

NONCOAL SURFACE MINING PERMIT

NO. 01180301

Permittee Name and Address	<u>Specialty Granules, LLC</u> <u>1455 Old Waynesboro Road</u> <u>Blue Ridge Summit, PA 17214</u>	Location of Operation: Municipality <u>Hamiltonban</u> County <u>Adams</u>
Name of Operation	<u>Northern Tract Quarry</u>	

This Permit Approves the Following Type of Operation:

- Noncoal Surface Mine
 Surface Activity Connected with Underground Mining (Noncoal)
 Other _____

This approval is subject to the attached LIMITS OF AUTHORIZATION, MANDATED NONCOAL MINING ACTIVITY PERMIT CONDITIONS AND REQUIREMENTS and to:

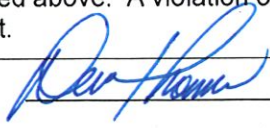
- PART A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INFORMATION
 PART B SPECIAL CONDITIONS OR REQUIREMENTS
 PART C AUTHORIZATION TO MINE

The permit is for 112.3 acres of which 85.0 acres are planned to be affected. Permittee may conduct surface noncoal mining activities only on that area of the permit outlined on the Authorization to Mine and accompanying maps contained in Part C of this permit. Initial authority to conduct mining activities is granted for an area of 85.0 acres described in Part C of this permit. Additional authority to conduct mining activities may be granted by written approval of the Department and attached to Part C of this permit. Permittee is prohibited from conducting noncoal mining activities on that portion of the permit area which has not been authorized for mining by the Department, in writing, and shown on the bond approval and mining authorization map(s) contained in Part C of this permit.

This permit is hereby issued in accordance with the provisions of the Noncoal Surface Mining Conservation and Reclamation Act, Act of December 19, 1984 (P.L. 1093, No. 219), as amended, 52 P.S. §§3301 *et seq.*; and The Clean Streams Law, Act of June 22, 1937 (P.L. 1987, No. 394), as amended, 35 P.S. §§691.1 *et seq.*, The Air Pollution Control Act, Act of January 8, 1960 (1959 P.L. 2119, No. 787), as amended, 35 P.S. §§4001 *et seq.*, and the regulations promulgated pursuant to these Acts. This permit is also issued in accordance with the following statutes and regulations if marked.

- Coal Refuse Disposal Control Act, Act of September 24, 1968 (P.L. 1040, No. 318), as amended, 52 P.S. §§30.51 *et seq.*, and the regulations promulgated pursuant to this Act.
 Dam Safety and Encroachments Act, Act of November 26, 1978 (P.L. 1375, No. 325), as amended, 32 P.S. §§693.1 *et seq.*, and the regulations promulgated pursuant to this Act.
 Solid Waste Management Act, Act of July 7, 1980 (P.L. 380, No. 97), 35 P.S. §§6018.101 *et seq.*, and the regulations promulgated pursuant to this Act.
 Surface Mining Conservation and Reclamation Act, Act of May 31, 1945 (P.L. 1198, No. 418), as amended, 53 P.S. §§1396.1 *et seq.*, and the regulations promulgated pursuant to this Act.

Permittee is hereby authorized to conduct noncoal mining activities as described in the approved permit application and in accordance with the laws and regulations and terms and conditions as referenced above. A violation of any provision of these laws and regulations and terms and conditions is a violation of this permit.

Permit Issuance Date	<u>June 26, 2020</u>	By 
		<u>David D. Thomas</u>
Permit Reissuance Date	_____	Title <u>District Mining Manager</u>

LIMITS OF AUTHORIZATION

1. The issuance of this permit does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights.
2. Nothing herein contained shall be construed to be an intent on the part of the Department to approve any act made or to be made by the permittee which is inconsistent with the permittee's lawful powers or with existing laws of the Commonwealth regulating noncoal mining activities and the practice of professional engineering. This permit shall not be construed to sanction any act otherwise forbidden by federal or state law or regulation, or by local ordinance, nor to pre-empt any duty to obtain state or local assent required by law for the noncoal mining activity.
3. The permittee's failure to comply with the laws of the Commonwealth and the rules and regulations of the Department regarding noncoal mining activities, or failure to comply with the terms and conditions of this permit, may result in an enforcement action, in permit termination, suspension, revocation and reissuance, or modification, or in denial of a permit renewal application. Nothing in this permit shall be construed to preclude the institution of any legal action of relieve the permittee of any responsibilities, liabilities, or penalties to which the permittee is or may be subject to under the Acts pursuant to which this permit is issued or any other applicable provision of law.
4. The permittee is responsible for complying with local ordinances adopted pursuant to the Municipalities Planning Code, and all zoning ordinances in existence before January 1, 1972. Nothing in this permit shall be construed to relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee may be subject under federal, state, or local laws.

