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BEFORE THE  
ENVIRONMENTAL QUALITY BOARD

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IN RE: EAST ROCKHILL QUARRY, AIR QUALITY HEARING

\* \* \* \* \*

BEFORE: VIRGINIA CAIN, Chair

JAMES REBARCHAK, Member

HEARING: Thursday, September 20, 2018

6:05 p.m.

LOCATION: Penn Ridge High School

1228 North 5th Street

Perkasie, PA 18944

ORIGINAL

WITNESSES: Carol McCabe, Mark Freed, Sandi Hippauf,  
Emily Geib, Kim Gottshall, Ryan Gottshall, Daniel  
Soliday, Janine Gravelle, Josh Scheiderer, Michael  
Logan, Todd Hippauf, Jim Pascale, Luann Ausen, Bob  
Brasch, Frank Banhad, Christy Grega, Dave Bedillion,  
Leo Church, R. Kroenelber

Reporter: Jessica L. Ashman

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	I N D E X	
1		
2	DISCUSSION AMONG PARTIES	4 - 54
3	OPENING STATEMENTS	
4	By Chair	54 - 56
5	PRESENTATION	
6	By Carol McCabe	56 - 59
7	By Mark Freed	59 - 62
8	By Sandi Hippauf	63 - 66
9	By Emily Geib	67 - 70
10	By Kim Gottshall	70 - 73
11	By Ryan Gottshall	74 - 77
12	By Daniel Soliday	77 - 80
13	By Janine Gravelle	80 - 83
14	By Josh Scheiderer	83 - 85
15	By Michael Logan	86 - 88
16	By Todd Hippauf	88 - 90
17	By Jim Pascale	90 - 91
18	By Luann Ausen	91 - 93
19	By Bob Brasch	93 - 95
20	By Frank Banhad	95 - 97
21	By Christy Grega	97 - 99
22	By Dave Bedillion	99 - 100
23	By Leo Church	100 - 101
24	By Robert Kroenelber	101 - 102
25	DISCUSSION AMONG PARTIES	102 - 103

E X H I B I T S

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

<u>Number</u>	<u>Description</u>	<u>Page Offered</u>	<u>Page Admitted</u>
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NONE OFFERED

## P R O C E E D I N G S

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3           CHAIR: All right. Good evening,  
4 everyone. My name is Virginia Cain. I am the  
5 Southeast Pennsylvania Community Relations  
6 Coordinator for the Pennsylvania Department of  
7 Environmental Protection. In addition to that role,  
8 I will also be your moderator and facilitator this  
9 evening, as we make our way through a couple of  
10 different segments of our meeting.

11                   Thank you so much for coming and thank  
12 you for coming out to Penn Ridge. Thank you also to  
13 Penn Ridge High School for use of your facilities  
14 this evening. I would like to let everyone know,  
15 Penn Ridge has no affiliation with the Department or  
16 the project before us.

17                   I would also like to begin with a few  
18 introductions. We are very fortunate to have  
19 Representative Statz with us this evening. Thank  
20 you so much for coming, sir. From the Pennsylvania  
21 Department of Environmental Protection, as I said,  
22 I'm Virginia. Next to me is Jim Rebarchak. He is  
23 our Southeast Pennsylvania air quality program  
24 manager. We have in the back of the room Sachin  
25 Shankar, assistant regional director. At the door,

1 you met Janine Tulloch-Reid, who is from our  
2 permitting section of our air quality program, and  
3 Rose Wuenschel, who is our local government liaison.  
4 For the sake of transparency, I do believe that we  
5 have representatives from Pierson Rock Quarry here.  
6 I'm sorry, Hanson Rock Quarry, Pierson Corporation  
7 in the room this evening as well.

8                   And seated next to me, we have our  
9 stenographer, Jess, who will help us transcribe this  
10 evening into a written transcript. The most  
11 important part about that is taking your oral  
12 comments and making them written comments so that we  
13 can review them as part of the official decision-  
14 making process.

15                   So the purpose of this evening is to  
16 receive public comment on a draft air quality plan  
17 approval that the DEP has received and plans to  
18 issue to R.E. Pierson for a rock crusher at the  
19 quarry. This is not a mining hearing. And the time  
20 tonight has not been allotted to discuss the surface  
21 mining permit. I understand that many of the  
22 concerns and frustrations are about the underlying  
23 mining permit, about the quarry itself, and other  
24 issues related to perhaps traffic or noise. And we  
25 understand that those are the concerns. However, as

1 part of our regulatory process, we are here to  
2 receive comments on one part of the quarry, which is  
3 the rock crusher. There will be additional  
4 opportunities in the future to have additional  
5 meetings or hearings and receive comments on those  
6 other parts of the project.

7 I'm going to turn it over to Jim  
8 Rebarchak now. Again, he's the air quality program  
9 manager. And he's going to give an overview of what  
10 a crusher is, the application and review process,  
11 and some specifics of this particular crusher that  
12 we have reviewed.

13 MR. REBARCHAK: Thank you, Virginia.

14 As Virginia said, my name is Jim  
15 Rebarchak. I am the air quality program manager.  
16 And we are here tonight to talk about a crushing  
17 plant that is proposed for the Hanson Quarry site on  
18 Rockhill Road.

19 I'm not going to insult anybody's  
20 intelligence. A crushing plant is very simple.  
21 It's just equipment to talk large rocks and make  
22 them smaller. You have in this crushing plant,  
23 several crushers, a primary crusher. There are  
24 conveyors and screens that move the rocks from one  
25 site, from one piece of equipment to the next, where

1 it gets screened, where the rocks end up getting  
2 smaller. Goes to another crusher, so on and so  
3 forth. So it's a very simple process. But we're  
4 talking about a stationary crushing plant.

5           Some of you may already know that they  
6 had crushing plants at the facility and we did not  
7 have a public hearing. The reason why is because it  
8 was a general permit. The Department allows for  
9 general permits for certain categories and sources  
10 where there was a decision made that standardized  
11 conditions can be placed on that category of  
12 sources. And in the situation we have with R.E.  
13 Pierson, they first brought portable crushing  
14 plants. The Department does allow for portable  
15 crushing plants to be permitted under a general  
16 permit. That general permit was created years ago.  
17 And as long as the applicant agrees to meet all of  
18 the requirements in the standardized conditions that  
19 are in the general permit, the Department has 30  
20 days to make a decision as to issue or deny it. So  
21 this plant is not a portable crushing plant. There  
22 are no standardized conditions for a stationary  
23 plant, this is going to be bolted to a concrete pad.  
24 It's going to be stationary. It's not going to be  
25 moved around. A general permit for a portable

1 crusher can be moved around. It comes on to the  
2 site, can be moved off the site. And that's the  
3 difference between why we have a public hearing here  
4 today for this facility, for this plant, is because  
5 it's going to be stationary. And it cannot be  
6 covered under a general permit.

7                   That being said, when we receive an  
8 application for plant approval for an operation like  
9 this, we're going to look at just what type of  
10 equipment that they are applying for, what type of  
11 control equipment they are planning to use, what are  
12 the regulations and the regulatory requirements for  
13 these sources, what are the emissions from this type  
14 of source. For a crushing plant, in this case, it's  
15 going to be operated by electrical lines that are  
16 being brought into the site. In other situations,  
17 you may have diesel generators, diesel engines  
18 running the site. So you're going to be looking at  
19 the types of emissions and what type of regulatory  
20 requirements would apply to those sources.

21                   So in this case, we're looking  
22 primarily at particulate matter that's going to come  
23 from the crushing of the rocks at the different  
24 crushers, the job crusher, the secondary crushers,  
25 as well as the screaming conveyors, the drop-off



1 points, what have you.

2                   The plan approval process, again, what  
3 we're here for tonight, you may have seen the public  
4 notice or you heard about it through the media, that  
5 we published our intent to issue the plant approval.  
6 That means we've received the application. We did  
7 our review. We made the decision that they are  
8 meeting all of the requirements. And it's now our  
9 turn to listen to citizens. So we put it out for  
10 public comment. If we received enough concern, we  
11 can open up a public hearing, which is what we did  
12 here tonight. We knew there was concern in the  
13 community. Not all intent to issue result in a  
14 public hearing. So because of the concern from  
15 residents, we decided to hold a public hearing. And  
16 that now gives you the opportunity to provide us  
17 with comments as to what you would like to see in  
18 this plan approval. We've already placed, if you  
19 were able to get a copy of the proposed plan  
20 approval, you would have seen the sources that are  
21 proposed, the wet dust suppression system that  
22 they're proposing to use to minimize and eliminate  
23 any of the fugitive dust emissions that's going to  
24 come off of the unit. You would know that there are  
25 no engines associated with it. But this is just a

1 draft plan approval. And it's a plan approval that  
2 conditions can be added to, can be taken away from.  
3 It's a permit for them to construct the source.

4           When and if a decision is made to  
5 grant the plan approval, it's going to give the  
6 company an opportunity to construct it. At that  
7 time, the Department would review and make site  
8 visits to ensure that they're meeting all of those  
9 requirements. If they go through that phase and  
10 they construct the unit, there's still an  
11 opportunity for us to add additional conditions into  
12 what will later become the operating permit. So  
13 right now, we're only talking about issuing, our  
14 intent to issue and make a decision on the plan  
15 approval, which is the construction permit to allow  
16 them to construct the source. Later on, there's  
17 going to be an opportunity for the Department, based  
18 upon our inspections and site visits, to determine  
19 if additional conditions need to be placed into the  
20 operating permit, which would be issued at a later  
21 date. And allow them to then operate that crusher  
22 under the conditions that would be placed in the  
23 operating permit.

