



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

CAMBRIA DISTRICT MINING OFFICE

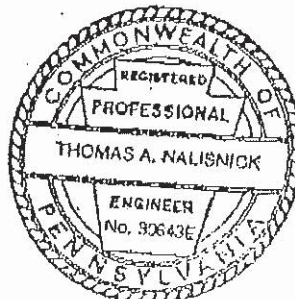
TO John Wilk *JW*
 Mine Inspector Supervisor
 Cambria Office 6/21/10

FROM Tom Nalisnick, P.E. TAN 6/9/10
 Mining Engineer
 Cambria Office

THROUGH Tim Kania, P.G., Chief *TK*
 Technical Services Section 6/10/10
 Cambria Office

DATE June 9, 2010

RE E & S Complaint Request
 ISP Minerals, Inc.
 SMP No. 6477SM5
 HR No. 10-008
 Hamiltonban Township, Adams County



INTRODUCTION:

The purpose of this investigation is to determine if the recent quarry operations by ISP Minerals, Inc. affected the Miney Creek flow at the Mona Young's boat house area. The owner contends the ISP Quarry was contributing to the flooding of the Miney Creek and the Miney Creek was overflowing their road way to their boat house and flooding the boat house and the immediate property. According to the owner the flooding occurred January 28, 2010. The Young's boat house is located approximately 2.4 miles from ISP Minerals, Charmain Plant and West Ridge Quarry as shown on the Exhibit I Map.

MINE SITE HISTORY:

The Charmain Plant and the West Ridge Quarry, SMP No. 6477SM5 have been in operation since 1976. The West Ridge Quarry has been mined out and is being reclaimed. There are three sediment ponds which make up the main E & S controls for this area of the mine. The drainage from the West Ridge Quarry and Charmain Plant initially goes into pond #1 to settle out most of the solids from the plant processing water. A flocculent is added to help settle the solids at the pond #1 outlet to pond #2. The water is detained in pond #2 and then goes to pond #3 where the water is again settled and then discharges in to an unnamed tributary to Miney Creek.

There are two adjacent quarries, the Advance and Pitts Quarries, SMP No. 01930302, that are presently in operation since 1994; however, the quarries' water run off from the Sediment Pond is going to the Toms Creek drainage area. The NPDES Permit allows the operator to pump water from these quarries to the Charmain Plant sediment ponds if the quarry water requires additional treatment.

John Wilk

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June 9, 2010

INVESTIGATION:

On May 26, 2010, I met with Jack Thornton, Mine Conservation Inspector and Douglas Crumbacker, Senior Plant Engineer at the Charmain Plant. Douglas went over the Operation Maps reviewing the E & S controls and Sediment Ponds for the quarries. We then walked a portion of the collection ditches to the sediment ponds and the area below the sediment ponds to make sure there were no discharges or signs of any major discharges going into the unnamed tributary of the Miney Creek. Several seeps at the bottom of Sediment Pond #3 were found; however, the water was clear and did not appear to be coming from the ponds since the pond #3 discharge had a slight gray tint to the water. Pond #3 discharge did meet the permit NPDES requirements as per Jack Thornton's water samples. We walked a portion of the upstream and downstream of the unnamed tributary to Miney Creek again looking for any signs of unusual discharges from the plant or quarry. No evidence of any discharge or unusual stream channel scouring was found. It is recommended the operator construct weirs below the Sedimentation Pond #3 discharges to accurately obtain the discharge flow rates. Presently the pond discharges are being estimated.

Jack Thornton and I then drove down to Mona Young's residence. As we drove down to her house it was noticed that several residences reside near the Miney Creek and the topo map showed two major unnamed tributaries going into the Miney Creek. We stopped at a bridge on State Route 16 crossing the Miney Creek located approximately 2,500 feet above Mona Young's residence. We looked for any signs of major flooding such as debris along the stream banks and high water marks at the bridge abutments. No signs were found. The Miney Creek drainage area had increased significantly at this point. The stream width was now approximately 25 to 30 feet wide and at the ISP Minerals sediment ponds the stream width was 5 to 6 feet. The open area under the bridge for the Miney Creek to flow through was approximately 7' by 30' or 120 sq. ft.

