



pennsylvania
DEPARTMENT OF ENVIRONMENTAL PROTECTION



District Mining Operations

Minard Mine Public Information Meeting

Athens Area High School

July 31, 2023

Meeting Agenda

- Introductions
- Description of Project by Tim Gourley of Tract Engineering (consultant for Bishop Brothers)
- Presentation by DEP
- Question and Answer Session

This meeting is being recorded

PA's Environmental Protection Amendment

Article 1, Section 27

“The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and esthetic values of the environment. Pennsylvania’s public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the commonwealth shall conserve and maintain them for the benefit of all the

Application Review

- Pre-Application was submitted on January 5, 2022, and a pre-application meeting was held on April 26, 2022.
- The Surface Mine and National Pollutant Discharge Elimination System (NPDES) permit applications were submitted on May 15, 2023. The applications were accepted as complete on May 18, 2023.
- Technical review of the applications is ongoing.
- Public notice in the newspaper started on running on July 5, 2023.
 - The notice will run for 4 consecutive weeks—last date will be July 26.
 - The public comment periods lasts for 30 days after the final date of publication: August 25, 2023.

Application Review

- National Pollutant Discharge Elimination System (NPDES) Application
 - Draft NPDES Permit will be published in the Pennsylvania Bulletin on August 5, 2023.
 - The draft NPDES public comment period lasts for 30 days after publication, ending on September 4, 2023.
 - Draft NPDES Permit & Fact Sheet are available for review on the DEP's Minard Mine webpage.

Application Review

- Following the end of the public comment periods, the Department will send a public comment response document to all commenters addressing their concerns.
- The Department will send a technical review letter to Bishop Brothers requesting any necessary corrections or revisions to the permit application. More than one review letter may be required.
- After all technical review is complete, the Department will decide if the permit can be issued or if the application should be denied. Bishop Brothers can also choose to withdraw the application.
- If it is determined that the permits can be issued, the reclamation bond will be requested from Bishop Brothers.
- The permits can be issued shortly after the bond is approved.

Application Review

- DEP Application Reviewers:
 - Gregory Aaron (Geologist) – Head of permitting at Moshannon Office
 - John Mital (Geologist) - Lead Reviewer
 - Norman Folmar (Engineer)
 - Dave Goss (Mining Inspector)
 - Michael Donahue (Blast Plan Reviewer & Blasting Inspector)
- Other state/federal agencies that are requested to provide comments:
 - Pennsylvania Game Commission – Comments Received
 - Pennsylvania Fish Commission – Comments Received
 - U.S. Army of Engineers - Pending

Application Review

- If the mining and NPDES permits are issued, then there would be a couple other plans and permits that need to be approved by DEP before certain activities could be performed:
 - Blast Plan – Must be approved before any blasting may occur
 - Air Quality Permit – Must be approved before crushing and screening activities commence

Application Review

- State regulations that apply to the proposed mining activities:
 - PA Code of Regulations Title 25:
 - Chapter 77 – Noncoal Mining
 - Chapter 92a – NPDES
 - Chapter 102- Erosion & Sediment Control
 - Chapter 105 – Dam Safety and Waterway Management
 - Chapter 121, 123, 127 and 129 – Air Quality
 - Chapter 211 – Storage, Handling, and Use of Explosives
 - Chapter 245 – Storage Tank & Spill Prevention Program

<https://www.pacodeandbulletin.gov/>

Common Questions & Concerns about Mining

- Air Quality
 - Fugitive dust may not leave the permit boundary whether from blasting, excavation, processing, and/or haulage. Dust control practices include:
 - Maintaining low speed on haul road.
 - Watering of haul roads during dry weather.
 - Air quality permits with dust suppression controls on crushing and screening equipment (General Permits 3 & 9).
 - Applying gravel to roads. No dirt may be tracked out on to public roads.

See Module 17 of the permit application for the details regarding air quality protection measures.

Common Questions & Concerns about Mining

- Effects on local streams by water discharging from the permit:
 - All water is required to pass through water handling controls prior to discharging or infiltrating into groundwater.
 - There are no proposed discharges to the Chemung River; all water will be contained on site and/or directed to Tutelow Creek.
 - There are two proposed discharges to Tutelow Creek, one for stormwater from the support area and one for water collected in the hard rock mining pit.
 - Prior to discharging to Tutelow Creek, the water must pass through a pond where any sediment is settled out. The discharging water must meet the effluent limits in the NPDES permit.

Common Questions & Concerns about Mining

- Effects on local streams by water discharging from the permit.
 - Required water quality analysis for noncoal permits: pH, Total Dissolved Solids or Conductivity, and Suspended Solids.
 - Background data was also collected for metals (iron, manganese, aluminum) and sulfate. Those are typically associated with acid-forming materials (ex. coal and black shales).
 - Background water quality of points in and near the permit area was good. Alkaline, neutral pH, low concentrations of dissolved constituents.
 - Based on the background water quality and the type of material being mined the evaluation of other constituents in the surface and groundwater isn't required.