MANDATED NONCOAL MINING ACTIVITY PERMIT
CONDITIONS AND REQUIREMENTS
(Under 25 Pa. Code Chapter 77)

1. Except to the extent that the Department otherwise directs in this permit that specific actions be taken, the permittee shall conduct noncoal mining activities as described in the approved application. 77.129(1)
2. The permittee shall allow the authorized representatives of the Commonwealth, without advance notice or a search warrant, upon presentation of appropriate credentials, and without delay, to have access to areas in which noncoal mining activities will or are being conducted. 77.129(2)
3. The permittee shall conduct noncoal mining activities only on the lands specifically approved in the permit for which a bond has been filed with the Department under Subchapter D (relating to bonding and insurance requirements). 77.129(3)
4. The permittee shall take all possible steps to prevent an adverse impact resulting from non-compliance with the terms or conditions of this permit or the environment or public health and safety, including:
 - a. Any accelerated or additional monitoring necessary to determine the nature and extent of non-compliance and the results of the noncompliance.
 - b. Providing warning immediately after learning of the noncompliance to persons whose health and safety is in imminent danger due to the non-compliance. 77.130(1)
5. The permittee shall dispose of solids, sludges, filter backwash, or pollutants removed in the course of treatment or control of waters or emissions to the air in the manner which prevents violation of an applicable state or federal law. 77.130
6. The permittee shall conduct the activities in accordance with measures specified in this permit that are necessary to prevent environmental harm or harm to the health or safety of the public. 77.130(2)

Part A: NPDES Information

The following National Pollutant Discharge Elimination System (NPDES) permit information is associated with this mining permit.

- Individual NPDES Permit No. PA0279617
- Coverage under General Permit BMR GP-104
- Other Option Details: _____

PART B

NONCOAL SURFACE MINING PERMIT NO. 01180301

SPECIAL CONDITIONS OR REQUIREMENTS

The following special conditions or requirements are hereby incorporated into the permit and represent permit conditions.

1. The permittee has been issued a Conditional Use Permit (CUP) dated April 1, 2014 by Hamiltonban Township. As provided in Paragraph 4 of the Limits of Authorization above, the permittee shall be responsible to the Township for complying with the CUP.
2. The permittee shall adhere to all the conditions in the Agreement between DCNR, ISP (now SGI) and Adams County as contained in the July 19, 2011 letter.
3. The permittee shall submit daily pumping records for the Northern Tract Quarry on a quarterly basis to the Department that include the date, duration, and volume of water pumped. On site precipitation must also be included in the quarterly reports.
4. The permittee shall collect quarterly static water level (SWL) measurements upon activation of the Northern Tract Quarry and collect one annual sample for quality from the following groundwater monitoring points: PWS-15A16, MW-8D, MW-9D, MD-10D, MW-11D, MW-13D, and MW-14D. The SWL measurements must be taken on the same day as the quarterly surface water sampling for the following monitoring points: SS-TC-US, SS-TC-DS, SS-CHN1 US, and SS-CHN1-DS.
5. Upon reaching a mining depth of 180 feet (1050 feet MSL) the permittee shall activate monthly SWL measurements for the following groundwater monitoring points: PWS-15A16, MW-8D, MW-9D, MD-10D, MW-11D, MW-13D, and MW-14D.
6. The permittee shall develop the replacement monitoring well identified as MW-13DR during Phase 2 of the initial site development at the location shown on the Environmental Resource Map (Exhibit 6.2) dated April 16, 2018. The replacement monitoring well must be developed within the same interval as MW-13D. If the permittee is unable to develop the replacement monitoring well at the location shown on the Exhibit 6.2, the permittee shall obtain written approval from the Department prior to the development and relocation of the replacement monitoring well.
7. The permittee shall develop the replacement monitoring wells identified as MW-9SR and MW-9DR during Phase 3 of the initial site development at the location shown on the Exhibit 6.2 dated April 16, 2018. The replacement monitoring wells must be developed within the same intervals as MW-9S and MW-9D. If the permittee is unable to develop the replacement monitoring wells at the location shown on the Exhibit 6.2, the permittee shall obtain written approval from the Department prior to the development and relocation of the replacement monitoring wells.
8. The permittee shall provide updated hydrologic information that includes an updated Groundwater Model Report to validate the predicted groundwater conditions within the mining area upon reaching a mining depth of 280 feet or (950 feet MSL).
9. The permittee may only conduct tree clearing yearly between the dates of November 15 through March 31 as recommended by the USFWS.

