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Hanson Aggregates Pennsylvania LLC
7660 Imperial Way
Allentown, PA 18195-1040
Tel 610-366-4600
Fax 610-871-5994

March 13, 2020

Gary A. Latsha
Pennsylvania Department of Environmental Protection
Pottsville District Mining Office
5 West Laurel Boulevard
Pottsville, PA 17901

**Re: Corrective Action Plan – 02/20/2020 Mining Activities Inspection Report
Hanson Aggregates Pennsylvania LLC
Rock Hill Quarry
SMP No. 7974SM1
East Rockhill Twp., Bucks Co., PA**

Mr. Latsha:

Hanson Aggregates Pennsylvania LLC (Hanson) is submitting this Corrective Action Plan in response to the Department's Mining Activities Inspection Report from the February 20, 2020 site visit (attached). Page 2 of the inspection report provides details of the Notice of Violation (NOV), including the following description:

The Department was notified via a complaint about activity on the site on February 20, 2020. The permittee Hanson Aggregates contacted the Department as well and stated that its employees were sent to the site to mark the property boundary on Rockhill Road. Hanson stated that its employees sent to the site were unaware of the cease order placed on activity at the site. The employees used one front-end loader to haul a bucket of screenings to the entrance and fill barrels placed along Rockhill Road. This is a violation of the cease orders issued in an email dated December 5, 2018 to Mr. Andrew Gutshall from Mr. Michael Menghini and also noted in an inspection report dated 9/16/2019 that there was to be no activity on the site without Department approval. Therefore a Notice of Violation is issued. (Continued in General Comments Section)

Hanson Aggregates and R.E. Pierson jointly will submit a corrective action plan detailing the following: the manner in which the Department will be notified prior to any site activity undertaken by Hanson, R.E. Pierson, or any person or entity acting on their behalf; any information providing notice to Hanson or R.E. Pierson employees regarding cessation activities on the site; safety measures to be implemented by Hanson or R.E. Pierson before any activity is to be conducted on site. The corrective action plan is to be submitted to Mr. Gary Latsha, DEP District Mining Manager in the Pottsville District Mining Office, no later than 8 am on March 16, 2020.

Corrective Action Plan

Activity Notification

Hanson, R.E. Pierson or any person / entity acting on their behalf will notify the Department by email, and receive approval, prior to the movement or removal of any aggregate or equipment on the site. Prior to regular site visits, such as NPDES sample collection or routine site inspections, Hanson, R.E. Pierson or any person / entity acting on their behalf will notify the assigned Surface Mine Conservation Inspector via email, text or phone call.

Employee Notice

Hanson recently provided written notification to employees at another Hanson facility nearby Rock Hill Quarry. A copy of the email is attached.

Safety Measures

Hanson, R.E. Pierson or any person / entity acting on their behalf will abide by a 15 miles per hour (mph) speed limit at the site. Any additional safety measures will be detailed in the written request as part of the Activity Notification (above).

Please feel free to contact me at (610) 366-4819 should you require additional information.

Sincerely,



Andrew J. Gutshall, P.G.
Area Environmental Manager

encl: February 20, 2020 PADEP Mining Activities Inspection Report
March 13, 2020 Email – IMPORTANT: Rock Hill Quarry – Notice of PADEP Cease Order

cc: Amiee Bollinger, PADEP (e-mail only)
Mark E. Kendrick, Hanson – Allentown (e-mail only)
Timothy J. Poppenberg, Hanson – Allentown (e-mail only)
Curt Mitchell, R.E. Pierson (e-mail only)
Slavic Mokienko, R.E. Pierson (e-mail only)
Bill Bowling, R.E. Pierson (e-mail only)
Environmental File



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS**

Version: 2.3.0

Mining Activities Inspection Report

Inspection Type	RTPT - Routine/Partial Inspection	Permit Number	7974SM1
DEP Office	EP DMO Pottsville Dstr Mng Off	NPDES Number	PA0594121
Permittee Name	HANSON AGGREGATES PA LLC	PF Name	HANSON AGGREGATES PA ROCK HILL QUARRY
Address 1	7660 IMPERIAL WAY	Permit Type	IMMO - Industrial Mineral Mining Operation
Address 2		Permit Kind	LARGE - Surface Large
City	ALLENTOWN	License Number	24143
State/ZIP Code	PA 18195-1016	Permit Status	ACTIV - Active
Arrival Date / Time	02/20/2020 02:30 PM	Municipality	East Rockhill Township
Depart Date / Time	02/20/2020 03:30 PM	County	Bucks
Inspection ID	3006759	GP12 Permit Number	
Contract Operator Name		Contract Operator License Number	

Inspector Details

Inspector Name:	(608058) - AMIEE BOLLINGER	Inspector Telephone Number:	6109160100	Inspector Email:	ambollinge@pa.gov
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Expiration Dates

Mining License	12/31/2020	Contractor License	08/31/2020
Mining Permit	07/19/2023 PENDING	NPDES Permit	07/19/2023 PENDING

