

Comment #	Comment	Commenter #	Response
1	At the public meeting on March 29, 2016, Virginia Cain, Community Relations Coordinator for DEP, Southeast Regional Office, instituted a five (5) minute limit for each resident who attempted to give testimony and provide comments. Such limit is arbitrary, capricious and a violation of due process of law. To the contrary, there was no time limit placed upon DEP officials nor officials from Gibraltar Rock.	1, 2	To allow everyone to participate equally, a five-minute per question limit was instituted. There were no restrictions on the number of questions a resident could ask. No time restriction was put on DEP staff so that residents could receive thorough responses to their questions.
2	The list of toxic pollutants at the Hoff VC Site was not provided to the public at the public hearing on March 29, 2016, nor did the DEP supply any maps, charts or recent data at the public hearing.	1, 2	Records regarding the results of sampling conducted at the Hoff VC HSCA Site are, and have been available for public review at the Department's Southeast Regional Office located at 2 East Main Street, Norristown, PA 19401. A website has been created as per public demand and it has listed requested information in a public forum. The Department concurs with ERG's response that, "Gibraltar can attest to the fact that the public has been aware of the pollutants since the April 17, 2012 public hearing by the DEP's Hazardous Sites Cleanup (HCSA) Program. As an affected neighboring property owner, Gibraltar attended this public meeting and the list of pollutants was presented (Slide 21). The presentation was posted on the New Hanover Township website (http://web.archive.org/web/20120513031715/http://www.newhanover-pa.org/) from at least May 13, 2012 until it was replaced with the December 4, 2012 Public Hearing Slide Presentation (http://web.archive.org/web/2014112116736/http://newhanover-pa.org:80/Hoff%20Hearing%20Slides%2012-4-2012%20VERSION%206.0.pdf) by DEP, which was posted to the Township website (http://web.archive.org/web/20150107033108/http://www.newhanover-pa.org:80/) until January 7, 2015."
3	The Leidos test results were not presented to the public as part of the informal hearing nor the public hearing.	1, 2	Records regarding the results of sampling conducted at the Hoff VC HSCA Site, including a complete list of contaminants, are, and have been available for public review at the Department's Southeast Regional Office located at 2 East Main Street, Norristown, PA 19401. The Leidos report is available for public inspection and on the DEP website http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx .
4	Additionally, any test well results subsequent to the Leidos Report were not provided to the public at these recent hearings, including the meeting on August 1, 2017.	1, 2	Please refer to the response to comment 3 (Sampling Results).
5	At the public hearing and conference in March 2016, the DEP failed to tell the public that 1,4 Dioxane, present at the Hoff VC Site, is a dangerous carcinogen which cannot be treated.	1, 2	Records regarding the results of sampling conducted at the Hoff VC HSCA Site are, and have been available for public review at the Department's Southeast Regional Office located at 2 East Main Street, Norristown, PA 19401. There is no MCL for 1,4-Dioxane in drinking water, however, it does respond to treatment by carbon filtration. Please refer to our responses to Comments #2. The March 2016 public hearing and conference pertained to renewal of the Gibraltar NPDES permit. The Hoff VC site has been the subject of separate hearings. 1,4-Dioxane was noted in the Township Ordinance (https://ecode360.com/31479462) concerning the public water supply system adopted in November 2014.
6	The DEP has failed to explain to the public at the public meeting nor the conference on March 29, 2016, nor at any time, the effect on plants, animals, humans, birds and aquatic life by each of the known toxic chemicals at the immediately adjacent Hoff VC Site.	1, 2	In 2012, the Department undertook a response to groundwater contamination that exceeded drinking water standards; in 2016, the Department's response was to eliminate the risks associated with direct contact with the material in the Concrete Pit. The Department's investigation of the Site continues and it will undertake additional actions as necessary to be protective of human-health and the environment.
7	On March 29, 2016, the DEP admitted it would not consider any toxic pollution on GR4 which lies directly between the Hoff VC Site and the purported NPDES permit area. This was reiterated again on August 1, 2017, and is completely illogical based on well known facts that quarry pumping will pull millions of gallons of ground water from large distances.	1, 2	The Gibraltar Rock 4 (GR4) area is not included in the area of proposed mining in the Gibraltar Quarry permit application, NPDES permit application or NPDES draft permit.
8	At the public hearing in March 2016, the DEP admitted contamination has been found on Gibraltar Rock property. Leidos Report also found contamination on current quarry property.	1	Please refer to the response to comment 3 (Sampling Results). The Department concurs with ERG's response that, "Contamination from the Hoff VC site is migrating onto other properties owned by Gibraltar located to the west of the GR4 parcel, in an area that is not proposed for mining."
9	There has been an insufficient number of test wells on GR4, and an insufficient amount of proposed test wells.	1, 2	Please refer to the response to comment 7 (Permitted Area). The Department concurs with ERG's response that, "GR4 is not part of the current NPDES Permit or Surface Mine Permit and is not considered part of the renewals, which are currently under consideration. However, there are numerous monitoring wells and surface water sampling points that have been selected by the Department to be monitored as a condition of the Surface Mine Permit and NPDES Permit renewal. Should the Department require alternate wells to be monitored or access to other onsite wells, Gibraltar would abide by the permit conditions and noncoal mining regulations."

10	There is insufficient testing data for the properties north, northeast, east and southeast of the Hoff VC Site in order to proceed to review the NPDES permit. No fate or transport study was offered by the applicant nor required by the DEP - a fatal flaw on a proposed permit such as this.	1, 2	A fate and transport study, "Fate and Transport Analysis and Assessment of Hoff VC Site Contaminant Migration", dated September 2017 has been submitted to the Department and is included in the permit file. The study is available for public inspection at the DEP Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA; New Hanover Township Administrative Office, 2943 North Charlotte Street, Gilbertsville, PA; and on the DEP website. (http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx). Please refer to response to comment 9 (Monitoring Wells) and 71 (Fate and Transport Study).
11	There has been no study of the total maximum daily loads (TMDL) of the combination of chemicals present to be discharged.	1, 2	The receiving water of the proposed discharge, Tributary to Swamp Creek, has not been identified as impaired, therefore no TMDLs for any pollutants are required to restore the creek to its existing/designated use. The quarry is required to comply with all of the conditions of its NPDES permit.
12	The cumulative effect of proposing to discharge chemicals into the Swamp Creek and Scioto Creek is an unknown threat to the environment which cannot be risked. The DEP cannot promote nor condone the possibility of pollution to Swamp Creek and Scioto Creek or any part of our environment nor can the DEP and permit authorize the "wait and see" approach.	1, 2	The Gibraltar Rock NPDES permit application and draft permit proposes discharge outfalls to two Unnamed Tributaries to Swamp Creek. Pollutants are not expected to be present in the discharges. Therefore, we do not expect a cumulative impact. The NPDES permit is designed to protect water quality. The Department concurs with ERG's response, "As addressed in the February 3, 2017 Response to Comments Regarding Contaminants found at the Hoff VC site, Gibraltar is not proposing to discharge chemicals into the Swamp Creek and/or Scioto Creek. The groundwater in the vicinity of the Hoff VC Site is being monitored, and will continue to be monitored. If contaminant concentrations reach levels of concern and show the plume migrating towards the quarry pit, the quarry monitoring and water handling system will be evaluated and modified to include remediation of contamination found above regulatory limits. Discharge from the quarry will be in accordance with the DEP permits."