24           So I believe that's about it.

25           CHAIR: Okay. So that was Jim's

1 overview of what is a crusher, what is the  
2 application and the review process, and then some  
3 specifics about the crusher, the specific crusher  
4 before us. It is - well, that went pretty fast.  
5 It's only 6:17. We do need to leave plenty of time  
6 for the comments because that is the point of this  
7 evening. But it was important to us to not show up,  
8 and just take comments, and not have an opportunity  
9 to address what we know are the many questions that  
10 you have.

11                   Before we go into the question and  
12 answer portion, I do want to say we'll take  
13 questions for a little bit. Then we'll take a brief  
14 intermission. During that intermission, if you are  
15 not already signed up to provide comments or you are  
16 signed up, and either way have changed your mind,  
17 that will be your last opportunity to get on the  
18 list to provide comments.

19                   When we come back from the  
20 intermission, I will - I have a few things that I  
21 have to say for the record. And then I will begin  
22 calling you in the order that you signed up. You'll  
23 come down to either microphone here. If you want to  
24 come down for question and answer, or if you think  
25 we'll be able to hear you from the back, that's fine

1 for the questions and answers.

2 But during the formal hearing, you  
3 will need to make your way to the microphone, state  
4 your name, address. And you'll have three minutes  
5 to provide a comment to the record. As Jim said,  
6 those comments are very narrowly focused tonight on  
7 the crushing draft plan approval before us. What  
8 you like about it, what you don't like about it,  
9 what you would like to see added, what you would  
10 like to see taken out of it. Comments that will  
11 help the Department make a final decision either to  
12 issue it, to not issue it. If it is issued, the  
13 specifics of what would be included in that. We'll  
14 go until everyone that has signed up has had their  
15 time to give their comment, and then we'll adjourn  
16 for this evening. You do have until September 30th  
17 to provide any additional comments. So it's very  
18 important to understand that whether you speak here  
19 at the microphone this evening during the hearing  
20 portion, if you've already submitted comments or you  
21 submit them in writing for the next ten days, all of  
22 those comments get pushed together and are reviewed  
23 collectively. So there is no difference in our mind  
24 whether you've spoken your testimony or deliver it  
25 in writing. All of them will be used to make a

1 final decision. And then they will be responded to  
2 in a comment response document to let you know thank  
3 you for your comment. We found this comment to be  
4 relevant and here's why. We've changed this part of  
5 the plan approval based on the comment. Or we  
6 reviewed it and it didn't quite work, or it wasn't  
7 relevant. Those are some of the responses that you  
8 can expect to see.

9           So with that, the last thing I'll say  
10 before we get into the question and answer, I know  
11 that there are a lot of frustrations. No one's  
12 going to pretend that there aren't. I would just  
13 ask that we try to keep the comments and the  
14 questions focused on the crushing plant, because  
15 that is the point of the hearing.

16           There are some topics that we just  
17 simply won't be able to address, either because they  
18 are outside of the air quality program, or there are  
19 topics we understand that are the subject of  
20 different litigation discussions. While the  
21 department is not involved in that litigation, we  
22 won't be able to address those topics as we  
23 understand them. So we will do our best, that being  
24 said, with those guidelines, we will do our best to  
25 answer any of the other questions that you have.

1                   So with that, I will open the floor to  
2 questions that you might have about the air quality  
3 draft plan approval and the rock crusher. I do not  
4 believe that there's no question.

5                   MS. GRAVELLE: I have a question.

6                   CHAIR: Janine?

7                   MS. GRAVELLE: Janine. Thank you. In  
8 the permit, it does mention about the - I just need  
9 some clarification since nobody can give me any  
10 answers elsewhere. The maximum operating schedule  
11 you have on here is 8 to 16 hours a day. Five to  
12 six days a week. In the permit, the maximum  
13 operating schedule shows 8 to 15 hours a day, five  
14 to six days a week, 240 days a year. I was under  
15 the impression that the township mandated the hours  
16 of operation. And is this just an idea of what the  
17 operation, the machine itself is capable of doing?  
18 Or is this what you're allowing this operator to go?

19                   MR. REBARCHAK: That would be what we  
20 would be allowing the operator to do. If there were  
21 - again, if there are any other requirements from  
22 other entities, they would have to comply with  
23 those. But what they apply for with the Department  
24 when we're looking at operating hours, that's based  
25 upon the calculations that they do for emissions.

1 So we're concerned about minimizing the air  
2 pollutants, the particulate matter. So when they  
3 submit that to us, they have to give us what they  
4 believe is going to be their maximum operating  
5 potential. This is what we're going to operate at.  
6 And when they give that to us, that's no guarantee  
7 that they're going to operate six days a week.

8                   But we need to know if that's what  
9 you're going to operate, then their calculations are  
10 done to show that the facility would be putting out  
11 this much emissions. If they put out that much  
12 emissions, what are the regulatory requirements;  
13 what do they need to do to minimize those emissions.  
14 So it's important for companies when they submit  
15 their information in the applications that they give  
16 to us, what their maximum operating hours are going  
17 to be. That then bases the emissions. It doesn't  
18 mean that we're telling them they can supersede any  
19 other local or, you know, other agency requirements  
20 that would be placed upon them. That's solely for  
21 knowing how the emissions are regulated.

22                   MS. GRAVELLE: Okay. I just wanted to  
23 just add and then I'll pass the mic over to somebody  
24 else. I just don't understand how in a highly, a  
25 really dense residential area, something like this

1 is even possible. All the other quarries and plants  
2 in other states, in other areas are, you know, major  
3 highways, industrial zones, industrial centers. And  
4 nobody would care if they rolled through those types  
5 of hours. It just seems to me that nobody's  
6 thinking about the humans that are residents there,  
7 the ones that live there, and have the out of state  
8 company coming in to do this. Thank you.

9                   CHAIR: I will just make one - thank  
10 you so much for those questions and that comment.  
11 One thing that DEP has no control over are local  
12 zoning ordinances. So if an area is zoned, whether  
13 in this case for mining, if it were for heavy  
14 industry, whatever the case may be, DEP doesn't have  
15 any authority to come in and say what can and can't  
16 be there. If it's zoned for mining and we get an  
17 application, that's really the only basis that we  
18 have. So we have very little room in our regulation  
19 for some of those more global perspectives that seem  
20 like they're common sense. But unfortunately, we  
21 don't have the luxury of making those decisions.  
22 Jim?

23                   MR. PASCALE: Jim Pascale. 1921 Three  
24 Mile Run Road. I want to just follow-up on that  
25 question because that's a very important question.



1 Most towns regulate the hours for the various  
2 businesses within their jurisdiction. And that's  
3 comforting because you know the local jurisdiction  
4 is going to make sure they, they're acceptable to  
5 the community, both right around that facility and  
6 the community in general. From what I'm hearing, I  
7 just want a - a clarification is what I'm looking  
8 for. The way this has worked so far is, I guess,  
9 the applicant put in a suppression system, which  
10 we'll be talking about later, that he would like to  
11 operate x-number of hours. The DEP has, I think,  
12 reduced that somewhat. Did I see that? Somewhat  
13 reduced from what the original request was?

14 MR. REBARCHAK: I can't recall that  
15 off the top of my head.

16 MR. PASCALE: Okay. My point is,  
17 Virginia's excellent point. If the local  
18 municipality has its own regulations on hours of  
19 operation, they can supersede the DEP's  
20 recommendation. Am I correct about that?

21 MR. REBARCHAK: Yes.

22 MR. PASCALE: So what we, as  
23 homeowners, need to do is find out what our board of  
24 supervisors have on the books relative to hours of  
25 operation because that's a critical part. I just

1 wanted to make that clear. If anyone else can  
2 comment on that, if anyone knows if East Rockhill  
3 has any kind of operating hours, please let us know.

4 And if not, that's something that the residents  
5 will probably want to bring to the board of  
6 supervisors.

7 CHAIR: Thank you, Jim.

8 MR. TROTTER: Shawn Trotter.

9 CHAIR: Hi, Shawn.

10 MR. TROTTER: It's good to see you,  
11 Virginia. Thanks for all your time the other day on  
12 the phone.

13 CHAIR: Sure.

14 MR. TROTTER: So I'm new to all this.

15 I have no idea. And when I spoke with you the  
16 other day, I didn't realize that it was only based  
17 on the particulate matter that was going to be  
18 released. And so a lot of my comments were, I guess  
19 more related on or related to truck traffic, truck  
20 emissions, you know, the impact that the trucks  
21 could have on the roads, right. And, you know,  
22 we're talking about a truck every 90 seconds, nine  
23 hours a day, et cetera, we know this. We've all  
24 seen it in the application. Are there things taken  
25 into account on issuing the permit or is it strictly

1 air quality?

2 MR. REBARCHAK: Those are taken into  
3 consideration, but not as part of the air permit. I  
4 mean, there are regulatory requirements for trucks.  
5 There are regulatory requirements for your vehicle.

