

AGGREGATE ADVISORY BOARD (BOARD)
Wednesday, May 4, 2022
Hybrid Meeting (via Microsoft Teams)

VOTING MEMBERS OR ALTERNATES PRESENT:

Peter Vlahos (Alternate – PA Aggregates and Concrete Association (PACA))
Griffin Caruso (Alternate – PA House of Representatives)
William Ruark (Member – Meshoppen Stone, Inc.)
Paul Detwiler, III (Member – Enterprise Stone and Lime)
John Stefanko (Alternate - DEP – Active and Abandoned Mine Operations (AAMO))
Emily Eyster (Alternate – PA Senate)
Nick Troutman (Alternate – PA Senate)
Rep. Ryan Mackenzie (Member – PA House)
R. Timothy Weston (Member – (Citizens Advisory Council (CAC))

OTHER ATTENDEES:

Nathan Houtz (DEP – Bureau of Mining Programs (BMP))
Sharon Hill (DEP – BMP)
Greg Greenfield (DEP – BMP)
Geoff Lincoln (DEP – BMP)
Eric Oliver (DEP – BMP)
Kevin Bogdan (DEP – BMP)
Melanie Barber (DEP – BMP)
Michaela Plazek (DEP – BMP)
Seth Pelepko (DEP – BMP)
Daniel E. Snowden, D.Ed. (DEP – BMP/Board Liaison)
Dan Sammarco (DEP – Bureau of District Mining Operations (DMO))
Richard Tallman (DEP – Pottsville DMO)
Christopher Minott (DEP – Regulatory Counsel)
Amy Berrios (DEP - AAMO)
Sarah Pinter (DEP – Policy Office)
Josie Gaskey (Guest – PACA)
Michael Clark (Guest – New Enterprise Stone and Lime Co.)
Donald Elly (Guest – Allan Myers, Inc.)
Andrew Gutshall (Guest – Lehigh Hanson)

CALL TO ORDER/INTRODUCTIONS

The meeting was called to order at approximately 10:00 a.m. Board members introduced themselves, as did all DEP personnel and other guests in the audience.

PACA ANTI-TRUST STATEMENT

The Board reaffirmed its adherence to PACA’s anti-trust statement, both in letter and spirit. This requirement extends to industry members and alternates on the Board.

APPROVAL OF MINUTES

The Board requested that the Minutes from the February 2, 2022 meeting be updated to include a more thorough transcription of the Manganese Water Quality Standards discussion. The revised minutes will be presented at the next meeting for approval.

CORRESPONDENCE

There was no new correspondence.

COMMITTEE REPORTS:

The Board's Regulatory, Legislative and Technical (RLT) Committee did not meet since the previous meeting.

DELIVERABLES

Ms. Hill provided the Board with two items requested at the previous meeting. Facilities numbers were included in the BMP updates, and a question regarding the choice of a 10 decibel increase in the Noise Standard Operating Procedure (SOP) was elaborated on. The Board decided to work with the BMP to further refine the Noise SOP.

BUREAU OF MINING PROGRAMS UPDATES

The Board was provided with updates on the following topics:

- **Small Noncoal Applications Breakdown:**

Ms. Hill provided the Board with detailed information regarding the distribution of applications across the DMOs for 2022 through April 1.

- **Non-Regulatory Agenda:**

The Engineering Manual is in the early planning phase of a document rework. The Water Supply Replacement Technical Guidance Documents (TGDs) are being consolidated to manage redundancies.

- **Regulatory Agenda:**

The Final of Chapter 77 is currently being prepared for the next Environmental Quality Board (EQB) meeting.

- **Technical Items:**

The Streams and Wetlands SOP is still in draft. Ms. Hill asked the Board if they wanted GP-103 to be updated and requested their input at the next meeting.

- **Program Overview (Facilities and Applications):**

- From 2021 to 2022, the numbers of inspectable units decreased overall for small facilities (both < 2,000 tons/year and, < 10,000 tons/year), and large facilities (> 10,000 tons/year).

- GP-105 Operator and GP-103 Construction permits increased, while Underground permits decreased.
- **Bonding and Bond Forfeitures:**
 - Between 2015 and 2022, the number of bond forfeitures for large operators ranged from a low of 0 (2016, 2018) to a high of 3 (2015), with 0 for 2022.
 - Between 2015 and 2022, the number of bond forfeitures for small operators ranged from a low of 3 (2019) to a high of 34 (2015), with 0 for 2022.
 - Between 2015 and 2022, the number of bond forfeitures for Bluestone GP-105 ranged from a low of 1 (2017, 2020) to a high of 4 (2021), with 0 for 2022.
- **E-Permitting and E-Discharge Monitoring Reports (E-DMR):**
 - E-DMRs and GP-104s have continued to be submitted through the E-DMR system. BMP requests that all GP-104 operators submit their monitoring results every year, even if there is no discharge.
- **Non-Coal Surface Mining Conservation and Reclamation Act (NCSMCRA) Fund Obligations:**
 - As of the latest report, there is over \$2.7 million in cash collateral, \$2.8 million in payments in lieu of bonds, and over \$10.3 million in bond fund reclamation.
 - The NCSMR fiscal report showed about \$1.3 million in general operations monies, with about \$2.6 million in collateral and over \$1.4 million in restricted bond monies.
- **Clean Water Fund (CWF) Mining Fee Revenue:**

Between Fiscal Year (FY) 2012-2013 and FY 2020-2021, CWF mining fee revenues ranged from a low of \$247,800.00 (FY 2012-13) to a high of \$794,124.00 (FY 2019-2020), with \$160,885.00 collected for FY 2021-22.

NEW BUSINESS

Permit Supplement for Naturally Occurring Asbestos (NOA)

Ms. Hill presented the Board with an NOA application supplement. This will only apply to certain areas of the state with certain qualifying rock types. The supplement would be applied to new permits, expansions, or major revisions in applicable areas. Comments were requested on the document from the Board for the next meeting.

Update from District Mining Offices

Mr. Sammarco provided the Board with an update on DMO operations. The DMOs are continuing to fill vacant positions. Randy Shustack is the new Pottsville District Mining Manager, and Paul Kephart is the acting Moshannon District Mining Manager while the position is being filled.

August Field Trip

The location for the 2022 field trip is Hanson Springfield Pike, on August 4, 2022. The Quarterly meeting will take place at the New Stanton DMO in the afternoon of the same day.

2021 Aggregate Advisory Board Annual Report

The Annual Report is currently being developed, and the Board will be provided with progress updates.

Deliverables

The BMP requested input from the Board regarding the Noise SOP, GP-103, and the NOA supplement. The Board requested the aforementioned extended minutes from the last meeting, updates on New Hope spending, and responses from the BCW to questions asked during the February Manganese discussion.

ADJOURNMENT/NEXT MEETING

A motion to adjourn was unanimously accepted by the Board. The meeting concluded at approximately 11:30 a.m. The next scheduled meeting is to be held at the New Stanton District Mining Office, 131 Broadview Rd, New Stanton PA 15672 on August 4 at 12:30 p.m. The meeting is also available remotely via Teams.