We next went to Mona Young's boat house after crossing the Miney Creek on Rain Tree Lane. Mona Young met us at the stream crossing near the boat house. Ms. Young first showed us pictures of the flood. She then explained to us how the four (4) feet culvert pipes allowing the Miney Creek to flow under the road were blocked up by debris carried by the extreme flow from the creek on January 28, 2010. The water then overflowed the road and went into the yard and surrounded the newly constructed boat house. A portion of the road was washed out and debris and mud was still in her yard and along the stream banks. Ms. Young felt the stream has been overflowing increasingly over the last several years and felt the ISP Minerals quarry and plant was a major contributor to the increase flooding.

CONCLUSION:

- Our field observation of the ISP Minerals Charmain Plant and West Ridge Quarry did not show any evidence of any major discharges from the mine property. The National Weather Service records did show a 3.3" rainfall event occurred on January 25, 2010, and the Charmain Plant rain gauge also recorded a 3.6" rain fall on January 25. No inspection reports have indicated any E & S violations in the last several years and the quarterly discharge monitoring reports for Sedimentation Pond #3 did show a higher discharge in the first quarter of the year. However the higher discharge for the first quarter is common for Sedimentation Pond #3 as noted in past years.

- There are other residents along the Miney Creek between the quarry and the boat house as shown on the attached Exhibit I Map. No other complaints were received concerning the Miney Creek flooding.

John Wilk

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June 9, 2010

- The mud found on Mona Young's property at the time of our investigation was brown and the mine's sediment is green.
- The four (4) feet culvert pipes opening area is only 50.24 sq. feet and the state bridge for SR16 has an open area of 210 sq. feet which indicates the stream crossing at Rain Tree Lane is extremely under designed and will continue to have a flooding problem. Furthermore the 4 feet pipe openings will continue to block off during a major rainfall event and thus causing the stream to overflow on to the road and adjacent properties.
- Finally the boat house is built in the stream's flood plain area and will continue to be affected by major storm events.

Based on the available evidence the mining operations conducted by ISP Minerals, Inc. cannot be considered responsible for the reported flooding event.

cc: Tim Kania, P.G., Chief, Technical Services Section (w/attachments)
Tom Nalisnick, P.E., Mining Engineer (w/attachments)
John Wilk, Mine Conservation Inspector (w/attachments)
Jack Thornton, Mine Conservation Inspector (w/attachments)
File (w/attachments)

*bk



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DEPARTMENT OF ENVIRONMENTAL PROTECTION

CAMBRIA DISTRICT MINING OFFICE

June 15, 2010

ISP Minerals, Inc.
1455 Old Waynesboro Road
Blue Ridge Summit, PA 17214

Re: Service Request No. 270851
ISP Minerals, Inc.
Hamiltonban Township, Adams County
SMP No. 6477SM5

Ladies and Gentlemen:

I have enclosed a copy of a completed investigation that was requested by a concerned citizen.

All information that the Department has for this service request is enclosed. If citizens request confidentiality, names, addresses and any other identifying information are removed from the findings.

If you have any questions, please contact me at the above number.

Sincerely,

A handwritten signature in cursive script, appearing to read "John D. Wilk".

John D. Wilk
Mine Inspector Supervisor

Enclosure

cc: File

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DEPARTMENT OF ENVIRONMENTAL PROTECTION

CAMBRIA DISTRICT MINING OFFICE

June 15, 2010

Re: Service Request No. 270851
ISP Minerals, Inc.
Hamiltonban Township, Adams County
SMP No. 6477SM5

Dear

Thank you for contacting us on April 8, concerning the flooding of your boat house. An investigation was conducted by Jack Thornton, Mine Conservation Inspector, on April 8. The complaint was then forwarded to Mining Engineer, Thomas Nalisnick for further review.

The Department's investigations have determined the mining activities by ISP Minerals, Inc., Permit Number 6477SM5 did not cause the flooding of your access road and boat house. The field investigation showed no major discharges from the mine site. A copy of the engineer's report is enclosed for additional information.

We trust that we have addressed your concerns. At this time, we consider this matter closed.

Please contact us if we can be of service to you in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "John D. Wilk".

John D. Wilk
Mine Inspector Supervisor

Enclosure

cc: John P. Varner, District Mining Manager
John Wilk, Mine Inspector Supervisor
Jack Thornton, Mine Conservation Inspector
Deb Arkwright
File (Confidential)

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CONFIDENTIAL