6 MR. TROTTER: Sure. Sure.

7 MR. REBARCHAK: And for this type of  
8 application, you don't consider the emissions coming  
9 out of those diesel trucks in the application. This  
10 application is looking solely at the crushing plant,  
11 solely at the emissions that are going to come from  
12 crushing the rock. And even though you may have  
13 trucks that have to fill up with the rocks -

14 MR. TROTTER: Right.

15 MR. REBARCHAK: - and moving back and  
16 forth on the property, those emissions don't get  
17 taken into consideration by regulation in this type  
18 of permit.

19 MR. TROTTER: I guess more directly is  
20 are you, is the permit for the crushing plant, is  
21 that solely coming from you for this new piece of  
22 machinery? Is - does that make sense? Is it just  
23 an air quality permit or is it a permit to run the  
24 crusher, period?

25 MR. REBARCHAK: It's a permit to build

1 and operate to run that crushing plant.

2 MR. TROTTER: Okay.

3 CHAIR: Just to clarify, there are  
4 other permits for the whole quarry itself. There's  
5 the -.

6 MR. TROTTER: Sure. Sure. Sure.

7 CHAIR: Yeah.

8 MR. TROTTER: Specifically to the -  
9 I'm sorry. I didn't mean to cut you off.

10 CHAIR: Oh, no. I was just - just for  
11 everyone's edification, the quarry itself, sort of  
12 the foundation of the quarry would be a surface  
13 mining permit out of our Pottsville district mining  
14 office, as well as what's called an NPDES permit, if  
15 you've seen that acronym. It's a discharge permit.  
16 But in that discharge permit are erosion and  
17 sediment controls, and some other control  
18 mechanisms.

19 MR. TROTTER: Right.

20 CHAIR: For the pressure, it's a draft  
21 plan approval for the construction of it. And then  
22 later, an operating permit to actually turn it on.  
23 This gets a little complicated. That process then  
24 triggers amendments that would be needed to the  
25 surface mining permit.

1                   MR. TROTTER: Okay.

2                   CHAIR: So while the crushing - the  
3 stuff coming out of air quality, technically is the  
4 only thing overseeing the crusher. Like I said, it  
5 does trigger amendments that would be needed to that  
6 underlying mining permit.

7                   MR. TROTTER: I guess I'm just trying  
8 to figure out, because my comments were basically  
9 the noise that it would - because you were issuing  
10 the permit, right, and if you issued the permit  
11 then, the crusher would be emitting noise,  
12 particulate matter, and also causing more trucks to  
13 be on the road. Because it was in the plan, right?

14                   CHAIR: Right.

15                   MR. TROTTER: So my comments are  
16 really mainly about the noise and the truck traffic.  
17 So I just don't know if they're applicable here  
18 today or if I need to address that to someone else.

19                   CHAIR: Not necessarily to the - not  
20 to the crusher, they're not applicable. But some of  
21 those sort of indirect sources, like the trucks and  
22 the noise, are partially what would be addressed in  
23 the amendments to the surface mining permit.

24                   MR. TROTTER: Okay.

25                   CHAIR: And also in the dangerous

1 territories. I believe those are two specific  
2 things that are under litigation discussions -

3 MR. TROTTER: Okay.

4 CHAIR: - between other parties. So  
5 I'm going to be careful of what I say on that.

6 MR. TROTTER: Sure.

7 CHAIR: They're not applicable  
8 tonight. But they are applicable to the bigger  
9 picture. And when we come back and have additional  
10 hearings on the surface mining permit modifications,  
11 that's when they would be more directly -.

12 MR. TROTTER: Got it. Appreciate it.  
13 And thank you for doing this.

14 CHAIR: Absolutely. Shawn, I will say  
15 there's no harm in, if you still have those comments  
16 prepared, you can still submit them. We are one  
17 department. So even in the comment response  
18 document, you might see that that comment is not  
19 relevant to this review.

20 MR. TROTTER: Okay.

21 CHAIR: It still stays with the  
22 Department. And when we get to the other later  
23 parts of the permitting process, we would pull that  
24 back out.

25 MR. TROTTER: Understood. Thank you

1 very much.

2 CHAIR: Of course. Other questions?

3 Yes, Luann.

4 MS. AUSEN: Okay. My name is Luann  
5 Ausen. I have a question for you. In the  
6 application, it stated that at the site, there would  
7 be like 100, the particulate matter material would  
8 be 116 tons per year. Is that, is that high? I  
9 mean, considered - what is considered acceptable?

10 MR. REBARCHAK: I don't believe it's  
11 116 tons per year. I believe that was the  
12 potential.

13 MS. AUSEN: Oh, the potential. Okay.

14 MR. REBARCHAK: The potential  
15 particulate emissions, yes. Because that would be  
16 rather high for this type of operation. And would  
17 make it more of a major source, which is why you  
18 consider the project with the controls.

19 MS. AUSEN: Okay.

20 MR. REBARCHAK: So every company wants  
21 to try and minimize the amount of emissions. They  
22 will do that by wet dust suppression systems and  
23 other types of controls to minimize. I don't seem  
24 to have that right in front of me what the potential  
25 is.

1                   MS. AUSEN: Right. Yeah. Because,  
2 you know, from my research, I mean, it was like much  
3 lower. I think like 70. And so that seemed really  
4 high. Also another question, and I know that this  
5 is indirect. But the water, the use of water to  
6 suppress, you know, the particulate material, it's a  
7 lot of water that's being used. And it seems like  
8 in reading the application, it's used for - like  
9 even the trucks as well. If, you know, used to wash  
10 down the particulate matter. And I guess this is  
11 probably not the correct place for me to ask you  
12 questions about that. But it is an indirect result  
13 of the particulate matter. How is that being  
14 addressed? It was very vague in reviewing the  
15 application about the groundwater. And we actually  
16 got a report, you know, from the Perkasio Water  
17 Authority and everything. But, you know, like in  
18 talking to somebody that is knowledgeable, you know,  
19 the extent that you can be really concerned about  
20 what things that are in that area. It's more than  
21 just the diabase. And that has an effect on the  
22 groundwater. So how do we address that? Is that  
23 like another, you know -?

24                   MR. REBARCHAK: I'm trying to  
25 understand the question.



1                   MS. AUSEN: Okay. Okay. Well, what  
2 I'm saying is we're having the water suppression  
3 system, okay. That's going to - where are they  
4 getting the water from? Okay. That's my point.  
5 Okay. I'm sorry. I skipped that part.

6                   MR. REBARCHAK: Pretty much, we  
7 learned that they're bring it from the ponds or lake  
8 on the site and the cistern along the railroad track  
9 that they have on-site. And they were not going to  
10 be using any well water at this time.

11                   MS. AUSEN: They're not using at this  
12 time?

13                   MR. REBARCHAK: At this time.

14                   MS. AUSEN: Okay. But there's a  
15 potential, right?

16                   MR. REBARCHAK: Again, we're concerned  
17 about keeping the dust to a minimum. So they need  
18 to use wet dust suppression system. That's their  
19 current method.

20                   MS. AUSEN: Okay.

21                   MR. REBARCHAK: So they need to make  
22 sure that they have the water necessary. If they  
23 don't have the water necessary and they can't  
24 control the dust, then we're going to be having  
25 discussions with the operator.

1                   MS. AUSEN: Okay.

2                   CHAIR: The primary source though  
3 would be surface water. Surface water meaning  
4 either the pond that is on-site, the cistern that  
5 would be collecting rain water. So those would be  
6 the primary sources that they would use.

7                   MS. AUSEN: Okay. So when you say the  
8 pond on-site, the quarry, is that spring fed? I  
9 mean, I'm just concerned. Do we know that? I mean  
10 like it's just a lot of questions, you know.

11                   CHAIR: Yeah.

12                   MS. AUSEN: You know, like the  
13 community was really like thrown under the bus on  
14 this. Okay. And I'm sorry. But I know I'm getting  
15 off topic. But, you know, we weren't given a lot of  
16 information. It's just like oh, surprise. And, you  
17 know, they'll say oh, you should have known about  
18 this. Not really because we just moved and we were  
19 told that it was never going to open. So we, you  
20 know. But anyway, that's my point.

21                   CHAIR: I just want to address that.

22                   MS. AUSEN: Okay.

23                   CHAIR: So very valid question. For  
24 those of you that couldn't hear, Luann's question is  
25 primarily about where the water's coming from that

1 would be used in the suppression of dust and other  
2 processes. And the answer was primarily from  
3 surface water, meaning the pond on-site, collected  
4 rain water. The well is not the place that they're  
5 going to immediately go for water. The second point  
6 was about time and not understanding. And I just  
7 want to reiterate that I understand and I definitely  
8 hear that. Tonight is, again, just to construct the  
9 crusher. So I want to make sure no one leaves this  
10 room thinking that this was the only thing on this  
11 quarry, the last time you'll see us. So like I said  
12 to Shawn, definitely submit that about the process,  
13 kind of the public participation process, the  
14 questions about water. And even if they're not  
15 specifically relevant to the crusher, we'll save  
16 them and move them over, so that you don't have to  
17 submit them for the first time. I'm not going to  
18 tell you to pack them up. Submit them to us and  
19 we'll hold them until it's time.