13	The Leidos Report Modeling relied upon by Gibraltar and the DEP did not account for the proposed quarry and pumping of millions of gallons of water.	1, 2	The report prepared by Leidos for the Department's HSCA Program was not intended to account for pumping by a proposed quarry; it was intended to portray extent of the contaminant plume that exceeded drinking water standards at the time. The Department's investigation of the Hoff VC Site continues and it will undertake additional actions as necessary to be protective of human-health and the environment. Please see response to comment 71 (Fate and Transport Study). Please see the response to comment 3 for more information concerning the Leidos Report.
14	It is generally accepted that water in wells is commonly affected 1,000 feet away from the quarry pits. The non-coal surface mine regulations contemplate this, as well as the proposed mining permit in this case.	1, 2	The Department concurs with ERG's response, "As addressed in the October 6, 2016 Response to the Department and Public Comments letter, there will be considerable time (15 to 20 years) before the predicted groundwater cone of depression advances beyond the Surface Mine Permit area. Any change in the water table will be gradual and identifiable in the network of monitoring wells."
15	It is a well known fact that blasting will accelerate the movement of the polluted groundwater. Moreover, the language in the mining permit in this case admits this fact.	1, 2	The Department concurs with ERG's response that, "As addressed in the October 6, 2016 Response to the Department and Public Comments letter, Gibraltar will perform quarry blasting in accordance with their approved Module 16 Blasting Plan included in the Surface Mine Permit. The design and purpose of the blasts is to fracture rock in the immediate vicinity of the quarry bench where stone is to be extracted. To the contrary, blasting will not accelerate the movement of groundwater at distances not affected by the blasting."
16	The HSCA Response Justification Document dated August 16, 2011, shows the Hoff VC Site overlapping Gibraltar property; therefore Gibraltar's part of the HSCA Site and is a responsible party.	1, 2	"Figure 1" of the Response Justification Document (RJD) shows the generalized physical location of the Site. This Figure 1 neither implies or limits liability at the Site. Under the Responsible Persons" section in the RJD, Potentially Responsible Parties are explicitly listed. The RJD is available for public inspection and on the DEP website http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx .
17	Sentinel wells must be installed in successive barrier locations surrounding the permitted area for two (2) years prior to any quarrying.	1	The Department concurs with ERG's response that, "The network of sentinel wells are installed, and have been in place for over a decade. The NPDES permit renewal has detailed requirements for quarterly sampling of numerous surface and groundwater monitoring points."
18	No wells nor background sampling nor infiltration tests have been conducted in the proposed quarry pits/quarry footprint.	1	The Department concurs with ERG's response, "There are numerous existing wells that were selected by the Department for Gibraltar to monitor. Additionally, during the testing completed at GR4, as documented in the February 2016 Groundwater Pumping Evaluation Addendum, over 49 samples were collected to assess potential contamination and no contamination was found. Lastly, no infiltration is proposed at the GR4 site, nor at the permitted quarry sites."
19	There have been no studies on the effect of pumping of millions of gallons of water with respect to the direction, the rate of flow and toxicity of the plume.	1, 2	Please see response to comment 71 (Fate and Transport Study).
20	Likewise, there have been no studies to confirm that the quarry will not intercept any polluted water. In fact, the DEP admits the quarry will intercept pollutants yet neither the Permittee nor the DEP have a permissible plan in effect.	1, 2	Please see response to comment 71 (Fate and Transport Study). The Department concurs with ERG's response, "Additionally, in the event contamination reaches the quarry, remediation options have been evaluated and presented to the Township and Department. Gibraltar will abide by NPDES effluent limits and associated monitoring provisions set forth by the Department to prevent discharge of contaminated water from the quarry. In the unlikely event that the quarry stops pumping and the pit fills with water, contamination of pit water is not indicated to be a concern for reasons explained in the Response to Comments letter dated February 3, 2017, namely: 1) groundwater flow from the Hoff VC Site will no longer be potentially induced towards the quarry; and 2) the pit will predominantly infill with rain water."
21	Any and all water utilized on the Gibraltar property will have been contaminated including water used to wash the trucks.	1, 2	Presently the groundwater is not contaminated at the Gibraltar site. The Department's permits are designed to prevent contamination from reaching ground water and surface water. Please see response to comment 71 (Fate and Transport Study).

22	Toxic chemicals can be expected to be found in stockpiles and excavation areas which are exposed to birds, amphibians and the environment in general. There are no proposed treatment plans for these chemicals.	1, 2	ERG has responded and the Department concurs that, "There is no data or reason to suggest that toxic chemicals would be present within stockpiles and/or proposed excavated areas. The contamination source area is on the Hoff VC site, and is not located in the permitted and proposed mining areas."
23	Toxic pollutants can be expected in the rock in various stages of production including post blast, the crushers and in the trucks leaving the property. There is no proposed air quality testing for the release of such chemicals and dust which will leave the property and end up on cars, homes and yards where children play.	1, 2	25 Pa. Code §77.130 requires the following: "A permit issued by the Department will ensure and contain specific conditions requiring that the permittee: ...(2) 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. The permittee shall conduct the activities in accordance with measures specified in the permit that are necessary to prevent environmental harm or harm to the health or safety of the public." In addition, 25 Pa. Code §77.455 requires the applicant to provide the following air pollution control plan information in the permit application: "The description shall include an air pollution control plan which includes the following: (1) A plan for fugitive dust control practices, as required under § 77.575 (relating to air resources protection), and if applicable, how the requirements of Chapters 123 and 127 (relating to standards for contaminants; and construction, modification, reactivation and operation of sources) will be met. (2) If requested by the Department, an air quality control monitoring program to provide sufficient data to evaluate the effectiveness of the air pollution control plan." Gibraltar Rock will be required to comply with all applicable environmental regulations." Please see response to comment 22.
24	The quarry proposes to move contaminated dirt into stockpiles. This would need to be placed within liners and capped, similar to landfills because it will contain toxins. Essentially the DEP would be allowing an unregulated, hazardous landfill, which would be subject to a different set of regulations that the DEP refuses to apply here.	1, 2	Please see response to comment 22 (Stockpiles).
25	The DEP states in one breath they are aware of the full extent of the pollution under the Gibraltar property but they have no recent studies to support their contention. Moreover, they fully admit they do not yet know the source of 1,4-Dioxane.	1, 2	The Department's investigation of the Hoff VC Site is ongoing, however, it is likely that the former Good Oil Property is the source of the 1,4-Dioxane. Please see response to comment 13 (Leidos study), 36 (groundwater flow direction) and 37 (Tetra Tech study).
26	The DEP objects to an independent two (2) year hydrolic and toxicity study placing test wells all throughout Gibraltar's property and proposed pits to determine the exact nature of the contamination of Gibraltar's property which would enable the DEP and Gibraltar to predict toxicity and flow rates and the direction of the ground water and plume. The DEP likewise has rejected a necessary fate and transport study.	1, 2	Please see response to comment 71 (Fate and Transport Study).
27	The DEP has not mandated a comprehensive hydrolic and toxicity examination on Gibraltar's property in light of the fact the wells surrounding Gibraltar's site, even wells along Hoffmansville Road between GRI and GR4, are all polluted.	1, 2	Please see response to comment 71 (Fate and Transport Study). The Department will require Gibraltar to monitor groundwater and surface water for potential contaminants throughout the life of the quarry.