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SPECIAL CONDITIONS OR REQUIREMENTS (continued)

10. The permittee shall maintain a 10-year monitoring program for the Nodding Trillium immediately following initiation of mining activities, with monitoring events at Years 1, 2, 3, 5, 7, and 10. A report shall be issued to the Department of Natural Resources (DCNR) following each monitoring event. Invasive species management may be requested in the future based on the monitoring results. DCNR may also shorten or lengthen the monitoring period depending on the rate of mine expansion and monitoring results. In addition, protective fencing is requested along the outer edge of the Operational Buffer to act as both a physical barrier and visual reminder to construction crews to safeguard adjacent individuals of Nodding Trillium.
11. Prior to mining the Northern Tract Quarry, the permittee shall have a qualified botanist conduct a comprehensive vegetation survey of Wetlands A, C and D to document current baseline conditions, including a Prevalence Index and FAC Neutral Test scores, and shall provide the results of the survey to the Department. The baseline survey shall be completed within ninety (90) days of permit issuance, unless otherwise approved in writing by the Department.
 - a) Comprehensive vegetation surveys of Wetland D shall be completed twice per year. One shall be completed during the wet weather months (April, May or June); the other shall be completed during the dry weather months (August, September or October). The results of the semi-annual surveys shall be provided to the Department by December 31ST of each year following commencement of Northern Tract Quarry operations. The permittee must meet each of these requirements unless otherwise approved in writing by the Department.
 - b) If a change in the wetland vegetative community is observed in Wetland D, the permittee shall develop a mitigation strategy in coordination with the Department and begin conducting semi-annual comprehensive vegetation surveys of Wetland A and C. One survey shall be completed during the wet weather months (April, May or June); the other shall be completed during the dry weather months (August, September or October). The results of the semi-annual surveys for Wetland A and C shall be provided to the Department by December 31st of each year following commencement of the semi-annual surveys for Wetland A and C. The permittee must meet each of these requirements unless otherwise approved in writing by the Department.
 - c) Any affected wetland shall be replaced with wetlands of similar functions and values. The replacement wetlands shall be properly constructed, shall have properly functioning hydrology, and shall be growing the specified wetland species before the bonds are released.
 - d) The permittee shall obtain written approval from the Department prior to constructing any wetland mitigation or replacement.
12. The permittee shall conduct a weekly inspection around the perimeter of the Northern Tract Quarry active operations during daylight hours to detect visible emissions, fugitive emissions and malodors. This weekly inspection activity shall be required at the existing SMP No. 01930302 Pitts Quarry and SMP No. 6477SM5 Charmian Plant upon issuance of this permit.
13. Objectionable odors noticed at the permit boundary, which may cause annoyance or discomfort to the public that are caused by operations at the site, as well as fugitive particulate emissions that originated on-site and cross the permit boundary, and visible emissions that originated on site shall:
 - a) Be investigated.
 - b) Be reported to the facility management, or individual(s) designated by the permittee.
 - c) Have appropriate corrective action taken (for emissions or odors that originate on-site) and

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SPECIAL CONDITIONS OR REQUIREMENTS (continued)

