

**Primrose Creek Watershed Association**

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cc: AMIEE B.  
GARY L.  
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Mr. Gary Latsha  
Pottsville District Mining Operations  
Pennsylvania Department of Environmental Protection  
5 West Laurel Boulevard  
Pottsville, Pennsylvania 17901-2522

December 18, 2015

re: New Hope Crushed Stone and Lime Co.  
SMP No. 79748M3  
Their Response to Compliance Order 15-5-048N and Amended  
Order 15-5-048N(A)

Dear Mr. Latsha:

We have reviewed the plan entitled "Reclamation Plan, Cost, Timing and Sequence" submitted by New Hope Crushed Stone and Lime Co. (NHCS) on November 30, 2015. We realize there is no official action by your agency on which to comment, but wish to offer comment and concern regarding the plan as submitted.

First, the plan lacks important details. For example, it lists "backfill relocation," presumably of the overburden in the areas marked in yellow on the map accompanying their submission, but the plan does not detail what this means. Does it mean removing the backfill from the site; reusing it on-site to meet other objectives? We note that the proposal refers to a "500' push." We take it to mean that the soil would be relocated within 500' of its final location around the pit, then be "pushed" in place when the walls are prepared. This appears to be an unnecessary costly and time consuming step, adding to the cost and might be more efficiently performed by trucking the material to the perimeter then pushed in place

Second, the plan fails to specify what will happen to the material resulting from benching operations. Does NHCS propose to sell that material, or use it on site to either help in-fill the benching or to be placed in the pit to lessen the time needed for the water level to rise? We believe that NHCS should be limited to using any materials freed as a result of the reclamation operation on site in order to fulfill reclamation-related work or to lessen the time it will take for the water levels to raise to levels which will reduce the existing public nuisance.

Third, the sequencing of the plan incorporates the stream restoration work which NHCS is required to perform under the terms of the settlement agreement it entered into with PWCA. We see no reason why work required under the terms of that agreement should be incorporated into the reclamation plan in ways which would delay the implementation of the reclamation. The two actions are entirely separate activities, and while they could be seen to be somewhat intertwined, they can be undertaken simultaneously. If the stream restoration phase were to be taken out of the critical path of the project the end date of what is now Phase 6, could be advanced by 18 months. It appears that NHCS is using the restoration plan as an excuse to delay and extend the reclamation plan.

Fourth, given the size of the overall task involved it appears that NHCS is proposing only a fraction of the equipment required to perform the reclamation in a timely fashion in accordance with the PaEHB and PaDEP expectations.

Fifth, as subsisted in the third paragraph, above, we feel the overall success of the sinkhole repair will be enhanced by rapidly increasing the water level relative to the West Wall breach.

Finally, we note that the removal of the processing equipment is mentioned not only on the plan but also on the Cost Summary and Timeline and is called out as Demolition, which is not scheduled until phase 6 in 2022. It appears that the quarry is intent on continuing to produce and sell product until the very end of operations. We believe that continued operations should be considered principally to provide the means for a safe reclamation at the earliest date and not to maximize profits for the owners.

We appreciate this opportunity to share our views and hope that the DEP shares at least some of our concerns and concurs that any reclamation plan should include as primary objective the earliest removal of the public nuisance.

Sincerely,

A handwritten signature in black ink, appearing to read 'John Winterbottom', with a stylized, cursive script.

John Winterbottom  
President, Primrose Creek Watershed Association.