28	Gibraltar and DEP admit they do not have the most recent 1 to 2 year trend data with respect to the plume at Hoff VC Site. Any testing from the past six (6) months must be disregarded due to the excessive record rainfall.	1, 2	Please refer to response to comment 27 (Monitoring Data).
29	1,4 Dioxane can be present in the ground for up to 100 years.	1, 2	In 2012, the Department undertook a response to groundwater contamination that exceeded drinking water standards; in 2016, the Department's response was to eliminate the risks associated with direct contact with the material in the Concrete Pit. The Department's investigation of the Site continues and it will undertake additional actions as necessary to be protective of human-health and the environment.
30	Despite potent evidence to the contrary, the DEP denies any chemicals from Hoff VC Site are already present in the proposed quarry and in test wells merely 100 feet from the proposed pits.	1, 2	Records regarding the results of sampling conducted at the Hoff VC HSCA Site are, and have been, available for public review at the Department's Southeast Regional Office located at 2 East Main Street, Norristown, PA 19401. Please see response to comments 22 (Stockpiles) and 71 (Fate Transport Study).

31	The pollution at the Malvern TCE Site traveled almost one (1) mile to the Canatach Quarry in Chester County, however, the DEP claims that there is no possible threat from the Hoff VC Site, notwithstanding overwhelming evidence to the contrary. For example, the pollution has already traveled to the mining perimeter site, before a single blast. Moreover, Gibraltar has continuously compared the Canatach Quarry to its proposed quarry.	1, 2	The Department concurs with ERG's response that, "The comparison made by Gibraltar was in regards to the reduction in concentration of pollutants by normal quarry operations, including but not limited to movement of water, pumping conditions, and sediment controls. This was studied by USGS and is relevant to the Gibraltar site. The study reinforces the fact that if pollutants are below the effluent limits in the sentinel well network, then due to normal quarry operations, the levels will be less when the water is monitored again at the discharge point. The movement of contaminants at the offsite at Hoff VC parcel has been evaluated through several fate and transport analyses and other studies completed by Department contractors. Please see response to comment 71 (Fate and Transport Study).
32	Some of the chemicals found at the Hoff VC Site are the same chemicals found on the Gibraltar property.	1, 2	Please see response to comment 22 (Stockpiles).
33	It can be said with certainty that the toxins at Hoff VC Site are migrating to the Gibraltar property. Knowing this, the DEP proposed permit fails to require the Permittee to establish approved treatment facilities as a condition to granting the permit. The alternative is simple, to deny the permit and not risk the spread of pollution to the environment and risk another life.	1, 2	Please see response to comment 71 (fate and Transport Study) and 73 (Bonding).
34	When the Hoff VC Site was investigated again in 2012, the DEP claimed to the public that the water was so dangerous that the only solution was to cap every well, force public water upon everybody in the area as the water could not be treated. The DEP stated people cannot even use the water for their gardens, yet they seem willing to allow a corporate neighbor to pump millions of gallons to the surface.	1, 2	The Department's Interim Response at the Site in 2014 and New Hanover Township's mandatory hook-up ordinance applied to wells that were used for potable water. The discharge requirements of groundwater to surface water by Gibraltar Rock (GR1) is the subject of this draft NPDES permit. Please see response to comments 71 (Fate and Transport Study) and 73 (Bonding).
35	The DEP has failed to completely remediate the toxic Hoff VC Site, yet they are contemplating the permitting of a large non-coal surface mine immediately adjacent to the site.	1, 2	In 2012, the Department undertook a response for groundwater contamination that exceeded drinking water standards; in 2016, the Department's response was to eliminate the risks associated with direct contact with the material in the Concrete Pit at the Hoff VC Site. The Department's investigation of the Site continues and it will undertake additional actions as necessary to be protective of human-health and the environment. Please refer to response to comment 71 (Fate and Transport Study).
36	The extent of the plume at Hoff VC Site is not known because the Leidos testing was not conducted immediately northeast, east and southeast of the Hoff VC Site. The maps shown by DEP on August 1, 2017, speak volumes of the lack of data between the Hoff VC Site and the eastern most part of the permit area.	1, 2	The Department's investigation of the Hoff VC, while ongoing, initially focused on identifying threats to human health through contaminated water supplies, and identification and removal of the source. The Department concurs with ERG's response that, "Hydrogeologic testing and studies commissioned by the Department, the commenter's hydrogeologist, the Township's hydrogeologist, and EarthRes all consistently indicate the groundwater flows to the southwest and west." Studies indicate that the current flow path is directed away from the quarry. The studies are posted on the DEP website http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx .
37	The DEP admits it does not know the full extent of the plume nor the point of origination, only that "we have a good sense of where it is".	1, 2	The Department's knowledge of the plume is based on the data it has available at the present time. The Department's investigation is ongoing. ERG has responded and the Department concurs that, "As addressed in the October 6, 2016 Response to the Department and Public Comments letter, a Fate and Transport analysis was conducted by Tetra Tech, Inc. to evaluate the extents of the plume. The findings of the analysis have been published in the above-referenced Response to Comments letter. The point of origination for the Hoff VC contamination was the concrete vault discovered as outlined in the PA Bulletin, Vol. 46, No. 45 dated November 5, 2016." Please see response to comment 36, the current flow path is directed away from the quarry. The Tetra Tech fate and transport analysis is available for public inspection on the DEP website http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx .
38	The DEP admits it has not yet selected remediation for the Hoff VC Site. It is unconscionable they want to wait and see. Their proposed solution to stop the quarry if chemicals are found and accumulate in a toxic lake of water while they come up with a treatment method is unconscionable.	1, 2	In 2012, the Department undertook a response to groundwater contamination that exceeded drinking water standards; in 2016, the Department's response was to eliminate the risks associated with direct contact with the material in the Concrete Pit. The Department's investigation of the Site continues and it will undertake additional actions as necessary to be protective of human-health and the environment. Please see response to comments 12 (Discharge Quality), 21 (Pollution Prevention), and 71 (Fate and Transport Study)
39	The DEP admits that 75% of the 25 toxic pollutants at the Hoff VC Site are known carcinogens.	1, 2	The Department did not make that statement. The contaminants at the Hoff VC HSCA Site vary in nature and concentration by media (drinking water, surface water, soil and sediment).
40	Instead of condemning the land immediately east/southeast of the Hoff VC Site, the DEP permitted Gibraltar Rock to purchase the property for quarrying. Now, knowing of the polluted adjacent property of Good Oil, identified the HSCA Zone, they refuse to condemn the property and instead are willing to allow a quarry operation.	1, 2	The Department does not have the authority to condemn property.

41	There is clearly insufficient testing outside of and within the boundary of the mining permit to enable the DEP to make an educated, informed decision regarding the NPDES permit.	1, 2	The Department has sufficient data to make an educated and informed decision regarding the revised NPDES renewal permit.