20 MS. AUSEN: Thank you.

21 CHAIR: Yeah, of course.

22 MR. HIPPAUF: My name is Todd Hippauf.  
23 So I think the water, in my view, is part of the  
24 application.

25 Correct? And it says in there how

1 much they will be using per minute. So you're  
2 reviewing the application, part of the application  
3 is water. So if you take the hours that Mr. Pierson  
4 and his company submit as, you know, worst case in  
5 our view, best case in his view, it's over  
6 20,000,000 gallons. Let's say we have a dry season.  
7 Is the cistern going to produce over 20,000,000  
8 gallons a year?

9 MR. REBARCHAK: Again, in my  
10 experience, I'm sure some of my colleagues, when you  
11 have a crushing plant, they're responsible for  
12 controlling the emissions. If we hit a dry spell,  
13 if we have a drought, they still have to control the  
14 emissions. And if they cannot supply enough water,  
15 they have to take whatever means necessary, even  
16 possibly shutting down for the meantime, until they  
17 can find a way to control the emissions. Their only  
18 - you know, the conditions that are placed in this  
19 permit require them to use it at all times when  
20 necessary to suppress the fugitive dust. So if  
21 water is not available to them, they would have to  
22 shut the unit down until such time that they could  
23 modify the plant, get additional controls onto a  
24 system. There are other types of controls for a  
25 stationary crushing plant. They weren't proposed in

1 this one. They proposed wet dust suppression  
2 system. But there are other types of controls, such  
3 as a baghouse. Basically an over-sized vacuum  
4 cleaner that has fans to pick up the emission  
5 points, and control the dust through that means. So  
6 there are other means to control fugitive emissions.

7 But they proposed wet dust, a wet dust suppression  
8 system. And that is a viable option for them. And  
9 because they proposed that, it's not for the  
10 department to tell them no, they can't use that.

11 MR. HIPPAUF: They would have the  
12 ability to use well water?

13 MR. REBARCHAK: That's not in my  
14 purview to tell them where they can draw their water  
15 from. They can -.

16 MR. HIPPAUF: I'm just trying to throw  
17 it out there. It's possible.

18 MR. REBARCHAK: It's possible, yes.

19 MR. HIPPAUF: Okay.

20 MR. REBARCHAK: I mean, I can't tell  
21 them where to take their water from.

22 MR. HIPPAUF: Okay. And how often  
23 when you guys issue this permit, because it seems  
24 like it's going to happen, how often would you be  
25 showing up to the site to regulate, check?

1                   MR. REBARCHAK: During the  
2 construction phase, we would probably plan to be out  
3 there at least on two or three occasions during the  
4 construction to ensure that they're building it, and  
5 meeting all of the requirements that are placed in  
6 this plan approval. Afterwards when we would issue  
7 the permit, I try to get my field inspectors out to  
8 the site at least once a year. And then after that,  
9 any time a citizen has a complaint we respond to  
10 every citizen complaint. So if there is a concern  
11 that somebody sees what they believe to be excessive  
12 fugitive dust, whether it be coming from the  
13 crushing plant or the trucks running around the  
14 property, if that complaint comes in, then we go out  
15 and conduct an inspection, talk to the operators,  
16 finding out what was occurring at the time that the  
17 complaint occurred. So that is outside. We have a  
18 regular facility inspection. As you can imagine, we  
19 do have a lot of air quality facilities, air  
20 emission plants. We don't just do crushing plants.  
21 We do everything. Boilers in high schools,  
22 incinerators, what have you. We have a lot of  
23 sources. So we just can't be everywhere every time.  
24 So we try and get out to facilities as much as  
25 possible. But again, within our complaints, we

1 always follow-up on those.

2 MR. HIPPAUF: One last question. When  
3 the permit is issued to operate, -

4 MR. REBARCHAK: Yes.

5 MR. HIPPAUF: - does the local  
6 township and their ordinances have any - are they  
7 able to supersede maybe not your permit, but having  
8 them operate the machine itself?

9 MR. REBARCHAK: I can only speak to  
10 what our permit allows. If the township has  
11 ordinances that say, again, like the example  
12 earlier, we're looking at it to say you're going to  
13 emit, and I did find the emissions. They can emit  
14 running this plant up to 7.8 tons per year. That's  
15 based on the amount of hours that they provided to  
16 us. That's an acceptable limit under our  
17 regulations to allow a crusher to operate this type  
18 of system. If the municipality had an ordinance  
19 that said you cannot operate on weekends, even  
20 though that told us they're going to operate six  
21 days a week, I would imagine that the municipal  
22 ordinance would limit them to only operating five  
23 days a week. Out of those five days a week, maybe  
24 they operate longer on those five days. But they're  
25 allowed to operate up to, I believe it's 2,800 hours

1 a year under the plan approval permit that we're  
2 talking about.

3 MR. HIPPAUF: Okay. And when they  
4 submit the application, do you verify the numbers?  
5 Like they don't just give you the application?

6 MR. REBARCHAK: Oh, yes. Yes.

7 MR. HIPPAUF: You say okay. Well,  
8 this is their calculations -.

9 MR. REBARCHAK: We have engineers that  
10 go over and double-check the numbers.

11 MR. HIPPAUF: Very good. Thank you.

12 CHAIR: More questions? Yes. Just a  
13 show of hands as this gentleman's making his way,  
14 other questions. One more? Two, three. Okay.  
15 Good.

16 MR. SOLIDAY: Good evening. Daniel  
17 Soliday. I have a couple questions. Will other  
18 permits by Pierson be revoked? Specifically there's  
19 a permit GP3090157 for a metal crusher. Is that  
20 being revoked and replaced by this crusher?

21 CHAIR: Could you repeat that number?

22 MR. SOLIDAY: GP3090157. That's the  
23 portable crusher that's on the site now.

24 MR. REBARCHAK: Yes. The portable  
25 crusher on the site, I wasn't aware that they were



1 going to remove that. I'm not sure of the  
2 operation, and how much capacity they need once the  
3 stationary source is constructed. It's - I'm not  
4 sure. I'm not sure if they were going to need the  
5 portable crusher at that time.

6 MR. SOLIDAY: That leads me to my  
7 second point, which is, this crusher is generating  
8 even if the suppression system is working  
9 efficiently and as provided to you at 7.9 tons, are  
10 you doing an analysis to determine the total dust  
11 that's being generated on that site, including that  
12 crusher, the portable crusher, the blasting  
13 activities, the transportation of the stone from the  
14 quarry site to the crusher, and the trucks being  
15 loaded and leaving the site. All of that is  
16 generating dust. And in my estimation, would far  
17 exceed the dust quality standards that are in place  
18 now.

19 MR. REBARCHAK: We do look at the  
20 combined total of emissions from a facility to  
21 determine what regulatory requirements apply for  
22 this type of facility. Under the regulations, you  
23 do not consider the fugitive emissions from the  
24 roadways, from the truck traffic. You just -.

25 MR. SOLIDAY: The roadways inside the

1 quarry or the roadways -?

2 MR. REBARCHAK: The roadways inside  
3 the quarry. You don't consider the emissions from  
4 the diesel truck.

5 MR. SOLIDAY: I'm not saying the  
6 diesel. I'm saying the dust that's generated by  
7 tires driving over stone and dirt.

8 MR. REBARCHAK: We do look at that.  
9 But that's not taken into consideration for the  
10 regulatory requirement. The regulations  
11 specifically indicate that you do not consider the  
12 fugitive emissions in the totals when you're  
13 determining what regulations apply. That being  
14 said, the Department does have regulations requiring  
15 them to minimize any fugitive emissions from the  
16 implant roadways by watering down the roads,  
17 minimizing the speed limit of the trucks. And all  
18 of that is enforced by the Department. And again,  
19 if we have reason to believe that they're not  
20 following those, enforcement action would be taken  
21 against the facility.

22 MR. SOLIDAY: But those calculations  
23 are not part of this permit. In other words,  
24 Pierson or Hanson do not supply calculations to show  
25 how much dust is being generated from the blasting

1 activity, how much dust is being generated from the  
2 excavation activity, and the internal transportation  
3 of the loading.

4 MR. REBARCHAK: They weren't required  
5 to. Under the regulations, they're not required to  
6 provide. We know the total amount from the  
7 estimates that they can provide. But it's not taken  
8 into consideration for the decision on the crushing  
9 plant. It's not, by regulation, we cannot consider  
10 emissions from the blasting that takes place. We  
11 cannot consider the emissions from what happens on  
12 the roadways. We know what those emissions are. We  
13 do have calculations for those. Those are  
14 calculated. But they're not taken into  
15 consideration when you're permitting and making a  
16 decision on this type of specific equipment. There  
17 are certain facilities where you would consider  
18 those things. This isn't one of them.

19 MR. SOLIDAY: So you have monitoring -  
20 how will that be monitored, with devices, meters, or  
21 just by observation?

22 MR. REBARCHAK: Primarily by  
23 observation.

24 MR. SOLIDAY: Okay. And there's a  
25 number of diesel equipment air quality permits being

1 issued. There's a number of equipment that's on-  
2 site that is not part of that diesel emission  
3 standard. In other words, there's other trucks.  
4 There's loaders, excavators, and things like that  
5 that do not have to follow air quality standards  
6 with DEP, I believe.

7                   My question would be the same thing.  
8 Is somebody tallying, I'm sorry, all of the  
9 equipment up and seeing what the diesel emissions  
10 are from the portable piece. So this is an  
11 estimate, let's say we have 40 piece of equipment  
12 there. The total that was being generated from that  
13 site to local residents could be far exceeding an  
14 air quality standard. Again, how is that being  
15 monitored?

