtaining any additional permits or approvals from local, state, or federal agencies required for this project. Please be advised that if any other permits are required for this project, they must be issued prior to undertaking the activities described in the permit application. Issuance of the enclosed permit(s) does not indicate an affirmative action on any other pending or future permit applications. If you are uncertain as to whether other permits are needed for this project, please use the Department's "Permit Application Consultation Tool" (PACT) which can be found at: <http://www.ahs.dep.pa.gov/PACT/>. The online tool is designed to assist potential applicants quickly and easily in determining which types of environmental permits, authorizations or notifications would be needed for specific projects. Based on the user's responses to a series of simple questions, PACT automatically provides an email response with information on permits and other information an applicant should consider.

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board) pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:

Environmental Hearing Board
Rachel Carson State Office Building, Second Floor
400 Market Street
P.O. Box 8457
Harrisburg, PA 17105-8457

TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984.

Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. 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 AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD.

IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

If you have any questions about this matter, please contact me via phone at 412.442.4030 or via email at jparihar@pa.gov.

Sincerely,

Jesse S. Parihar/JSP
Environmental Engineering Specialist
Air Quality Program

Enclosure

Cc: 65-01128A

Operations (Tom Norris)

Harrisburg C.O. (Permits)