- d) Be recorded in a permanent written log.
14. The permittee shall maintain a record of inspections around the site plant periphery. The record shall include, at minimum, the following information:
 - a) The name of the company representative doing the observation.
 - b) The date and time of the monitoring.
 - c) The wind direction.
 - d) A description of any emissions and/or malodors observed, and the actions taken to mitigate them. If none are present, record "NONE".
 15. The permittee shall keep a log of the dates, times and location of application of water to the roadways.
 16. The permittee shall continue implementation of the Mineral Identification and Management Guide (guide) dated February 14, 2020, at the existing SMP No. 01930302 Pitts Quarry and SMP No. 6477SM5 Charmian Plant, and shall also implement the guide in any activities undertaken at the Northern Tract Quarry. The guide shall not be changed without written approval from the Department. Materials identified as suspect per the guide shall be managed as specified in the guide.
 17. Upon issuance of this permit, the permittee shall implement the following dust mitigation measures at the existing SMP No. 01930302 Pitts Quarry and SMP No. 6477SM5 Charmian Plant according to the Asbestos Monitoring and Mitigation Plan (Plan) dated June 16, 2020, and as necessary to maintain compliance with 25 Pa. Code §123.2 and §123.1(c), and shall also implement these measures in any activities undertaken at the Northern Tract Quarry:
 - a) Keep stock and working piles adequately wetted during the addition and removal of material.
 - b) Keep on-site unpaved roads, parking lots, and staging areas stabilized using one of the following measures:
 - i. Adequate Wetting; or
 - ii. Control Using Dust Palliatives or Suppressants; or
 - iii. Paving.
 - c) Keep exposed areas and inactive stockpiles that are prone to mechanical or wind disturbances:
 - i. Adequately Wetted; or
 - ii. Controlled Using Dust Palliatives or Suppressants, Paving, Wind Berms, or Breaks.
 - d) Ensure that materials to be quarried, excavated, or graded are adequately wetted.
 - e) Ensure that all loads are adequately wetted or otherwise controlled before and during truck loading operations.
 - f) Ensure that all trucks transporting materials off-site are covered with tarps or other devices.

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SPECIAL CONDITIONS OR REQUIREMENTS (continued)

- g) Limit vehicle speeds on haul roads in quarry and stockpile areas to thirty (30) miles per hour or less; limit vehicle speeds on roads in other areas of the site to twenty (20) miles per hour or less.
 - h) Ensure that material being excavated, crushed, screened, loaded, transferred or conveyed does not result in any visible dust crossing the permit boundary, and does not result in visible dust emissions exceeding 40 CFR Part 60, Subpart OOO limits for affected sources.
 - i) Install a gravel pad, grizzly, tire washing system, or paving at least fifty (50) feet from any public road access point.
 - j) When operating, conduct a daily visual inspection for material tracked onto public roads. If material has accumulated on a public road, clean the road using wet sweeping or a street sweeper with onboard filtration promptly or, at minimum, by the end of the workday.
 - k) Stabilization of all on-site roads, parking lots, and staging areas open to the public by one of the following methods:
 - i. Pave with asphalt or concrete, or
 - ii. Treat with a chemical dust suppressant applied according to manufacturer's directions, or
 - iii. Maintain a gravel cover that has a depth of at least three (3) inches.
18. Upon issuance of this permit, the permittee shall implement the Asbestos Monitoring and Mitigation Plan (Plan) dated June 16, 2020 at the existing SMP No. 01930302 Pitts Quarry, SMP No. 6477SM5 Charmian Plant and the Northern Tract Quarry. The Plan shall not be changed without written approval from the Department. The air monitoring required by the Plan will supplement, not replace, physical and visual inspection conducted in accordance with this Mining Permit.
19. In order to protect Toms Creek and Unnamed Tributary (UNT) to Toms Creek from possible impact during the low flow condition, the permittee shall:
- a) The permittee shall (1) prior to commencing any mining activities, complete baseline macroinvertebrate surveys of Toms Creek and UNT to Toms Creek and (2) prior to production from the Northern Tract Quarry, submit a mitigation plan, to be implemented pursuant to paragraph g) below, which may include but is not limited to streamflow augmentation during low flow periods. The baseline macroinvertebrate survey shall be conducted during the dry weather months (August and September) in stream reaches appropriate for benthic macroinvertebrate sampling in the vicinity of the following stream monitoring points: SS-TC-US, SS-TC-DS, SS-CHN1 US, and SS-CHN1-DS or at alternative upstream and downstream locations proposed by permittee and approved by the Department as necessary to provide riffle-run stream reaches appropriate for such purposes.
 - b) The permittee shall monitor groundwater elevations on a quarterly basis at PWS-15A16, MW-8D, MW-9D, MD-10D, MW-11D, MW-13D, and MW-14D and compare them with the prior measured groundwater elevations and the elevations predicted for the current mining level in Figures 15-23 in the Groundwater Model Report dated April 16, 2018 (Potentiometric Groundwater Elevation Contour Maps). The Department may also consider comparisons to updated versions of the Groundwater Model Report. The permittee shall report the results of the quarterly monitoring and comparisons to the Department on a quarterly basis.