16                   MR. REBARCHAK: Well, the vehicles all  
17 have their own emission standards. But that's not  
18 under our programs purview. We don't issue permits  
19 for vehicles. We don't issue permits for the  
20 implant vehicles at facilities. So we do understand  
21 that there are emissions from those sources. But  
22 the regulations don't allow us to consider them in  
23 our decision-making process. If we had belief that  
24 there were excess emissions, we could have those  
25 discussions with the operator. But again, we don't

1 - again, if we saw emissions coming from the  
2 crushing plant, severe fugitive dust emissions  
3 coming from a point, we can have the conversation  
4 and that would be a violation of our regulations.  
5 If we saw the truck driving through the plant with  
6 thick billowing smoke, we would have to talk to them  
7 and say you may want to check out that vehicle. But  
8 I don't have a regulation or a requirement that  
9 allows my inspector to determine and make a citation  
10 against the facility for emissions coming out of the  
11 truck. I just don't have that authority. So we  
12 would have that discussion with them that we have  
13 concerns about those emissions. But we wouldn't  
14 have the ability to take any enforcement action for  
15 those vehicles.

16 MR. SOLIDAY: So what can the  
17 residents do that are surrounding the quarry to  
18 protect themselves from either the diesel emissions  
19 or the dust from it? Can they get their own  
20 equipment and will you enforce it if those standards  
21 are exceeded?

22 MR. REBARCHAK: What is the standard?  
23 And that becomes the other question. Our fugitive  
24 emissions regulation is an observable emission that  
25 we can see when we're out at the site. And are they

1 taking reasonable means to suppress that fugitive  
2 dust. We don't have the number in our regulation  
3 that says at the property line, you can only emit up  
4 to this certain amount of pollutant, otherwise  
5 you're in violation. That's not what this permit  
6 has and it's not what our regulations allow. There  
7 is no limit at a property line for a diesel  
8 emission. The emission limit is on the specific  
9 piece of equipment itself.

10 MR. SOLIDAY: But there is a limit on  
11 dust being - leaving the site; correct?

12 MR. REBARCHAK: They have to take  
13 reasonable means to suppress the fugitive emissions  
14 from certain sources. And they cannot have it cross  
15 property lines.

16 MR. SOLIDAY: Okay. I think I have one  
17 last question here. And that is - just give me one  
18 minute here to read through my notes. The conveyors  
19 listed in this application are uncovered. And why  
20 aren't they being covered to help suppress the dust?  
21 And there's numerous conveyors. I didn't add them  
22 up, but it looks close to a dozen.

23 MR. REBARCHAK: Yes, there are a  
24 number of conveyors. If we find, and this is where  
25 the plan approval process is to allow them to

1 construct, the wet dust suppression system is going  
2 to be placed at a strategic location. So that as  
3 the rock is coming out of the crushing unit and  
4 being conveyed, that the stone would be adequately  
5 wet to suppress any of the fugitive emissions from  
6 the conveying of that stone from one part of the  
7 site to the next. If, during the construction phase  
8 and the initial operating or the initial operation  
9 of the source, if we were to find that they have  
10 additional emissions coming off from the conveying,  
11 that could be an option that we would have to  
12 discuss with the operator. Potentially covering the  
13 conveyors, increasing the nozzles of water spray,  
14 upping the amount of water that would be needed.  
15 There are a number of different things. But as  
16 engineered and as provided to us, we have no reason  
17 to believe that there would be fugitive emissions  
18 coming from the conveying of the stone from one  
19 point to the other.

20 MR. SOLIDAY: Okay. Last question.  
21 Most of the quarries in this area have the crusher  
22 down in a pit to help suppress the dust and keep it  
23 inside an enclosed location, in the walls of the  
24 quarry. This crusher is up on top of the mountain,  
25 which means that - wind currents and everything

1 else. Why isn't this crusher being forced to be  
2 down inside the walls of the quarry instead of out  
3 in the open?

4 MR. REBARCHAK: Well, we can't tell  
5 them where to place their crusher. The - probably  
6 the main reason why you'd see some of the other  
7 quarries with crushers at the bottom of the pit is  
8 that was the easiest place for those quarries to  
9 locate the crusher for when they needed to bring the  
10 materials. So they minimized the amount of truck  
11 movement of that stone. It's not my experience that  
12 all of the crushers are at the bottom of the pit. A  
13 lot of our facilities are moving to portable  
14 crushers outside of the stationary plants. And  
15 they're moving them around so that they're not just  
16 in the bottom of the pit. They're where they needed  
17 in the crushing plant. So we can't dictate where  
18 they put it. We can only dictate what the emissions  
19 are and how they need to control it.

20 MR. SOLIDAY: Okay. Thank you very  
21 much.

22 CHAIR: Thank you. All right. It is  
23 6:54. I do - like I said, I want to leave plenty of  
24 time for that short break and then to make sure all  
25 of the commenters, I think we had between 15 and 20.



1 So with the three minutes. So with that, we're  
2 going to take maybe just two or three more questions  
3 because you did have your hands up. And then we'll  
4 move from there. So Representative Statz, you had a  
5 question?

6 MR. STATZ: Good evening.

7 CHAIR: Good evening.

8 MR. STATZ: Craig Statz, State  
9 Representative, 145th Legislative District, which is  
10 this part of Bucks County. Is this on?

11 CHAIR: Sounded like it was.

12 MR. STATZ: We'll try it a different  
13 way. Better?

14 CHAIR: That's better.

15 MR. STAATS: Again, Craig Statz.  
16 State Representative of the 145th Legislative  
17 District, which is this part of Bucks County. And  
18 thank you for being here tonight. Thank you for  
19 affording this meeting for the residents prior to  
20 tonight's hearing. And thank you to all the  
21 residents that are here tonight on this important  
22 issue. My comment, I just have a comment and a  
23 brief question. My comment is that I've been  
24 contacted by two or three residents that have asked  
25 me to intervene and shut down the quarry. And I

1 just want to make it very clear tonight that I have  
2 no authority to do that. Nor should I have  
3 authority to do that. There is a process in place.  
4 Tonight's meeting and tonight's hearing are part of  
5 that process. I am here tonight because I've been  
6 contacted by several residents stating frustration  
7 that they're not getting their questions answered.  
8 And they feel let down by the process. So I am here  
9 to respectfully request to give them process or  
10 processes to allow residents of this community to  
11 have a seat at the table and their voices heard. I  
12 think it's a reasonable request. I think tonight is  
13 a healthy exercise. I think we need to continue to  
14 do this moving forward. I have talked to one of  
15 your colleagues. And we feel this is something that  
16 is reasonable and can be worked out. So I look  
17 forward to your response upon my request. Okay.

18 CHAIR: Thank you.

19 MR. STAATS: Thank you very much.

20 CHAIR: I see Jim's hand. Is there  
21 anyone - I want to make sure. I've got one in the  
22 aisle here. Anyone over here? I'm just going to  
23 scan the -. All right. Gentleman towards the back  
24 in the aisle. And then did I see one in the far  
25 corner over there? No more hands. All right. And

1 then we'll end the question and answer with Jim.

2 And then we'll take that five minute intermission.

3 MR. SCHEIDERER: Thank you very much.

4 Josh Scheiderer.

5 CHAIR: Hi, Josh.

6 MR. SCHEIDERER: Good evening. I want  
7 to ask, when you did your assessments and looked  
8 over the permit application, did you consider the  
9 surrounding area, not just residences but any other  
10 applicable parts of the community?

11 MR. REBARCHAK: That didn't come into  
12 the equation for, you know, our regulatory  
13 oversight. We look at the equipment, the emissions,  
14 the regulatory. It doesn't include the surrounding  
15 area; what other businesses are in the area, you  
16 know. We solely focused on that.

17 MR. SCHEIDERER: So you were not aware  
18 that about a half-mile away, there was a school,  
19 high school, middle school, elementary school, and a  
20 daycare that will be effected?

21 MR. REBARCHAK: I am aware that it's  
22 there.

23 MR. SCHEIDERER: Okay.

24 MR. REBARCHAK: But when we do our,  
25 when we do our review, we, you know, that's just not

1 part of the regulatory review process.

2 MR. SCHEIDERER: What is the scope?  
3 Is it just the boundary of the property of the  
4 quarry? Is that the scope that you're allowed to  
5 look at?

6 MR. REBARCHAK: It's not even that. I  
7 mean, again, we're looking at permitting a crushing  
8 plant. So when the applicant comes in, there was a  
9 general information form that indicates where it's  
10 going to be located. And is there zoning issues and  
11 such, that we consider. But specifically, our  
12 regulation is looking at the emissions and the  
13 source itself. So it doesn't take, it doesn't say  
14 if it's within so many feet of a school. There is  
15 no - some other environmental regulations do require  
16 buffer zones. There isn't anything like that within  
17 the air quality standard for this type of operation.

18 MR. SCHEIDERER: What sort of - what  
19 sort of regulations do you take into account of the  
20 community, that you were just referencing?

