

NONCOAL SURFACE MINING PERMIT

NO. 50210301

Permittee Name and Address	<u>Centre Lime & Stone Co., Inc.</u> <u>1952 Waddle Road Suite 203</u> <u>State College, PA 16803-1649</u>	Location of Operation: Municipality <u>Centre Twp</u> County <u>Perry</u>
Name of Operation	<u>Sherman's Valley Aggregates</u>	

This Permit Approves the Following Type of Operation:

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

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


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

The permit is for 29.3 acres of which 28.3 acres are planned to be affected. Permittee may conduct surface noncoal mining activities only on that area of the permit outlined on the Authorization to Mine and accompanying maps contained in Part C of this permit. Initial authority to conduct mining activities is granted for an area of 11.4 acres described in Part C of this permit. Additional authority to conduct mining activities may be granted by written approval of the Department and attached to Part C of this permit. Permittee is prohibited from conducting noncoal mining activities on that portion of the permit area which has not been authorized for mining by the Department, in writing, and shown on the bond approval and mining authorization map(s) contained in Part C of this permit.

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

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

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

Permit Issuance Date	<u>April 1, 2022</u>	By	 <u>David D. Thomas.</u>
Permit Reissuance Date	_____	Title	<u>District Mining Manager</u>

LIMITS OF AUTHORIZATION

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

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

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

Part A: NPDES Information

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

Individual NPDES Permit No. _____

Coverage under General Permit BMR GP-104 PAM421004

Other Option Details: _____

PART B

NONCOAL SURFACE MINING PERMIT NO. 50210301

SPECIAL CONDITIONS OR REQUIREMENTS

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

1. Reclamation of the affected area, in accordance with the approved reclamation plan, shall be performed concurrently with the progress of the mining operation to the greatest extent possible.
2. There shall be no disposal of any domestic, commercial, or industrial waste materials on any portion of the permit area approved by this permit.
3. The permittee shall grade and revegetate all areas affected by mining operations upon termination of the mining operation unless otherwise approved by the Department.
4. All highwalls affected after January 1, 1972 shall be sloped to no greater than 35° from the horizontal.

PART C

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMSNONCOAL
AUTHORIZATION TO MINENumber 2259-50210301-01under issued S.M.P. number 50210301

PERMITTEE NAME Centre Lime & Stone Co., Inc. ISSUANCE DATE April 1, 2022
 AND ADDRESS 1952 Waddle Suite 203 MUNICIPALITY Centre
State College, PA 16803 COUNTY Perry
 NAME OF OPERATION Sherman's Valley Aggregates

TYPE OF OPERATION

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

- A. Permittee is hereby authorized to conduct noncoal mining activities on lands of Centre Lime & Stone Co., Inc situated in Centre Township, Perry County. Surface owners' consent is attested to by inclusion of a properly executed Consent of Landowner form submitted in support of this approval.
- B. Surface noncoal mining activities are limited to the area designated as outlined in red in the map submitted in support of the request for this Mining Authorization, which covers 29.3 acres.
- C. The maximum allowed depth of pit or height of highwall is 170 ft, but shall not extend below the elevation of pit floor which is N/A. The maximum length of highwall allowed is 3,840 feet.
- D. Bond Description
 Original Bond Additional Bond
 Surety Bond No. INS019080506 in Amount of \$445,512.00 with Liberty Mutual Insurance Company as surety.
 Collateral Bond dated _____ in Amount of _____ supported by _____.
 PILB
 Additional Remarks: Total Bond Required for BI# 01 = \$445,512.00
- E. The approved erosion and sediment control facility related to the area to be mined in accordance with this authorization must be constructed in accordance with the approved plan. These facilities shall be certified to the Department by a qualified registered professional engineer (where required by Chapter 105) or by a qualified registered land surveyor prior to the commencement of other noncoal mining activities in this area.
- F. The attached sheet contains four (4) additional special conditions or requirements relating to this authorization.

'mrw

By: 

cc: Dan Welte, MCI

David D. ThomasSkelly & Loy
FileTitle: District Mining Manager

For the Department of Environmental Protection

PART C

PERMIT NO. 2259-50210301-01

AUTHORIZATION TO MINE

1. A deed from the new landowner Centre Lime & Stone Co., Inc. was recorded on April 21, 2021, in the recorder's office of Perry County and is filed herein.
2. A consent from the landowner Centre Lime & Stone Co., Inc. was recorded on April 21, 2021, in the recorder's office of Perry County and is filed herein.
3. A building waiver was submitted allowing surface mining operations including blasting and support activities within 300 ft of all structures located on parcel ID 050,085.00-031.000 owned by Centre Lime & Stone Co., Inc.
4. Per 25 PA Code Chapter 77.231, public liability insurance coverage must be maintained in full force for the duration of the permittee's mining and reclamation operations on this SMP.