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SPECIAL CONDITIONS OR REQUIREMENTS (continued)

- c) The permittee shall measure stream flow on at least a weekly basis during August and September, and during periods of declared drought warning and drought emergency, using either (1) the USGS midsection velocity-area method at stream monitoring points SS-TC-US, SS-TC-DS, SS-CHN1 US, and SS-CHN1-DS or (2) continuous gaging stations installed according to USGS techniques and methods on Toms Creek and UNT to Toms Creek if available. Permittee shall report stream flow measurements for August and September to the Department within 28 days after the end of the monitoring period; except, during periods of declared drought warning and drought emergency, permittee shall report stream flow measurements within 48 hours.
- d) Permittee shall conduct macroinvertebrate sampling at stream monitoring points determined as provided in paragraph a) above on an annual basis during the dry weather months (August and September).
- e) Potential impacts shall be evaluated by comparing Department benthic macroinvertebrate index of biotic integrity (IBI). A comparison of IBI scores greater than method intersite precision estimates for both comparisons is considered a potential impact unless there is evidence of no measurable reduction in flow in Toms Creek or it is determined that the IBI score difference is not mining related.
- f) During each baseline and other macroinvertebrate sampling events, the permittee shall (1) measure flow at each of the monitoring points in accordance with USGS approved methods, (2) measure the following physiochemical parameters: temperature, field pH, specific conductance, dissolved oxygen, and turbidity; and (3) obtain and analyze samples for the following parameters: total suspended solids, total dissolved solids, total alkalinity, total acidity, aluminum (total and dissolved), arsenic (dissolved), cadmium (dissolved), copper (dissolved), iron (total and dissolved), lead dissolved, manganese (total and dissolved), nickel (dissolved), zinc (dissolved), ammonia – nitrogen, phosphorus, sulfate, nitrogen as NO₂ and NO₃, E. Coli, fecal coliforms, and total coliforms. The collection and analysis of such surface water data shall be conducted in accordance with USGS, USEPA standard methods and the following DEP data collection protocols: e.g., instructions for Module 1 – Stormwater, Form 3850-pm-BCW0008d.
- g) The permittee shall compile and submit to the Department a hydrologic and biological monitoring report within 30 days following the end of each macroinvertebrate sampling. The report shall include the results of macroinvertebrate surveys, precipitation data, surface water and groundwater monitoring data, including a comparison of current year data to previous data, a comparison of trends in groundwater data and any relationships between groundwater levels, stream flow and daily pumping records, a comparison of benthic macroinvertebrate index of biotic integrity (IBI) scores for upstream or reference locations to downstream locations, trends in IBI scores over time (including any observed events or conditions that may account for scores in a particular period), and an analysis of whether any information indicates potential impacts of mining operations on stream flows, stream water quality, or IBI scores.
- h) If the Department determines, on the basis of all evidence available, that the mining operation is causing an adverse impact on Toms Creek or UNT to Toms Creek, the permittee shall expeditiously implement its mitigation plan. Implementation of the mitigation plan shall continue until: (1) stream flow has returned to the normal range of conditions without the continued need for supplementation by a maintenance dependent augmentation source; and (2) the macroinvertebrate community has recovered. Conditions (1) and (2) must be accomplished within 30 days of the determination by the Department of an adverse impact to Toms Creek, otherwise the Department may take further compliance action.

¹ Turnipseed, D.P., and V.B. Sauer. 2010. Discharge measurements at gauging stations: United States Geologic Survey. Techniques and Methods book 3, chap A8, 87 p.

PART C

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

**NONCOAL
AUTHORIZATION TO MINE**

Number 6982-01180301-01

under issued S.M.P. number 01180301

ISSUANCE DATE _____

PERMITTEE NAME Specialty Granules, LLC
AND ADDRESS 1455 Old Waynesboro Road
Blue Ridge Summit, PA 17214

ORIGINAL
ISSUANCE DATE June 26, 2020
MUNICIPALITY Hamiltonban Township
COUNTY Adams

NAME OF OPERATION Northern Tract Quarry

TYPE OF OPERATION

- Noncoal Surface Mine
- Surface Activity Connected with Underground Mining (Noncoal)
- Other _____

A. Permittee is hereby authorized to conduct noncoal mining activities on lands of Specialty Granules, LLC situated in Hamiltonban Township, Adams County. Surface owners' consent is attested to by inclusion of a properly executed Consent of Landowner form submitted in support of this approval.