21 CHAIR: I would say most prominently,  
22 some of our waste regulations. Like a landfill,  
23 some of the different process, different permits.  
24 They have citing criteria. So there are just  
25 different permitting processes depending on what

1 your operations are, what permit you're seeking.  
2 DEP has nine different programs. Air quality, three  
3 different water programs, waste management,  
4 radiation protection. So it would completely depend  
5 on what the project was. There is a project in a  
6 different part of Bucks County. For example, the  
7 first entire half of the permitting process strictly  
8 looks at nine yes or no questions about the  
9 location. It doesn't take schools into  
10 consideration. But it does ask is this in a  
11 wetland. Is this in a national forest, I think it  
12 is. So that's just that particular process. As Jim  
13 has said in earlier, as a regulatory agency, we have  
14 to be very careful to never be accused of over-  
15 reach. So we're constantly in the bounds of not  
16 reaching far enough and reaching too far. For the  
17 draft plan approval for the construction of a  
18 crusher, it's just not even a question that Jim can  
19 ignore because it's just not there for his review.

20 MR. SCHEIDERER: Well, what agency or  
21 entity would then take into account the proximity of  
22 the school? So, I'm thinking about, you know,  
23 you're majoring in air particulate matter. We've  
24 got the schools. I would assume you'd be the best.  
25 You're saying you're not. Your regulations do

1 that. Who would be or what agency would be the best  
2 one to make sure that the school's functioning and  
3 existence is taken into account?

4 CHAIR: I would say primarily, it  
5 would be a local zoning issue about the proximity of  
6 whichever came first, the quarry or the school, of  
7 having a school be allowed to be built that close to  
8 a quarry, or having a quarry be allowed to be, you  
9 don't really construct a quarry but to begin in a  
10 certain place close enough to a school. Once you're  
11 past that point where they're both co-existing, I  
12 don't know that we would - do you have? It would be  
13 a case-by-case basis. There's nothing coming  
14 immediately to mind of how once they're both there,  
15 and they're both zoned in their appropriate lanes.

16 MR. SCHEIDERER: Uh-huh (yes.)

17 CHAIR: There's very little that DEP  
18 would be able to do to take the existence of the  
19 other into consideration.

20 MR. SCHEIDERER: And they have been  
21 co-existing for decades. One's been in continuous  
22 operation. The other hasn't. But now we're looking  
23 at a quarry that's different from the one from  
24 decades ago really. It's almost - it's not a new  
25 quarry, but in some ways it is a new quarry. So

1 just curious about the best way to approach that.  
2 So thanks for providing answers.

3 CHAIR: We'll look into that to  
4 double-check. I mean, I'm pretty sure everything I  
5 said was accurate. But we'll double-check to see if  
6 there is anything in the regulations. And we'll  
7 take it back. That would probably be a better  
8 question for our lawyers.

9 MR. SCHEIDERER: Uh-huh (yes.)

10 CHAIR: Just because they would know  
11 regulations outside of Jim's air quality program  
12 expert. So we'll take that question back and just  
13 see if there are options or places to put those  
14 concerns. But primarily, that would be a local  
15 zoning concern.

16 MR. SCHEIDERER: Appreciate it. I  
17 just want to make everyone aware who needs to know.

18 CHAIR: Absolutely, yes.

19 MR. SCHEIDERER: Thanks so much.

20 CHAIR: Thank you. And we're going to  
21 end with Jim. And then we're going to take that  
22 five minutes and we'll come back. And when we come  
23 back, I'll just say this. It'll be a little bit of  
24 a different tone once we start that formal hearing.  
25 So if there is any last minute questions, ask them

1 now. Because once we're on the record in the  
2 hearing, even if you stare right at us, we have to  
3 stare right back at you. So just a warning - so we  
4 will end on - okay. A couple more and then that's  
5 it.

6 MR.PASCAL: I don't want to be  
7 argumentative. We have a - it's just a general  
8 statement. We'll get into the specifics when we get  
9 the specifics. What we have here is a broken  
10 system. It's broken. It's a disconnect between  
11 what happens locally and what happens with the  
12 state. The situation here is many of the residents  
13 who were extremely surprised when Pierson came in  
14 guns blazing, waiving the permits that they had,  
15 that they've been able to - they don't need local  
16 review. They have everything they need. And they  
17 went right to work. They went right to work. And  
18 that left so many, you know, with their jaws hanging  
19 out.

20 And many of the residents, I'm not one  
21 of them, that live very close, they got an immediate  
22 wake-up call that something was happening. Keep in  
23 mind, this plant, this facility was closed for 40  
24 years. They can wave their lame pieces of paper  
25 that they did 500 tons a year. And that's a lame,



1 silly, bureaucratic response that somehow they  
2 thought, someone might believe. I don't know who  
3 would believe it, that the operation was running for  
4 40 years. Well, it wasn't running for 40 years.  
5 And within that 40 year period, many of the people  
6 in this room built houses, expanded their houses,  
7 invested in their houses. And now we're told  
8 because the applicant got a contract which has no  
9 tie-in, or connection, or condition to the use of  
10 our closed facility. That was not. There's a false  
11 narrative that's out there, if you're against  
12 Pierson and this application, you're hurting the  
13 Turnpike Authority.

14                   Well, the fact of the matter is people  
15 have been her long before the issue of the  
16 availability of this particular site came about. I  
17 can only gather that he can earn more money by using  
18 this facility than using one that's up and running,  
19 and has all the necessary permits. And that would  
20 be welcome into their community. We're even aware  
21 of one in Milford Township. Why he insists on this  
22 facility that's been closed, when churches have been  
23 built, schools have been built, it's just  
24 unbelievable. So he comes in. He immediately takes  
25 our leadership away, the Board of Supervisors, by

1 suing them, which one would wonder whether that  
2 meets the Turnpike Authority's requirements, which  
3 are called, there's a name, that they want their  
4 applicants to be honest. And they want them to be  
5 liked by the community.

6 Well, coming in, suing and shutting  
7 our elected officials from being able to say  
8 anything, going at them personally for their  
9 personal assets to put them on the corner, leaves  
10 everybody in this room leaderless. We're all trying  
11 to say what can we do about this abomination? So  
12 that's why we're here. The system is broken. I  
13 heard Statz say something about wanting to do  
14 something. I know myself and others have approached  
15 him. He's done nothing. He's done nothing. It  
16 just sounds good for him to make this presentation.  
17 He's up for re-election.

18 CHAIR: I don't want to cut you off,  
19 Jim. But I do need to keep it focused on the  
20 crusher.

21 MR. PASCALE: Okay. I'm just saying.

22 CHAIR: So if you have a question  
23 about the crusher.

24 MR. PASCALE: What one says and what  
25 one does can be two different things. So what I'm

1 asking this group and you mentioned, Virginia,  
2 there's some kind of Citizen's -?

3 CHAIR: There's a Citizen's Advisory  
4 Council. I haven't had a chance to look into if  
5 that would be the best option. But I will, I will  
6 follow-up with Jim on that to see if that's a good  
7 avenue for you to go.

8 MR.PASCALE: What I'm trying to do,  
9 Virginia, is we just want to protect our community.  
10 There's many other ways that this can be done  
11 without taking an area that has matured, developed,  
12 children being raised. And I am very offended when  
13 my Board of Supervisors says to me or anyone in this  
14 room, you should have known. You should have known  
15 before you bought your house 40 years ago.

16 Well, my retort to that is a  
17 comprehensive plan required by law that must be  
18 reviewed every ten years. They have failed to  
19 update that plan within the ten year period close to  
20 four times. So perhaps if they did their homework,  
21 we wouldn't be in this situation. So we need help  
22 from somebody to prevent a ridiculous creation of a  
23 reopening of a mega plant, which by the way, we  
24 haven't talked about it.

25 But I understand Jim has signed

1 another permit that gives permission for an asphalt  
2 plant operation. We haven't talked about that. And  
3 that's not up for tonight. But I would hope that  
4 would be discussed here because it's not even zoned  
5 for an asphalt plant on this particular site. And I  
6 know the answer's going to be well, if it's not  
7 zoned for it, then they can't do it, right. That's  
8 going to be the answer.

9 MR. REBARCHAK: That is a condition of  
10 the general permit that they have to comply with all  
11 state, local, and federal requirements.

12 MR. PASCALE: Here's the problem with  
13 that.

14 CHAIR: Jim, I don't want to cut you.  
15 But we do have a couple of questions.

16 MR. PASCALE: For the concept of -  
17 what's the name of this document? What's the  
18 official name? It's about to be approved. What's  
19 it called? That they intend. They intend. They  
20 intend to issue this permit. Are these people  
21 baloney, is my point? I mean, just the way it's  
22 presented suggests we intend to approve this. Maybe  
23 the public relations people at the DEP might want to  
24 give a different name to that, so that it doesn't  
25 appear to be a fetacomple and we get three minutes

1 here today. So the system's broken.

2 We need to be able to get the local  
3 officials, when you talk about hours of operation,  
4 and you guys don't live in our town. You meet with  
5 the contractor for nine months in a remote area. No  
6 one in this room knew about that. We used to go to  
7 the zoning board meetings. And we would sit on our  
8 hands hoping that the zoning board would do the  
9 right thing. But the real action was being taken in  
10 Norristown or wherever you guys are located. And  
11 you're being, you're working with the applicant one-  
12 on-one without the public being part of that  
13 process.

14 There's a word called transparency,  
15 which I don't think is in the State of Pennsylvania  
16 yet. But I think it's time that that be considered.  
17 So thank you.