Person Notified

Name	Andrew Gutshall	Title	Company Employee
Method	Phone	Date	02/20/2020

Inspection Result

VIOLS - Violation(s) Noted

Operations

Mining Operation

Inspected 

Violation:	
Code and Description NCSMCRA.11B - General Safety Requirements	
Type	NOV - Notice of Violation
Date	02/20/2020
Date Scheduled Response	03/16/2020
Violation Details & Corrective Actions	<p>The Department was notified via a complaint about activity on the site on February 20, 2020. The permittee Hanson Aggregates contacted the Department as well and stated that its employees were sent to the site to mark the property boundary on Rockhill Road. Hanson stated that its employees sent to the site were unaware of the cease order placed on activity at the site. The employees used one front-end loader to haul a bucket of screenings to the entrance and fill barrels placed along Rockhill Road. This is a violation of the cease orders issued in an email dated December 5, 2018 to Mr. Andrew Gutshall from Mr. Michael Menghini and also noted in an inspection report dated 9/16/2019 that there was to be no activity on the site without Department approval. Therefore a Notice of Violation is issued. (Continued in General Comments Section)</p>

This Report is official notification that a representative of the Department of Environmental Protection has conducted an investigation of your operation. Violations observed by the Department have been noted on this report form.

If the Department uncovers any violations based on laboratory reports or further consideration of the conditions described in this report, the District Office will notify you of such violations in writing.

If an order was issued by the Department, you will be provided with a written confirmation of that order. You should not wait until you receive this confirmation Order before taking appropriate action.

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.

General Comments

Hanson Aggregates and R. E. Pierson jointly will submit a corrective action plan detailing the following: the manner in which the Department will be notified prior to any site activity undertaken by Hanson , R. E. Pierson, or any person or entity acting on their behalf; any information providing notice to Hanson or R. E. Pierson employees regarding cessation activities on the site; safety measures to be implemented by Hanson or R. E. Pierson before any activity is to be conducted on site. The corrective action plan is to be submitted to Mr. Gary Latsha, DEP District Mining Manager in the Pottsville District Mining Office, no later than 8 am on March 16, 2020.

Gutshall, Andrew J (Allentown) USA

From: Gutshall, Andrew J (Allentown) USA
Sent: Friday, March 13, 2020 11:16 AM
To: Tedesco, Frank (Allentown) USA; Spearing, Gerald (Newtown) USA
Cc: Poppenberg, Timothy J (Allentown) USA; Kendrick, Mark E (Allentown) USA
Subject: IMPORTANT: Rock Hill Quarry - Notice of PADEP Cease Order

All:

On December 5, 2018, and September 16, 2019, the Pennsylvania Department of Environmental Protection (PADEP) issued a cease orders for the Rock Hill Quarry facility. The relevant text of those communications are included below for reference.

Please review the PADEP instructions below with all of your employees. In addition, no Hanson employees from your location should attempt to access the Rock Hill Quarry facility unless they have received permission from either:

- Mark Kendrick – Area Vice President / General Manager
- Tim Poppenberg – Area Operations Manager
- Andrew Gutshall – Area Environmental Manager

At the current time, Hanson must notify the PADEP and receive approval prior to the movement or removal of any aggregate or equipment on the site. Only the three (3) individuals listed above should be in contact with PADEP.

PADEP Cease Order Details

December 5, 2018 email from Pottsville District Mining Manager Mr. Michael Menghini

Based on our earlier conversation related to the recent positive asbestos sampling result: the Department is hereby immediately ceasing mining and rock crushing-sizing at the Rock Hill Quarry at this time. The mining and rock crushing-sizing cessation will remain in effect until rescinded by the Department in writing.

September 16, 2019 PADEP Mining Activities Inspection Report

In the future, RE Pierson and/or Hanson shall notify the Department, and receive approval, prior to equipment being moved onto or removed from the site.

Andrew J. Gutshall, P.G.

Area Environmental Manager – ECPA/NJ

Lehigh Hanson, Inc.
7660 Imperial Way
Allentown, PA 18195

Office: (610) 366-4819
Mobile: (484) 955-2407

andrew.gutshall@lehighhanson.com
www.lehighhanson.com

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ORIGIN ID: ABEA (610) 366-4819
 ANDREW GUTSHALL
 LEHIGH-HANSON, INC.
 7660 IMPERIAL WAY
 ALLENTOWN, PA 18195
 UNITED STATES US

SHIP DATE: 13MAR20
 ACTWGT: 1.00 LB
 CAD: 2003779/INLET4220
 BILL SENDER

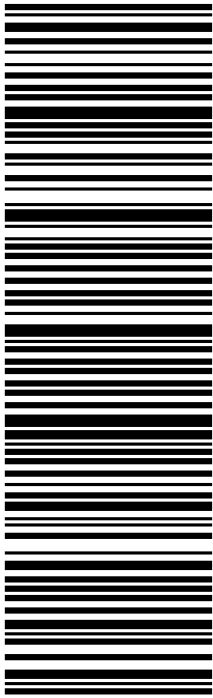
TO GARY LATSHA
 PA DEP - POTTSVILLE DMO
 5 W LAUREL BLVD

POTTSVILLE PA 17901
 REF: (570) 621-3118
 INV: PO: DEPT:



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