B. Surface noncoal mining activities are limited to the area as shown on the operations map dated April 17, 2018 submitted in support of the request for this Mining Authorization, which covers 85.0 acres.

C. The maximum allowed depth of pit or height of highwall is 490 feet (ft.) but shall not extend below the elevation of pit floor which is 740 ft. MSL. The maximum length of highwall allowed is 184 linear ft. @ 40 ft and 10,685 linear ft. @ 50 ft.

D. Bond Description

- Original Bond Additional Bond
- Surety Bond No. _____ in Amount of _____ with _____ as surety.
- Collateral Bond dated May 15, 2020 in Amount of \$1,890,733.00 supported by Letter of Credit No. 68171575 with Bank of America.
- PILB
- Additional Remarks:

E. The approved erosion and sediment control facility related to the area to be mined in accordance with this authorization must be constructed in accordance with the approved plan. These facilities shall be certified to the Department by a qualified registered professional engineer (where required by Chapter 105) or by a qualified registered land surveyor prior to the commencement of other noncoal mining activities in this area.

F. The attached sheet contains three (3) additional special conditions or requirements relating to this authorization.

'mrw

cc: Dan Welte, M.C.I.

D'Appolonia
File

By: _____

David D. Thomas

Title: _____

District Mining Manager

For the Department of Environmental Protection

PART C

PERMIT NO. 6982-01180301-01

AUTHORIZATION TO MINE

1. The limits of mining and/or support area(s) approved by this permit are to be field marked and shall remain marked for the duration of mining and reclamation activity.
2. A supplemental "C" for Specialty Granules, LLC was recorded on March 20, 2020, in the recorder's office of Adams County in Deed Book Volume 6596, Page 454, and is filed herein.
3. The permittee is hereby ordered to carry out the activities approved by this condition in accordance with the design plans specified in the approved Module 12, Module 13 and Module 14 of SMP No. 01180301, and in such fashion so as to prevent adverse hydrologic and water quality impacts.



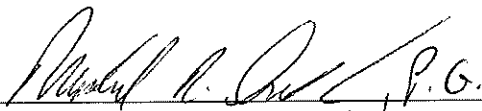
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION

WRITTEN FINDINGS DOCUMENT FOR NONCOAL SURFACE MINING PERMIT

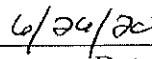
Permit No. 01180301
Permittee Specialty Granules, LLC

1. The permit application is complete and appears to be accurate and the requirements of the Acts and chapter have been complied with. [§77.126(a)(1)]
2. The applicant has demonstrated in the operations and reclamation plans that the proposed surface noncoal mining activities can be reasonably accomplished in accordance with the Act and regulations. [§77.126(a)(2)]
3. The applicant has demonstrated that there is no presumptive evidence of potential pollution of the waters of the Commonwealth. [§77.126(a)(3)]
4. The proposed permit area is not within the distance limitations of §77.504(a), except where variances have been approved in accordance with §77.504(b) of the regulations. [§77.126(a)(4)]
5. The application describes or contains the necessary right-of-entry documents. [§77.126(a)(5)]
6. There was no history of past or continuing violations that indicate the applicant's or a related party's inability or lack of intention to comply with the Acts and regulations. [§77.126(a)(6)]
7. Persons other than the applicant, including independent subcontractors, who may operate under the permit, have been approved. [§77.126(a)(7)]
8. The applicant has submitted proof that any violation related to mining by the applicant or by a related party has been corrected or is in the process of being corrected to the satisfaction of the Department (i.e., satisfactory progress). [§77.126(a)(8)]
9. The proposed post-mining land use meets the requirement of the regulations. [§77.126(a)(9)]
10. A check of the Pennsylvania database of threatened or endangered species was made and, the proposed mining operations will not adversely affect the continued existence of endangered or threatened species or their critical habitats. [§77.126(a)(10)].
11. It has been verified that the applicant possesses a valid noncoal license. [§77.126(a)(11)]

Based on the technical review of the information presented in the subject noncoal surface mining permit application, the related comments listed above and the conditions specified in the mining permit, it has been determined, that to the best of our information, knowledge and belief, pursuant to §77.126, the requirements of applicable Acts and regulations have been met.



Chief, Permits Section



Date