18 CHAIR: Thank you. With that, I  
19 unfortunately have to take a couple minutes now. If  
20 you signed up and have changed your mind, make sure  
21 you let the folks that the front know you don't want  
22 to speak anymore. If you haven't signed up and you  
23 do want to provide comment, make sure that you get  
24 on the list that says speaking. If you do have an  
25 urgent question, Jim and I will still be right here

1 at the front of the room. But with that, we're  
2 going to take just five minutes, a five minute break  
3 to go adjust your sign-in, stretch your legs, and  
4 then come back.

5 ---  
6 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

7 ---  
8 CHAIR: We're going to go ahead and  
9 get started again. Okay. We will now begin the  
10 public hearing on draft plan approval of number 09-  
11 0241 for Richard E. Pierson Materials Corporation  
12 located at 2105 North Rockhill Road in Sellersville,  
13 Pennsylvania 18960.

14 As I started earlier, my name is  
15 Virginia Cain and I am the moderator for this formal  
16 public hearing. I will call those who have  
17 indicated that they wish to provide comments for the  
18 record in the order they have registered. When it  
19 is your turn, please come to either microphone.  
20 Clearly state your name and address, spelling any  
21 words that may be less common. And then begin your  
22 comments. You will have three minutes to provide  
23 your remarks. I will let you know when you have one  
24 minute remaining by saying you have one minute  
25 remaining and hold up this sign. We ask that

1 organizations delegate one speaker per organization.  
2 And you may not relinquish your time to others.

3           During the hearing, DEP will not  
4 respond to questions or comments. Instead, all  
5 comments received this evening, either orally or  
6 those submitted to the Department before September  
7 30th in writing, will be responded to in a comment  
8 response document. Information on how to submit  
9 those comments is available on the sign-in table at  
10 the back. We ask that there be no interruptions to  
11 give everyone an equal opportunity to speak. Loud  
12 disruptions, such as applause or booing, limits the  
13 time we have to receive comments, as does going over  
14 your allotted three minutes.

15           This hearing is being held in  
16 conjunction with an open public comment period that  
17 lasts until September 30th. And as a reminder, the  
18 testimony we receive tonight in written comments  
19 carry equal weight and consideration before the  
20 Department. We will now begin the public hearing  
21 and registration is now closed.

22           First up, we have Representative  
23 Statz. Okay. I would ask that if you know that  
24 you've signed up, to begin making your way, just to  
25 save time in-between some of the speakers. We will

1 hear from Carol McCabe, followed by Mark Freed,  
2 followed by Sandi Hippauf.

3 MS. MCCABE: Good evening.

4 CHAIR: Yeah. I tapped on it. I don't  
5 know. I guess just this microphone is working now.

6 MS. MCCABE: Good evening. My name is  
7 Carol McCabe. I'm an attorney with the law firm of  
8 Manko, Gold, Katcher & Fox, LLP; 401 City Avenue,  
9 Suite 901, Bala Cynwyd, PA, 19004.

10 I'm appearing this evening on behalf  
11 of East Rockhill Township to comment with respect to  
12 the Department's proposed issuance of an air quality  
13 plan approval permit to Richard E. Pierson Materials  
14 Corporation for non-metallic mineral processing at  
15 the Rockhill Road site, commonly referred to as the  
16 Hanson Quarry.

17 The township is concerned about the  
18 proposed usage of the Rockhill Road site for non-  
19 metallic mineral processing and has submitted  
20 several comment letters to the Department setting  
21 forth these concerns. The township is likewise  
22 concerned that the proposed operation of hot mix  
23 asphalt plant at the site. And submitted comments  
24 relating to the Department's issuance of a general  
25 permit for that use. And it's our understanding



1 that general permits were issued on September 7th,  
2 2018.

3 Under the municipality's planning  
4 codes, the Department is required to consider and  
5 may rely on local zoning ordinances in the context  
6 of its review of permit applications. And as noted  
7 in the township's comment letters to the Rockhill  
8 Road site, Pierson does not currently hold the  
9 necessary zoning approvals for the proposed  
10 operations at the site. And litigation relating to  
11 those approvals is currently pending before the  
12 township zoning hearing board and in the federal  
13 district court.

14 In light of the zoning dispute between  
15 the township and Pierson, the township has requested  
16 that the Department suspend its review of air permit  
17 applications until the conflict is resolved. And  
18 such a suspension would be appropriate under the  
19 Department's land use policy and environmental  
20 hearing board case law.

21 To the extent that the Department  
22 decides to move forward with issuance of a plan  
23 approval for non-metallic mineral processing, the  
24 township urges the Department to insure that the  
25 plan approval minimizes the environmental impact of

1 the operation to the greatest extent possible. The  
2 township has heard from many -

3 CHAIR: One minute.

4 MS. MCCABE: - residents who are  
5 concerned with dust, noise, air emissions, and other  
6 potential impacts of the operations. And we ask the  
7 Department to address those concerns in a manner  
8 that's well-defined and enforceable. For example,  
9 while the draft plan approval requires monitoring on  
10 a daily basis for odors, visible emissions, and  
11 fugitive emissions, the Township asks the Department  
12 to consider increasing the frequency of monitoring  
13 to two or more times per day.

14 The Township also asks the Department  
15 to clarify a plan approval conditions governing  
16 operation of the wet dust suppression system,  
17 including minimum flow rates necessary for  
18 compliance. Specifically, to ensure that minimum  
19 flow rates in the enumerated ranges for phase one  
20 and phase two will be adequate to ensure dust  
21 suppression across all atmospheric conditions.

22 And additionally, while the draft plan  
23 approval imposes a requirement to report water flow  
24 rate once per day, we would ask that the Department  
25 consider increasing that required recording

1 frequency to once per hour during operation of the  
2 processing plant. And finally, the Township asks  
3 the Department to consider including a requirement  
4 to submit a semi-annual report to the Department, a  
5 required monitoring under the plan approval.

6                   And although this hearing is focused  
7 on air quality impacts, the Township is concerned  
8 that the management of water, including water  
9 generated from dewatering operations, as well as  
10 water that is utilized in dust suppression. So  
11 safety, noise, and dust associated with extract  
12 options should also be considered. And we would  
13 urge the Department to closely coordinate its  
14 decisions and conditions imposed for the various  
15 permits governing site operations to insure maximum  
16 environmental protection to the site across all  
17 activities.

18                   Thank you for your consideration.

19                   CHAIR: Thank you. Next, we have Mark  
20 Freed, followed by Sandi Hippauf, followed by Emily  
21 Geib.

22                   MR. FREED: Good evening. My name is  
23 Mark Freed. I'm an attorney with the law firm of  
24 Curtin and Heefner. 2005 South Easton Road, Suite  
25 100, Doylestown, Pennsylvania. And I'm here on

1 behalf of Rockhill Environmental and Preservation  
2 Alliance.

3                   During the answer and question,  
4 question and answer session, I believe Mr. Rebarchak  
5 started off by saying this is a simple permit. I  
6 think that's probably true. It is, from a technical  
7 perspective, a simple permit. But the impacts are  
8 far-reaching. And the impacts have a major impact  
9 on the surrounding community. And it is imperative  
10 that the Department consider those impacts. It is  
11 not enough under the law or the regulations, or when  
12 you look at the environmental rights amendment in  
13 Article 1, Section 27, it is not enough just to look  
14 at the emissions. The Department is the one that's  
15 permitting this process.

16                   The company has argued that the  
17 Township is preemptive from regulating many aspects  
18 of this facility. And I'm just going to limit my  
19 comments to the crusher. The Township is preempted  
20 from dealing with hours of operation, truck traffic,  
21 various things like that. So essentially, the  
22 Department is the last stand for these citizens'  
23 concerns. And while we're focused on the crusher,  
24 frankly, I think it's important to note this, as we  
25 heard someone comment, that this quarry was

1 virtually inactive since 1981. And it proposes to  
2 go up from 500 tons, allegedly, to 800,000 tons.  
3 The quarry and the surrounding area has a developed  
4 ecosystem. There are many, many endangered species  
5 in the area. Species of high interest in the area  
6 within a half a mile. There's also a significant  
7 residential area, including residences that are  
8 adjacent to the quarry.

9                   So it's very important that the  
10 Department take all that into consideration,  
11 understanding that if they don't regulate many of  
12 these issues, and I'll try to quickly go through it.  
13 I know my time is limited. No one else is going to.  
14 I mean, at least there's going to be strong  
15 arguments that no one else is allowed to. And the  
16 Township has been put in a very difficult position.  
17 I understand the Department's in a very difficult  
18 position. And just very quickly, the plan approval  
19 fails to limit the hours of operation. If the DEP  
20 does not limit the hours of operation, I can  
21 guarantee you that the company is going to and has  
22 argued that no one else has the ability to do that.

23                   The plan approval fails to limit  
24 excessive truck traffic. Right now the only study  
25 that was done is for approximately 400 trips. If

1 this quarry at 1,000 tons per hour is approved, the  
2 amount of trucks that would be generated by that  
3 amount of crushing could be 700 or 800 trips in a  
4 day. So there's no need for 1,000 tons. It's an  
5 excessive amount of crushing for what is being  
6 proposed for the facility. The plan approval fails  
7 to require proper noise suppression system, despite  
8 the fact that it's in a residential area. Again, if  
9 DEP does not regulate this noise, if DEP does not  
10 put the proper controls in, no one else is going to.