42	The names of the DEP or state contract experts who were hired to examine mine discharge, migration of pollution plume, hydrology studies and treatment for all of the chemicals should be made available to the public.	1, 2	Names of individuals involved in permit application preparation and related studies are included in the Gibraltar Rock permit file. The permit file is available for public inspection at the DEP Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA and New Hanover Township Administrative Office, 2943 North Charlotte Street, Gilbertsville, PA
43	Although the DEP has been in litigation with Gibraltar, DEP "trusts" Gibraltar to self-report their pollution on a bi-weekly basis. A series of independent third party contractors should be physically pulling the samples and testing the samples at the expense of the Permittee, rather than trusting the permittee.	1, 2	25 Pa. Code § 92a.61.(c) & (d) states the following: "(c) Each person who discharges pollutants may be required to monitor and report all toxic, conventional, nonconventional and other pollutants in its discharge, at least once a year, and on a more frequent basis if required by a permit condition. The monitoring requirements will be specified in the permit. (d) Except for stormwater discharges subject to the requirements of subsection (h), a discharge authorized by an NPDES permit for a facility that is not a minor facility or contains toxic pollutants for which an effluent standard has been established by the Administrator under section 307(a) of the Federal Act (33 U.S.C.A. § 737(a)) shall be monitored by the permittee for at least the following: (1) Flow (in GPD or MGD). (2) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) that are subject to abatement under the terms and conditions of the permit. (3) Pollutants that the Department finds, on the basis of information available to it, could have an impact on the quality of this Commonwealth's waters or the quality of waters in other states. (4) Pollutants specified by the Administrator in regulations issued under the Federal Act as subject to monitoring. (5) Pollutants in addition to those in paragraphs (2)—(4) that the Administrator requests in writing to be monitored." Samples are collected by EarthRes using chain-of-custody procedures and are analyzed by a certified 3rd party laboratory.
44	The NPDES Permit covers point source discharge. If permitted, there will be unregulated non-point discharge of toxic chemicals and seepage into the ground. The DEP is proposing to permit Gibraltar to pollute their property and our environment with impunity.	1, 2	The NPDES Permit covers any discharge from the permit area, whether or not it is from a point source. Any discharge from the permit area is required to meet the effluent standards defined in the NPDES permit. DEP will require Gibraltar to adhere to all regulations.
45	Water at New Hope Crushed Stone Quarry gets tested once/week for TSS (total suspended solids), yet the DEP is proposing to agree with testing of only bi-weekly here where there are a multitude of carcinogenic toxins.	1, 2	New Hope is subject to a separate Consent Order and Agreement with the Watershed Association in which there is a requirement for testing to be completed once a week for TSS. Under 25 Pa Code § 92a.61 the Permittee is required to provide sampling data at frequency adequate to reasonably characterize the nature of the discharge of the monitored effluent flow or pollutant. Gibraltar does not expect to discharge groundwater for 5-10 years. The Department does not expect carcinogenic toxins in the discharge, therefore the sampling frequency is protective of the environment.
46	Gibraltar has admitted through their experts that the toxic chemicals are better left deep in the ground rather than brought to the surface and pumped into Swamp Creek.	1, 2	25 Pa Code §77.126(a)(3) states the following: "(a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply: ... (3) The applicant has demonstrated that there is no presumptive evidence of potential pollution of the waters of this Commonwealth." The NPDES permit issued by the Department will not allow a discharge that is not protective of the environment.
47	The DEP is aware of the extensive public concern regarding the proposed quarry and NPDES permit next to the Hoff VC Site, but fails to make the current test results immediately accessible to the public on a website. It was only when the DEP wanted a public water line and approval of an enabling ordinance by the Township, that they made some data available to the public on a website.	1, 2	Sample results and other analyses regarding pollutants of concern are included in the Gibraltar Rock permit file. The permit file is available for public inspection at the DEP Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA and the New Hanover Township Administrative Office, 2943 North Charlotte Street, Gilbertsville, PA. In addition, records regarding the results of sampling conducted at the Hoff VC HSCA Site are, and have been available for public review at the Department's Southeast Regional Office located at 2 East Main Street, Norristown, PA 19401, as well as at the New Hanover Township Office and the Montgomery County Health Department.
48	The regulatory requirements and standards do not contemplate and are completely insufficient in this situation where quarrying, which has not yet begun, is proposed immediately adjacent to a hazardous waste site, knowing full well the further harm this will cause to the environment, let alone the unknown dangers that could occur. The DEP could simply deny the permit rather than place the public at risk.	1, 2	25 Pa Code §77.126(a)(3) states the following: "(a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply: ... (3) The applicant has demonstrated that there is no presumptive evidence of potential pollution of the waters of this Commonwealth." The NPDES permit is protective of the environment during the expected operation of the quarry. NPDES permits are valid for 5 years at which time they must be renewed, a process that includes a review of the discharge quality as well as changes in water quality standards. In addition, data is required to be submitted quarterly which provides for regular opportunities to assess the quality of the discharge. ERG has responded and the Department concurs that, "As an adjacent property owner, Gibraltar will continue to assist the Department with their ongoing efforts at the Hoff VC site. Gibraltar believes that the Hoff VC site will be fully remediated prior to the point the quarry encounters groundwater. However, should it not, the monitoring program, which is a condition of the Surface Mining and NPDES Permits, will act as a safeguard. In the unanticipated instance that contaminants are detected in the monitoring wells, Gibraltar will be alerted to the circumstances well before the contamination would ever reach the quarry. In addition, Gibraltar has developed contingencies in the event that the quarry does capture pollutants. These contingencies will be reevaluated by Gibraltar and the Department each time the NPDES Permit is renewed (every 5-years) and each time the quarry progresses to a lower bench (every 50-ft lift) as outlined in the April 15, 2005 Surface Mining Permit."

49	A surface mine quarry site and its associated NPDES permit are incompatible with an immediately adjacent HSCA site with over 25 known carcinogens.	1, 2	The NPDES permit is protective of the environment during the expected operation of the quarry. NPDES permit are valid for 5 years at which time they must be renewed, a process that includes a review of the discharge quality as well as changes in water quality standards. In addition, data is required to be submitted quarterly, which provides for regular opportunities to assess the quality of the discharge. In addition please see the response to comment #71 below. ERG has responded and the Department concurs that, "As addressed in the October 6, 2016 Response to the Department and Public Comments letter, the fate and transport analysis conducted by Tetra Tech, Inc. and the hydrogeological analyses indicate that the contaminant plumes from the adjacent HSCA site will not migrate laterally or be intercepted by the quarry operations. Sentinel wells will be monitored to ensure that quarry pumping does not change the gradient direction to the southeast. In the event contamination reaches the pit, remediation options have been evaluated and presented in the February 3, 2017 Response to Comments letter and as outlined in response to Comment 21 above." The Tetra Tech fate and transport model and the Leidos Report are available for public inspection on the DEP website http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx .
