



# pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

SECRETARY

December 10, 2018

The Honorable Brian K. Fitzpatrick  
United States Representative  
514 Cannon House Office Building  
Washington, DC 20515

Dear Representative Fitzpatrick:

Thank you for your November 5, 2018, letter regarding the Rockhill Quarry located at 2055 North Rockhill Road, Sellersville, East Rockhill Township.

The Department of Environmental Protection (DEP) understands that your constituents residing near the quarry have concerns about their health and safety. DEP takes those concerns seriously and has worked with the citizens and the facility during the permitting of the existing quarry. Currently DEP's Air Quality Program in the Southeast Regional Office is finalizing their review of an application for a 1,000 ton-per-hour mineral processing plant. On September 20, a public hearing was held for the public to provide comments on this proposed operation. Additionally, DEP's Pottsville District Mining Office (PDMO) oversees the mining operation, and as part of that oversight, their staff will be performing periodic inspections of the operation to address any issues that fall under any applicable regulatory requirements. Below are the responses to your constituent's concerns:

1. *The permit is for a 1,000 ton-per-hour mineral processing plant at a location in close proximity to families' homes in the absence of noise mitigation requirements. Moreover, there is DEP evidence that noise emanating from the property is louder in some areas off-site than it is on-site due to the topography of the area.*

Response: The Air Quality regulatory requirements do not include noise mitigation, regardless of the source. Noise mitigation is generally enforced by local municipalities through their local ordinances. However, since this crusher will be operating on a Surface Mine Permit, PDMO has been and will continue monitoring noise levels at the site and all readings have been within the guidelines established by DEP for those activities. The PDMO will also be requiring additional noise mitigation requirements on the new crusher and has had preliminary discussions on that specific issue with the Operator/Permittee.

2. *The permit is for a high volume of stone (~400-700 truck trips) to be processed in an area known to have small country roads inaccessible to major roadways.*

Response: The Air Quality regulatory requirements for a crushing plant are focused on the air emissions from that source. The accessibility of truck traffic on small country roads is outside of the purview of the program. However, the PDMO has also discussed this issue with the Operator/Permittee and has been advised that they are working out the traffic route with the Township.

3. *This permit is for a high volume of stone to be processed, a volume that is ten times the volume of other Bucks County quarries?*

Response: The application for plan approval that the applicant submitted is appropriate and the amount of stone they want to process is approvable. Sources of air pollution need to comply with the Best Available Technology requirements and control their emissions. The conditions that are placed in plan approval and operating permits will ensure that this facility will comply with those requirements.

4. *This permit allows for a proposed mitigation for particulate matter suppression that has already been known to fail at this location.*

Response: The applicant has proposed to use water suppressions to mitigate particulate matter emissions. DEP views this technology as Best Available Technology for this type of operation. A previous complaint investigation by DEP did result in finding that a portable crushing plant was not adequately suppressing the particulate matter with the water suppression system that was employed for that unit. The company immediately shut the unit down and added additional nozzles to the unit to enhance the water suppression. DEP has not encountered any other fugitive emission issues since that investigation.

5. *This permit is for a high volume of stone to be processed at this location when the only roads available have questionable infrastructure, completely inadequate for the increased volume that the proposed plant would generate.*

Response: See response to comment #2.

6. *This permit allows for a dust suppression system that uses 9,250 gallons of water per hour in an area with an already compromised water system. There is DEP evidence that Ridge Run PFSs contamination is less than 1 mile from the site submitting this permit.*

Response: The applicant indicated that they would be using water from their pond and cistern along the railroad track, but not the well water at this time. While the source of water is outside of Air Quality's purview, we consulted with our Environmental Cleanup program to check on the nearby contamination and were informed that the contamination has not reached the quarry pit. The PDMO will require the Operator/Permittee to monitor groundwater and surface water for contamination and unexpected groundwater drawdown. Additionally, the Hazardous Sites Cleanup Act Program has begun to install monitoring wells to monitor PFAS contamination downgradient from the quarry site. Based on current data, groundwater is flowing in the opposite direction.

7. *This permit contains hours of operation that could be 8-16 hours per day, in a residential area that has no berms or sound barriers.*

Response: Hours of operation are not regulated by the Air Quality Program. Only in situations where the applicant requests a restriction on their hours of operation to reduce air emissions below a certain threshold are operating restrictions placed in a permit. This applicant has not requested a limitation on their hours of operations.

Finally, please note that pursuant to a positive analysis of fibrous asbestos which was identified on December 5, 2018 at the quarry site, DEP ordered the cessation of all mining, rock crushing and sizing, and other activities at this quarry until further notice. DEP is currently investigating the recent positive asbestos results and the potential for additional asbestos from minerals present at the site.

Thank you for your interest in this matter. If you have any questions, please contact Sarah Clark, Director of Legislative Affairs, by e-mail at [saraclark@pa.gov](mailto:saraclark@pa.gov) or by telephone at 717.783.8303.

Respectfully,

A handwritten signature in black ink, appearing to read "Patrick McDonnell", written over a horizontal line.

Patrick McDonnell  
Secretary