

Aaron, Gregory

From: Eaby, Todd <teaby@srbc.gov>
Sent: Monday, October 23, 2023 10:12 AM
To: Aaron, Gregory
Cc: Mital, John; Appleby, Michael; Reitz, Wesley; Obenstine, Cindy; dustin@bishopbrothersinc.com; mindy@bishopbrothersinc.com; tg@tractllc.com; Bishop Brothers Construction Co_ _ Minard Mine _ 2023_085 Agency Coordination
Subject: [External] PADEP/SRBC Coordination - Bishop Brothers Minard Mine Permit Application

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Mr. Aaron,

The Commission was made aware of the Bishop Brothers Construction Company, Inc. (Bishop Brothers) proposed Minard Mine In Athens Township, Bradford County, PA and on August 17, 2023, received notice by Pennsylvania Department of Environmental Protection (PADEP) and links to the Mining Permit Application No. 08230301 and associated NPDES Permit Application No. PA0270041. A completed Susquehanna River Basin Commission (Commission) Mining Project Information module (Form 87) was received on September 1, 2023, from Tim Gourley of Tract Engineering, PLLC on behalf of Bishop Brothers.

This correspondence serves as the Commission's determination to PADEP in accordance with the Letter of Understanding (LOU) between the Commission and PADEP for coordinated review of water withdrawals and consumptive use for mining projects requesting a new mining permit or major modification and provides the following:

1. Separate application to the Commission regarding consumptive use is not required, as the reviewed information indicates that consumptive use at facility is not expected to exceed the Commission's threshold:
 - a. Consumptive use of water is proposed for dust suppression at materials processing equipment and on haul roads.
 - b. No wet material processing is proposed at the project.
 - c. Proposed sources of water include a well drilled within the permitted mine boundary and the open water impoundment created by the mining of the unconsolidated sand and gravel portion of the operations.
2. The Commission defers review of the withdrawal from the proposed sump located in the consolidated rock portion of the mining operation to PADEP and no separate application to the Commission is required.
 - a. The provided information indicates that the consolidated rock portion of the project will include a sump that is expected to periodically accumulate storm water from precipitation and some shallow (seasonal) groundwater that is expected to enter the pit.
 - b. Withdrawal from the sump pit to maintain a dry working level is not expected to require continuous pumping and may remain below the Commission's threshold; regardless, the review and regulation of the withdrawal under the mining permit should be adequate for the expected withdrawals from the sump.
3. It has been indicated that the proposed well may be used for both domestic and dust suppression purposes. Based on information reviewed, it is expected that the total withdrawals from the sources at the project will be below the Commission's withdrawal threshold. However, if withdrawals from sources (well, sand and gravel pit and consolidate mining sump), in any combination will equal or exceed 100,000 gallons per day (30-day rolling average), Commission review and approval of the well and/or the gravel pit withdrawals may be required. Commission staff recommends that the project schedule a pre-application meeting prior to equaling or exceeding the Commission's withdrawal thresholds.

4. Commission staff recommends that Bishop Brothers maintain appropriate monitoring equipment to allow accounting of all withdrawals and consumptive use at the project and maintain records for the duration of the project in the event that questions on water use arise in the future.
5. Commission staff recommends that if modifications to the project are proposed or made that will result in the project's consumptive use exceeding the Commission's consumptive use threshold of 20,000 gpd on a consecutive 30-day rolling average, that prior to exceeding, the project be required to contact the Commission and submit applications to the Commission as determined to be applicable.
6. Commission staff recommends that the project be required to complete registration and reporting of their water withdrawals under Title 25 PA Code Chapter 110 regulations as applicable.
7. If requested by PADEP, SRBC staff are available for assistance during technical review.
8. SRBC requests PADEP provide notice to the Commission of final permit issuance or denial.

Should you have any questions, please feel free to me at (717) 238-0423, extension 1234, or via e-mail at teaby@srbc.gov.



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