50	This is not a case where quarrying has begun and contaminants were found. The DEP and other government agencies have the ability to prevent further pollution and contamination of the environment by denying any NPDES permit.	1, 2	25 Pa Code §77.126(a)(3) states the following: "(a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply: ... (3) The applicant has demonstrated that there is no presumptive evidence of potential pollution of the waters of this Commonwealth." See response to comment 21 and 71. The Department does not believe that permitting quarry operations will lead to future pollution of the mining permit area. Gibraltar believes that the remediation will be complete before groundwater is encountered by quarry operations. However, as a precaution, the Department has requested that a robust monitoring and sampling regime be implemented at the Gibraltar Site. The Department has also requested that the appropriate remediation plans be in place should the pollutants migrate towards the proposed quarry pit. In the unlikely event that contamination from the Hoff VC Site travels offsite and is intercepted in the future by the quarry, the proposed quarterly sampling and remediation provisions outlined herein and the requirements of the NPDES and mining permits will be in place to address and evaluate the indicated concerns. There will be considerable time (15 to 20 years) before the predicted cone of depression advances beyond the mining permit area. The sentinel monitoring network proposed for the quarry operation will effectively monitor groundwater conditions during that time period. A significant database of groundwater quality and level information will be developed and provided to the PA DEP agencies (Pottsville DMO and SERO) as a result of the monitoring required by the proposed renewal of Gibraltar's NPDES permit. Gibraltar must abide by the NPDES effluent limits and associated monitoring provisions to prevent discharge of contaminated water from the quarry. While operating under the renewed NPDES permit, significant water quality data will be collected and provided to PA DEP and will be available to the public. The data will be used to assess permit renewals which will include: 1) NPDES re-permitting every 5 years; and 2) depth correction permitting and assessment of water quality, and groundwater drawdown conditions with every 50-ft lift (depth) advancement.
51	Approving the NPDES permit will pose a greater risk of exposure of toxic chemicals to the public and environment, of unknown proportions and scale, than the risk from simply denying the permit.	1, 2	The effluent limitations established in the NPDES draft permit have been designed to prevent excursions above the water quality criteria of 25 Pa. Code § 93.8c in the receiving waters of the proposed discharge. 25 Pa. Code § 93.8c water quality criteria provide for the protection of aquatic life and human health.
52	The DEP is prohibited by law from approving a NPDES which will permit the quarrying of highly polluted rock and water, for the sole benefit of a large corporate entity that already has several other quarries. This is not the case of "need". It is a case of corporate greed.	1, 2	The effluent limitations established in the NPDES draft permit have been designed to prevent excursions above the water quality criteria of 25 Pa. Code § 93.8c in the receiving waters of the proposed discharge. 25 Pa. Code § 93.8c water quality criteria provide for the protection of aquatic life and human health. In addition, 25 Pa Code §77.126(a)(3) states the following "(a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply: ... (3) The applicant has demonstrated that there is no presumptive evidence of potential pollution of the waters of this Commonwealth."
53	If the DEP approves of the NPDES permit, the DEP approves of the intentional contamination of further underground rock and structures for the sole purpose of monetary gain for one commercial entity.	1, 2	Please see response to comment 52 (Effluent Limitations).
54	Approval of an NPDES permit here is tantamount to approving a toxic waste dump site without consideration to toxic waste regulations.	1, 2	See response to comment 52 (Effluent Limitations).
55	The DEP thinks it is okay as a society to permit the blasting, quarrying of polluted rock and water for corporate profits in spite of imminent serious health risk to the public, children, adjacent aquifer, birds, fish, aquatic life, animals and streams.	1, 2	See response to comment 52 (Effluent Limitations).
56	The potential harm to the environment from approving the NPDES Permit outweighs any benefits from mining some generic rock which can be mined within hundreds of thousands of other acres areas free from toxins.	1, 2	See response to comment 52 (Effluent Limitations).

57	No standard has been set by the DEP for 1,4 Dioxane and the DEP refuses to create one, especially where it would be required in this case. The permit should be denied until a standard has been developed and approved like which has been done in other states. Additionally, there are no detection limits for 1,4 Dioxane in the permit.	1	1,4 Dioxane will be monitored in the NPDES permit. If 1,4 Dioxane is detected in the discharge and if the Department develops numeric water quality criteria for this parameter, then an evaluation will be done to determine if an effluent limitation is necessary. In addition, the HSCA Program uses that Act 2 Statewide Health Standards (SHS) as screening criteria to characterize HSCA sites and to determine if further investigation or response is necessary. The Act 2 SHS standard for 1,4-Dioxane is 6.4 µg/L. That medium specific concentration (MSC) is based on risk association with the inhalation of 1,4-Dioxane from groundwater that humans may be exposed to, and may not be applicable to surface water discharges. There is no statewide quality criteria for 1,4-Dioxane. The reporting limit of 1,4-Dioxane varied during the Department's investigation of the Site, ranging from 0.5 – 2.5 µg/L. The Practical Quantification Limit for 1,4-Dioxane recognized by Act 2 is 5 µg/L.
58	The DEP mandates that every residence in the entire neighborhood cannot use their well water, even to water their gardens, except for Gibraltar, a corporate entity which would be permitted to blast and fracture the surrounding rock for its sole corporate gain and to dispose of the toxic water into our clean streams.	1, 2	Please see the response to comment 52 (Effluent Limitations). In addition, the Department's Interim Response at the Site in 2014 and New Hanover Township's mandatory hook-up ordinance applied to wells that were used for potable water. The discharge requirements of groundwater to surface water by GRI is the subject of this draft NPDES permit. The Department concurs with ERG's response that, "Gibraltar properties along Hoffmansville Road have been connected to the public water main. As an affected property owner, Gibraltar will continue to abide by the mandates of DEP concerning their ongoing efforts at the Hoff VC site.
59	It is beyond dispute that since all wells are already capped in the area, it would be safer for the environment to leave the polluted water 300 feet below the surface rather than to bring it out through blasting, quarrying and pumping millions of gallons of water from the Gibraltar site into the Swamp Creek watershed.	1, 2	Please refer to responses to comments 14 (Cone of Depression) and 15 (Blasting). The discharge from the quarry will be regulated and monitored according to the NPDES and Surface Mine Permits. If contamination of groundwater above regulatory standards is encountered, Gibraltar will be required to implement an appropriate remediation plan.
60	The proposed dilution of toxic chemicals at the surface is a violation of federal law.	1	Dilution has not been proposed in the NPDES permit application or draft permit. Please see response to comment 59 (Groundwater Standards).
61	The proposed NPDES Permit fails to contain a program to address (A) renewal and disposal of hazardous chemicals and waste; (B) proper screening for analyzing toxic chemicals; (C) risk assessments; and (D) long term management issues, contingency plans.	1, 2	(A) Hazardous chemical and waste disposal is not proposed in the permit application for this site. (B) The effluent limitations established in the NPDES draft permit have been designed to prevent excursions above the water quality criteria of 25 Pa. Code § 93.8c in the receiving waters of the proposed discharge. 25 Pa. Code § 93.8c water quality criteria provide for the protection of aquatic life and human health. (C) Risk assessment is part of the NPDES permitting process. (D) Section F of the NPDES permit application provides the Preparedness, Prevention and Contingency Plan for the proposed operation and the mining permit application proposes a monitoring program for the site.
62	Due to the presence of toxic pollutants, the Applicant should be made to comply with the Solid Waste Management Act, the Small Business and Household Pollution Prevention Program Act, the Environmental Stewardship and Watershed Protection Act, the Clean Air Act, the Storage Tank and Spill Prevention Act, the Clean Streams Law, the Pennsylvania Hazardous Material Emergency Planning and Response Act, the Emergency Planning and Community Right to Know Act and every regulation associated with hazardous waste transportation, storage and remediation.	1, 2	DEP will require Gibraltar to comply with all necessary protocols, acts, laws and regulations required for NPDES permitting and non-coal surface mining operations.