Common Questions & Concerns about Mining

- Example of a Sediment Pond



Common Questions & Concerns about Mining

- Private Water Supplies:
 - Private water supplies within 1,000 feet of the site have been inventoried, and property owners were notified and given the opportunity to have background samples collected from their supplies.
 - If you have a private water supply near the mine site (even beyond 1,000 feet), you may request to have background sampling conducted. *We will review the location of the supply to determine if there is a reasonable potential for it to be affected by the mining.*
 - Bishop Brothers maintains water loss insurance and will be liable for any contamination, interruption or diminution of a water supply that is determined to be caused by the mining.

Common Questions & Concerns about Mining

- Private Water Supplies:
 - Mining in the hard rock mining area on the hillside will not go deeper than the water table and there will be no pumping of water from the sand & gravel area. Therefore, there should be no potential for the mine to cause local wells to lose water.
 - The direction of groundwater flow should be to the south-southeast in direction the Chemung River and Tutelow Creek are flowing. Water should be moving away from the nearby private water supplies.
 - The only expected pollutant of concern would be sediment. If it is determined that the mining caused increased sediment in a well, then Bishop Brothers would be required to install a sediment filter for the supply.

Common Questions & Concerns about Mining

- Reclamation:
 - Hard Rock mining area will be reclaimed to a slope no greater than 35 degrees and vegetated with grasses.
 - Sand & Gravel mining areas will be reclaimed as open water ponds.
 - The slope into the pond and below the water level must be no greater than 35 degrees.
 - The post-mining ponds are expected to have good water quality like the other surface and groundwater in the area (i.e., alkaline with pH 6-9 and no toxic pollutants present).
 - Any areas affected within the riparian stream barrier areas (100 feet from the stream bank) must have trees planted.

Reclaimed Sand & Gravel Pits near Penfield, PA



Reclaimed Sand & Gravel Pits near Penfield, PA



Reclaimed hard rock mining area near Roulette, PA

Reclaimed to a slope and planted with grasses (unmanaged natural habitat)



Common Questions & Concerns about Mining

- Effects on Stream Channels, Floodway, & Floodplain:
 - *Watercourse*—A channel or conveyance of surface water having defined bed and banks, whether natural or artificial, with perennial or intermittent flow. **Low to Normal High Flow. Regulated by DEP.**
 - *Floodway*—The channel of the watercourse and portions of the adjoining floodplains which are reasonably required to carry and discharge the 100-year frequency flood. **Very High Flow. Chemung River and Tutelow Creek have defined FEMA Floodways. Regulated by DEP.**
 - *Floodplain*—The lands adjoining a river or stream that have been or may be expected to be inundated by flood waters in a 100-year frequency flood. **Floodplain area is not regulated by DEP.**

Common Questions & Concerns about Mining

- Effects on Stream Channels, Floodway, & Floodplain:
 - Proposed stream encroachments in the mining permit:
 - Bridge over Tutelow Creek
 - Culvert crossing of unnamed tributary to Tutelow Creek
 - Support Activities and Sand & Gravel mining in the floodway between Tutelow Creek and Chemung River
 - Application is required to include an analysis of the project's impact on the floodway delineation and water surface profiles and a letter from the municipality commenting on the analysis.
 - Module 10 and 14 of the application state that the project will not significantly affect the floodway or floodplain. Much of the sand & gravel and support area of the permit is proposed to flood during a 100-year flood event.

Common Questions & Concerns about Mining

- Blasting:
 - See the PA DEP Citizens Guide to Explosives Regulation document for more information (handouts available here at sign-in table, or on Minard web page). Also see Chapter 77 regulations 561-565.
 - There will be a separate public notice required to be run in the newspaper with the blasting schedule.
 - Preblast surveys are required to be offered for any structures within 1,000 feet of a blast. Owners will be notified by certified mail.
 - There are no structures within 1,000 feet of the Phase 1 hard rock area.
 - Blasting seismographs will be used to monitor blasting.

Common Questions & Concerns about Mining

- Other Details:
 - Permits are transferable, so another mine operator could take over the operation from Bishop Brothers in the future.
 - The transfer would require public notice.
 - All permit requirements would transfer to the new permittee.
 - Fuel may be stored on site in above ground tanks up to 1,100 gallons without a requirement to register the tank with DEP.
 - A Preparedness, Prevention, and Contingency (PPC) Plan is included with the NPDES permit that lists all chemicals to be on site and how spills, leaks, etc. will be prevented.

Common Questions & Concerns about Mining

- What the Department doesn't regulate:
 - Possible effects of mining on local property values.
 - Effects of truck traffic on township roads aside from ensuring that material doesn't get tracked out on to the road from the haul road.
 - Aesthetics – For example, how the mining will affect the appearance of the area.



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District Mining Operations

Question & Answer Session

Please limit your question to three minutes. You will have the opportunity for a follow-up question.