63	If Gibraltar Rock is permitted to proceed to pump water adjacent to the Hoff VC Site, A. The DEP must defer to the EPA for final review and approval prior to issuing any permits. B. Gibraltar Rock and its corporate officers must be 100% responsible for the costs and any harm to the environment including to the residents; C. The local, state or federal government must not pay one cent towards any testing, clean-up, remediation or harm to humans or the environment; D. The DEP must be held strictly liable for permitting an individual to intentionally pollute additional ground water, surface water and the environment; E. Criminal penalties should apply equally to the DEP, its employees and Gibraltar Rock for permitting carcinogenic toxic pollution to occur. F. The Department of Justice and FBI should be contacted to investigate the conspiracy to permit further pollution which is tantamount to organized environmental crime and must be punished under state and federal law.	1, 2	DEP is required by law to review permitting applications such as Gibraltar's in accordance with established laws and regulations and the Pennsylvania Constitution. DEP takes seriously its obligations to do this. The Environmental Cleanup Program for DEP's Southeast Regional Office has already spent considerable time and effort to remediate the Hoff VC site and is continuing to evaluate remediation of this Site. DEP will require Gibraltar to comply with all necessary protocols, acts, laws and regulations required for NPDES permitting and non-coal surface mining operations.

64	Approving these permits would be contrary to the stated mission of the DEP and Article 1, Section 27, of the Pennsylvania Constitution. The permits must be denied.	1	Please refer to the response to comment 63 (DEP Requirements) and comment 74 (DEP Responsibility).
65	Although there was no time limit placed upon Gibraltar's expert to testify about the plume, the DEP placed a time limit on Township expert hydrogeologist, Toby Kessler.	2	If the comment is concerning the public hearing on March 29, 2016, a five-minute per question limit was instituted to allow everyone to participate equally.
66	At the public hearing, the DEP admitted contamination has been found on Gibraltar Rock property.	2	Contaminants related to the Hoff VC HSCA Site are present in monitoring wells located on GRI's property.
67	A complete true and correct copy of the Application was not on file with the Township before it was advertised.	2	DEP has confirmed per ERG that the application was on file with the Township before it was advertised. The permit renewal application was submitted to the Township on October 10, 2014. It was resubmitted to the Township on January 7, 2015 with the corresponding technical deficiency letter (DEP, Oct. 2015) and response document (ERG, 12/15/15). The application was advertised on January 6, 13, 20 and 27, 2016.
68	The DEP has been completely unresponsive to Senator Robert Mensch and State Representative Marcy Toepel who had pleaded for months with the DEP to give an informational overview to the public and answered their questions regarding the Hoff VC Site and its impact on the proposed quarry. The March 29, 2016, meeting was strictly limited to the NPDES Permit Renewal and the residents and their representatives continue to wait for an answer from the DEP.	2	On August 1, 2017 the Department had a meeting with Senator Robert Mensch and State Representative Marcy Toepel which also included representatives from the Township and the citizen group to discuss questions regarding the Hoff VC Sites and its impact on the proposed quarry.
69	The Pennsylvania Department of Environmental Protection should be disqualified from considering or issuing any further permits related to Gibraltar Rock and the matter should be referred to the EPA for any further action generally because of all testimony and comments submitted by the public and more specifically that: A. Ragesh R. Patel is the Environmental Group Manager for the Hazardous Sites Cleanup Program (HSCA) for the Southeast Regional Office, Norristown, Pennsylvania. B. Mr. Patel has had complete oversight of the Hoff VC Site and its relationship to the NPDES Permit and Gibraltar's Mining Permit. C. Mr. Patel has had personal business dealings with Paul Bauer, former solicitor to New Hanover Township, and Doug Muller, former New Hanover Township Supervisor and Chairman of the Board. D. Mr. Bauer stopped working for New Hanover Township at the end of December 2015. It is believed and therefore averred his solicitorship was not going to be renewed for 2016. F. RT 562 Development LLC is a Pennsylvania limited liability corporation which was incorporated on February 7, 2006, by Ragesh Patel. G. The office address of RT 562 Development LLC is 32 Rosedale Drive, Pottstown, PA 19464. H. 32 Rosedale Drive is the home address of Ragesh Patel and Amita Patel. I. Amita Patel is listed as the President and Donna Muller is listed as the Vice President. J. Donna Muller is married to Doug Muller. K. RT 562 Development LLC currently owns fifty-two (52) acres on South Reading Avenue, Boyertown, Pennsylvania, Tax ID# 41-5386-06-37-0808. L. The prior grantor of the aforementioned partner was Ragesh Patel and Amita Patel. M. The mailing address of the aforementioned property is 2050 E. High Street, Pottstown, PA 19464. N. The mailing address of 2050 E. High Street, Pottstown, PA, is the same address for the law office of Paul Bauer, former township solicitor. O. Monacacy Creek Properties LLC also had a registered address of 2050 E. High Street, Pottstown, PA. It was formed by Paul Bauer on February 7, 2006 the same day as the formation of RT 562 Development LLC. P. Monacacy Creek Properties, LLC was dissolved on December 30, 2009. Q. On May 22, 2009, Monacacy Creek Properties LLC sold a property at 936 Monacacy Creek Road, Amity, Pennsylvania for \$700,850.00. R. It is hearsay only and there is no proof that Ragesh Patel was directly involved with Monacacy Creek Properties LLC. However, it has been rumored that Ragesh Patel has had business dealings, as supported by the above information, with Paul Bauer and Doug Muller. S. The DEP should make Ragesh Patel disclose all of this private business relationships with former and current New Hanover Township officials. T. The DEP failed to disclose these private business dealings with former Township authorities and as such all prior DEP decisions are all suspect and lack credibility. U. The entanglement between the DEP and former Township officials requires the intervention and oversight by the EPA.	2	Paragraph 63 states that the Department should be disqualified from reviewing the Gibraltar Rock Quarry mining permit application based on Mr. Ragesh Patel's alleged prior business dealings with Paul Bauer, Esquire, the former Solicitor of New Hanover Township, and Doug Mueller, a former New Hanover Township Supervisor/Chairman of the Board. At all times relevant hereto, Mr. Patel complied with the State Ethics Commission/Governor's Code of Conduct requirements and disclosed his financial interests in RT 562 Development, LLC and the Boyertown property. This property is in Berks County, not close to the Hoff VC HSCA Site and outside of the area of the Gibraltar Rock Quarry mining permit. Mr. Patel is not a resident of New Hanover Township. Thus, neither he nor his property benefitted from the Department's response actions at the Site. The Department's response actions were based on the proven release of hazardous substances in New Hanover Township. The Department provided public notice of its response actions to abate the hazardous substance contamination and received favorable responses from certain members of the community.

70	NHT is concerned about the potential presence and discharge of water with 1, 4-dioxane as part of quarry operations. We understand the lack of a surface water quality standard for 1, 4-dioxane as well as a lack of a standard for public drinking water supplies. In the absence of such standards, we recommend that the PADEP consider the discharge limit to be 6 micrograms per liter (ug/L), which is the threshold for "contaminated" that the HSCA program used in their studies of 1, 4-dioxane at the Hoff VC site (the PA Act 2 groundwater standard for 1, 4-dioxane is 6 ug/L). For a detection limit, we recommend that the PADEP consider the concentration of 0.5 ug/L, which is the detection limit that the HSCA program used in their laboratory analysis of 1,4-Dioxane in their studies of the Hoff VC site (Leidos, 2014)	3	The HSCA Program uses that Act 2 Statewide Health Standards (SHS) as screening criteria to characterize HSCA sites and to determine if further investigation or response is necessary. The Act 2 SHS standard for 1,4-Dioxane is 6.4 µg/L (not 6 µg/L). That MSC is based on risk association with the inhalation of 1,4-Dioxane from groundwater that humans may be exposed to, and may not be applicable to surface water discharges. There is no statewide quality criteria for 1,4-Dioxane. The reporting limit of 1,4-Dioxane varied during the Department's investigation of the Site, ranging from 0.5 – 2.5 µg/L. The Practical Quantification Limit for 1,4-Dioxane recognized by Act 2 is 5 µg/L. (Please see http://www.dep.pa.gov/Business/Land/LandRecycling/Standards-Guidance-Procedures/Pages/Statewide-Health-Standards.aspx - Act 2 Designated PQLs Now Available as Excel Spreadsheets). The Department concurs with ERG's response, "In response to concerns and to reiterate our prior responses regarding 1,4 Dioxane, Gibraltar will adhere to the detection limits and discharge limits set forth in the NPDES permit renewal. The NPDES permit will be reviewed and reevaluated again in 2020 and every five (5) years thereafter, ensuring that the discharge from the Site meets the most current water quality standards. Additionally, the quarry will not be pumping groundwater during the current and likely the next renewal timeframe. During that time, a significant database of groundwater quality information for 1,4-Dioxane and other Hoff VC related compounds will be developed and provided to the Department's agencies (Pottsville DMO and SERO). The database will be a direct result of the monitoring required by the renewal of Gibraltar's NPDES permit."
71	NHT recommends that PADEP require Gibraltar Rock to prepare a contaminant fate and transport model considering 3-dimensional groundwater flow under current conditions. Possible future pump and treatment system is at this point hypothetical and should not be a consideration in permitting. Also, the zone of influence calculation included in the mine permit renewal documents was made using 2-dimensional groundwater flow, is not consistent with the complexity of the groundwater aquifer, and is not consistent with USGS reporting on methods for performing calculations of capture zones in similar geologic settings	3	The Department concurs with ERG's response, "As requested, a fate and transport analysis was completed by EarthRes and has been submitted to the Department. The fate and transport analysis was conservatively applied as it assumed that no remediation is being conducted at the Hoff VC site and that the source area concentrations will remain constant. Remediation of the Hoff VC site is in fact ongoing and such remediation will cause a decrease in source area contamination, which makes the model highly over predictive regarding on- and off-site contaminant levels. Additionally, within the model the quarry was built-out to its full extent and depth immediately, with the quarry pumping at its maximum rate within the current contamination regime. Using this over conservative model, the results indicate that quarry pumping is not anticipated to capture contaminants from the Hoff VC site. These findings are consistent with the 2014 Groundwater Pumping Evaluation provided to the Department and the Township, the Tetra Tech fate and transport model and the data contained in the Leidos Report. Furthermore, as a condition of the existing mining permit, groundwater will be reevaluated before each 50-foot quarry depth increment is approved. Accordingly, the groundwater model will re-calibrated at each lift and submitted for the Department's review and approval." The Department is unaware of the particular USGS reporting standards and methods to which the commenter is referring. Nevertheless, the Department finds the conservative results of the Fate and Transport study acceptable. The ERG fate and transport analysis, the Tetra Tech fate and transport model and the Leidos Report are posted on the DEP website http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx .
72	NHT recommends that PADEP require Gibraltar Rock offer sampling of private wells for contaminants associated with the Hoff VC site in properties surrounding the proposed quarry.	3	The Department concurs with ERG's response, "The existing mining permit and draft NPDES renewal permit include the monitoring of an extensive well network for Hoff VC site compounds. Provisions for the sampling of residential wells are already in the permits."
73	The reclamation bond does not include an amount to address remediation of contaminants from the Hoff VC site; the bond amount should be increased to provide for adequate financial security to address same.	3	The Department does not expect contamination in the quarry discharge. Therefore bonding for a remediation system is not necessary. The Department concurs with ERG's response, "The Zoning Hearing Board approval for GR-IV included the requirement for posting a \$250,000 bond to remediate contaminants if they are encountered."
74	Can your state agency claim to safeguard, shield, defend, insulate, or guard the citizens of Pennsylvania? To "protect" means to make sure nothing harms the citizens.	4	The Department takes seriously its mission to protect all aspects of the environment. The Department undertook a response to groundwater contamination that in 2012, which exceeded drinking water standards, and in 2016 to eliminate the risks associated with direct contact with the material in the Concrete Pit. The Department's investigation of the Site continues and it may undertake additional actions as necessary to be protective of human-health and the environment. In addition, the effluent limitations established in the NPDES draft permit have been designed to prevent excursions above the water quality criteria of 25 Pa. Code § 93.8c in the receiving waters of the proposed discharge. 25 Pa. Code § 93.8c water quality criteria provide for the protection of aquatic life and human health. In addition, 25 Pa Code §77.126(a)(3) states the following, "a) A permit, permit renewal or revised permit application will not be approved, unless the application affirmatively demonstrates and the Department finds in writing, on the basis of the information in the application or from information otherwise available, that the following apply: ... (3) The applicant has demonstrated that there is no presumptive evidence of potential pollution of the waters of this Commonwealth."
75	You are failing to protect the citizens in this area. When I have questioned that, the response has been that it's not your responsibility (not within your listed duties) to notify people living next to a hazardous waste site, that it's the responsibility of the homeowner or business owner to know what's happening in their neighborhood and to have their private well tested. But the citizens that you will not take responsibility to "protect" are the very citizens that pay your salaries. Without them, there would be no Penna. DEP	4	Please refer to the response to comment # 71 and # 74. The Department undertook a response to groundwater contamination in 2012, which exceeded drinking water standards, and in 2016 to eliminate the risks associated with direct contact with the material in the Concrete Pit. The Department's investigation of the Site continues and it may undertake additional actions as necessary to be protective of human-health and the environment. Records regarding the results of sampling conducted at the Hoff VC HSCA Site are, and have been available for public review at the Department's Southeast Regional Office located at 2 East Main Street, Norristown, PA 19401. A website has been created as per public demand and it has listed requested information in a public forum. http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx . The Department concurs with ERG's response that, "Gibraltar can attest to the fact that the public has been aware of the pollutants since the April 17, 2012 public hearing by the DEP's Hazardous Sites Cleanup (HSCA) Program. As an affected neighboring property owner, Gibraltar attended this public meeting and the list of pollutants was presented (Slide 21). The presentation was posted on the New Hanover Township website (http://web.archive.org/web/20120513031715/http://www.newhanover-pa.org/) from at least May 13, 2012 until it was replaced with the December 4, 2012 Public Hearing Slide Presentation (http://web.archive.org/web/2014112116736/http://newhanover-pa.org:80/Hoff%20Hearing%20Slides%2012-4-2012%20VERSION%206.0.pdf) by DEP, which was posted to the Township website (http://web.archive.org/web/20150107033108/http://www.newhanover-pa.org:80/) until January 7, 2015."

76	At the SERO meeting on August 1, 2017, to discuss the renewal of Gibraltar Rock's NPDES permit, you have only offered to "wait and see" and if anything happens "to deal with it after the fact". Do you actually think that's good enough to fulfill your mandate?	4	The Department will require Gibraltar to actively monitor a series of sentinel wells to alert the stakeholders in the event that contamination might eventually head toward the quarry. A fate and transport study, "Fate and Transport Analysis and Assessment of Hoff VC Site Contaminant Migration", dated September 2017 has been submitted to the Department and is included in the permit file. The study is available for public inspection at the DEP Pottsville District Mining Office, 5 West Laurel Boulevard, Pottsville, PA; New Hanover Township Administrative Office, 2943 North Charlotte Street, Gilbertsville, PA; and on the DEP website. (http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx). In addition, the effluent limitations established in the NPDES draft permit have been designed to prevent excursions above the water quality criteria of 25 Pa. Code § 93.8c in the receiving waters of the proposed discharge. 25 Pa. Code § 93.8c water quality criteria provide for the protection of aquatic life and human health. Also, please refer to the response to comment 71 (Fate and Transport Study).
77	We hope we will live to see the day that 'prevention' is part of the DEP's goals. We hope to someday have the opportunity to meet a representative of your Office of Pollution Prevention. If that office actually exists, it is our hope that they will attend the next DEP public hearing held in New Hanover Township.	4	Please see the responses to comments 21 (Blasting), 52 (Effluent Limitations), 71 (Fate and Transport Study) and 74 (DEP Responsibility).
78	The absence of a (PPC) plan ,Preparedness, Prevention, and Contingency Plan.	5	Section F of the NPDES permit application provides the Preparedness, Prevention and Contingency Plan for the proposed operation.
79	The frequency of samples taken is two weeks. It should be daily.	5	25 Pa. Code § 92a.61.(c) & (d) states the following: "(c) Each person who discharges pollutants may be required to monitor and report all toxic, conventional, nonconventional and other pollutants in its discharge, at least once a year, and on a more frequent basis if required by a permit condition. The monitoring requirements will be specified in the permit. (d) Except for stormwater discharges subject to the requirements of subsection (h), a discharge authorized by an NPDES permit for a facility that is not a minor facility or contains toxic pollutants for which an effluent standard has been established by the Administrator under section 307(a) of the Federal Act (33 U.S.C.A. § 737(a)) shall be monitored by the permittee for at least the following: (1) Flow (in GPD or MGD). (2) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) that are subject to abatement under the terms and conditions of the permit. (3) Pollutants that the Department finds, on the basis of information available to it, could have an impact on the quality of this Commonwealth's waters or the quality of waters in other states. (4) Pollutants specified by the Administrator in regulations issued under the Federal Act as subject to monitoring. (5) Pollutants in addition to those in paragraphs (2)—(4) that the Administrator requests in writing to be monitored." In addition, please refer to the response to comment 21 (Pollution Prevention).
80	Sampling should be done by a trained third party. In addition to Gibraltar Rock regular sampling. After watching the permit process and seeing how deceiving they are, I do not believe they have the ethics to do the right thing. Will the chain of custody process be used??	5	25 Pa. Code § 92a.61.(c) & (d) states the following: "(c) Each person who discharges pollutants may be required to monitor and report all toxic, conventional, nonconventional and other pollutants in its discharge, at least once a year, and on a more frequent basis if required by a permit condition. The monitoring requirements will be specified in the permit. (d) Except for stormwater discharges subject to the requirements of subsection (h), a discharge authorized by an NPDES permit for a facility that is not a minor facility or contains toxic pollutants for which an effluent standard has been established by the Administrator under section 307(a) of the Federal Act (33 U.S.C.A. § 737(a)) shall be monitored by the permittee for at least the following: (1) Flow (in GPD or MGD). (2) Pollutants (either directly or indirectly through the use of accepted correlation coefficients or equivalent measurements) that are subject to abatement under the terms and conditions of the permit. (3) Pollutants that the Department finds, on the basis of information available to it, could have an impact on the quality of this Commonwealth's waters or the quality of waters in other states. (4) Pollutants specified by the Administrator in regulations issued under the Federal Act as subject to monitoring. (5) Pollutants in addition to those in paragraphs (2)—(4) that the Administrator requests in writing to be monitored." The Department concurs with ERG's response to comment # 43 that states, "...Gibraltar is required to abide by the terms and conditions of the permits issued by the Department. Samples are collected by EarthRes using chain-of-custody procedures and are analyzed by a certified 3rd party laboratory."
81	No treatment plans have been discussed for potential waste streams.	5	Please refer to the responses to comments 38 (Hoff VC Site Investigation) and 73 (Bonding).
82	What happens to the stone product once it has been contaminated? How will it be handled?? Will each load be tested leaving the facility??	5	Please refer to the response to comment 22 (Stockpiles).
83	What happens to the contaminated equipment?? How will it be handled??	5	Please refer to the response to comment 22 (Stockpiles).
84	Why is the PaDEP allowing dilution as treatment prior to sampling of waste streams?/	5	Please refer to the response to comment 60 (Proposed Application).

85	What happens when the values in the monitor wells are higher than effluent values?? Which ones will they use??	5	Please refer to the response to comment 38 (Hoff VC Site Investigation).
86	Samples should be taken downstream as a check or constant, for safety or ethics.	5	Downstream monitoring points have been established and background monitoring has been conducted pursuant to Module 8.2 of the permit application. In addition, the mining permit requires quarterly monitoring of water quality and quantity at these monitoring points.

Commenter #	Last Name	First Name(s)	Middle Initial	Honoric	Title	Position	Organization	Address 1	Address 2	e-mail	written or oral?	Date on Letter	Date Received by DEP
1	Mullaney	Christopher	P	Esquire			Mullaney Law Offices	598 Main Street, P.O. Box 24	Red Hill, PA 18076-0024		written	8/10/2017	no date stamp
2	Mullaney	Christopher	P	Esquire			Mullaney Law Offices	598 Main Street, P.O. Box 24	Red Hill, PA 18076-0024		written	4/28/2016	5/2/2016
3	Brant	Robert	L	Esquire			Robert L. Brant & Associates	572 West Main Street, P.O. Box 26865	Trappe, PA 19426		written	8/11/2017	no date stamp
4	Bish	Celeste			President		Paradise Watchdogs - Ban the Quarry	P.O. Box 115	Frederick, PA 19435		written	8/28/2017	8/28/17 ?
5	Snook	William (Ross)	B					2395 Sanatoga Road	Pottstown, PA 19464	williamrsnook@aol.com	written	8/14/2017	8/14/2017

Abbreviation	Full name
PADEP, DEP or Department	Pennsylvania Department of Environmental Protection
SERO	South East Regional Office
MCL	Maximum Contaminant Level
HSCA	Hazardous Sites Cleanup Act
GR4	Gibraltar Rock 4
RJD	Response Justification Document
ERG	EarthRes Group, Inc.
DMO	District Mining Office
GR1	Gibraltar Rock 1
MSC	Medium Specific Concentration

Comment Number	Short Title
3	Sampling results
7	Permitted Area
9	Monitoring wells
12	Discharge quality
13	Leidos study
14	Cone of Depression
15	Blasting
21	Pollution Prevention
22	Stockpiles
27	Monitoring Data
36	Groundwater flow direction
37	Tetra Tech study
38	Hoff VC Site Investigation
52	Effluent Limitations
59	Groundwater Standards
60	Proposed Application
63	Permit Requirements
71	Fate and Transport Study
73	Bonding
74	DEP Responsibility