11 CHAIR: Three minutes.

12 MR. FREED: And then finally, the wet  
13 suppression system, there has not been - there's  
14 been insufficient ground remodeling, both from the  
15 extraction as well as the discharge. And people are  
16 on wells in this area. It's going to impact  
17 people's ability to get good drinking water. So  
18 again, under the regulations under the Environmental  
19 Rates Amendment, it is just not good enough to say  
20 we're only going to look into emissions. We have to  
21 look at everything that's being impacted by this  
22 permit.

23 Thank you. I have some written  
24 comments.

25 CHAIR: Thank you. Yeah, if you would

1 come and leave those up here. Next, we have Sandi  
2 Hippauf, followed by Emily Geib, followed by Kim  
3 Gottshall, and then Ryan Gottshall.

4 MS. HIPPAUF: Good evening. My name  
5 is Sandi Hippauf. I am a seventh grade social  
6 studies teacher, the mother of two young children,  
7 and a wife. I am here today because I oppose R.E.  
8 Pierson's application for plan approval number  
9 090241 Bucks County. Article 1, Section 27 of the  
10 Constitution of Pennsylvania states the people have  
11 a right to clean air, pure water, and to the  
12 preservation of the natural, scenic and historic and  
13 esthetic value of the environment.

14 Pennsylvania's public natural  
15 resources are the common property of all the people,  
16 including generations yet to come. As trustees of  
17 these resources, the Commonwealth shall conserve and  
18 maintain methods that benefit all the people. The  
19 area that surrounds the Rockhill Quarry located in  
20 East Rockhill Township is a resource-protected  
21 district. Plus, just a few hundred feet away along  
22 the Township line in Bridgeton Township is the  
23 Quakertown swamp. Permitting Mr. Pierson to  
24 supersize their operation to a 1,000 ton per hour  
25 rock crusher, contradicts what the Commonwealth sets

1 out to preserve in its constitution.

2                   Some of the features of this area the  
3 DEP should be aware of when reviewing this  
4 application are; number one, the area in question is  
5 near the Quakertown Swamp, which is the largest  
6 inland wetlands in Bucks County and is designated by  
7 the Audubon Society as an important bird area. It  
8 is home to the largest blue heron periphery in  
9 eastern PA. And provides a habitat for 91 bird  
10 species, including rare birds. The swamp also  
11 benefits the larger watershed by storing floodwaters  
12 and helping to maintain water quality.

13                   FYI, the Bucks County Natural Area  
14 Inventory did a scientific study listing natural  
15 features worthy of protection designated Quakertown  
16 Swamp as a priority one site. This means that our  
17 wetlands require the highest attention preservation  
18 efforts. This plan approval has no mention of the  
19 water source of the wet suppression system. Nor how  
20 Pierson will take care of the wastewater. The DEP  
21 needs to take into consideration that the residents  
22 of East Rockhill and Richmond Township use well  
23 water. Based on the numbers submitted by Pierson on  
24 the application, over 20,000,000 gallons of water  
25 are required annually to sustain the quarry



1 operation and the proposed wet suppression system.  
2 This has the potential to run our wells dry.

3 CHAIR: One minute.

4 MS. HIPPAUF: In addition, this area  
5 is part of the Upper Creek Watershed, which flows  
6 into Lake Nockamixon, the state park. The  
7 wastewater and sediment produced from the quarry  
8 will run-off into this watershed. On the northern  
9 side of the quarry is Stock Run (phonetic). And on  
10 the southern side is a three-mile tributary. This  
11 means that the run-off from the quarry will  
12 ultimately pollute and narrow the waterways that  
13 ends in Lack Nockamixon.

14 For your review, I have printed off  
15 the portions of the Upper Creek (phonetic)  
16 conservation plan from December 2001, sorry,  
17 December 1<sup>st</sup>, 2005, to support this data and  
18 reference how the quarry operations will destroy the  
19 wetlands and the watershed. To destroy this  
20 community, its homes, and risk the health of our  
21 children by allowing the quarry to contain a super  
22 crusher would be a travesty.

23 The basis for the protection of  
24 natural features is found in the Commonwealth's  
25 constitution, in the judicial decision, and in the

1 Pennsylvania Municipalities Planning Code. The  
2 Commonwealth Court has ruled that municipalities  
3 must submit reasonable development of properties,  
4 while managing public natural resources. The  
5 quarry, if in operation, East Rockhill Township is  
6 zoned for inspection so they can reasonably develop  
7 the property.

8                   Installing super-pressure and an  
9 asphalt plan goes beyond the definition of  
10 reasonable development and harms the natural  
11 environment. The detrimental impacts caused by  
12 allowing Peirson's mining efforts to turn into a  
13 super quarry, far outweighs the limited economic  
14 profits the quarry would bring to the quarry owner  
15 and operator. I love this community that has sprung  
16 up over the past 30 years while the quarry was  
17 inactive. But moreover, I love living in this  
18 natural and scenic environment. A super quarry does  
19 not belong here. A super quarry will permanently  
20 destroy this pristine land for generations.

21                   CHAIR: That's three minutes.

22                   MS. HIPPAUF: I ask DEP to please do  
23 what is right and uphold the Pennsylvania  
24 Constitution. Deny this permit application.

25                   CHAIR: Thank you. Emily Geib,

1 followed by Kim Gottshall, Ryan Gottshall, and  
2 Daniel Soliday.

3 MS. GEIB: Hello. My name is Emily  
4 Geib and I live in East Rockhill Township with my  
5 family. We also have a very large extended family  
6 who live close to me. Mostly within two to ten  
7 minutes from us. And some live very near the  
8 quarry.

9 I'm here today to express my concerns  
10 over this application for a mega-crusher to be  
11 installed at the Rockhill Quarry. I'm including a  
12 list of issues for your review, but I'll focus on  
13 just some of them tonight.

14 My first concern is with the  
15 application itself. Even as a layperson, I can see  
16 several areas of errors and omissions that seem  
17 egregious. I have highlighted them on the enclosed  
18 copy. On the plan approval application, page four,  
19 section six; will loaded trucks leaving the property  
20 be required to use a suitable cover to prevent  
21 spillage? How will it be enforced? No answer to  
22 either of those questions.

23 Page seven of the same document,  
24 section 12; will all conveyor belts be covered, no.  
25 If not, specifically note those that will be open

1 and justify. No answer.

2 On the compliance review form,  
3 document 2700 PA AG0004, page four, compliance  
4 background. While he lists some of the violations,  
5 I personally know the applicant was fined by the  
6 mining office of the PA DEP for water run-off issues  
7 at the site. The inspector informed me of this  
8 herself. But there's nothing listed at all for  
9 2018.

10 On the general information form, page  
11 three of seven, land use information, items one  
12 through five, all left blank. Items two through  
13 four are of special significance to most of the  
14 people in this room because they ask about municipal  
15 comprehensive plans and zoning ordinances. And if  
16 this project meets the provisions of the zoning  
17 ordinance or has zoning approval. We all know that  
18 is not the case. And that the applicant is  
19 currently in litigation due to their lapse of  
20 compliance with local ordinances, their lack of  
21 willingness to follow proper procedures to secure  
22 the proper permits.

23 Page six of seven, item number 15, I'm  
24 unsure of. But it mentions the infiltration storm  
25 water or waste water within one-half mile of the

1 public water supply well stream for infiltration  
2 gathering.

3 CHAIR: One minute.

4 MS. GEIB: I know there are many wells  
5 in that area. And I'd like to see proof that the  
6 applicant complained no on this area.

7 Exhibit 2, site plant. The map shows  
8 an area of approximate limits of existing operation  
9 areas new equipment to replace and to operate within  
10 the same area. There has never been in that plant  
11 asphalt operation on this quarry, even when it was  
12 active many decades ago.

13 Exhibit 5, zoning and mining permits.  
14 The copy of the East Rockhill Township zoning permit  
15 dated February 1st, 2017, construction operation is  
16 clearly falsified. We all know the township denied  
17 the applicant zoning permits when they applied in  
18 late 2017 for the years 2015, 2016, and 2017. And  
19 that's why the township is in litigation with the  
20 applicant as we speak.

21 CHAIR: Three minutes.

22 MS. GEIB: The litigation has  
23 effectively removed the 40 something local residents  
24 near the establishment from any say, any right to  
25 cross-examine or question any witness, or to present

1 any statement in regard to this local zoning issue.

2 Many of the local zoning issues covered you do not  
3 address. But I think you should require proof of  
4 local zoning permits before issuing a crusher  
5 permit. Back to Exhibit 5, even a copy of the DEP  
6 mining permit is shown to expire July 2013.

7 I ask the DEP to deny this application  
8 for Pierson due to the lack of providing complete  
9 information, lack of transparency, or lack of  
10 compliance with local zoning laws, and the  
11 reputation. Making them a risk that we should not  
12 have to accept as citizens of this township, county,  
13 and state. I appreciate your attention to all that  
14 I enclosed. And I thank you for your time.

15 CHAIR: Thank you. Kim Gottshall,  
16 followed by Ryan Gottshall, Daniel Soliday, Janine  
17 Gravelle.

18 MS. GOTTSBALL: Hi, there. Thank you  
19 for this time. My name is Kim Gottshall. And I'd  
20 like to make several comments regarding the permit  
21 that you intend to approve.

22 This permit is for the processing  
23 plant that we've been discussing at a location that  
24 is extremely close - in extremely close proximity to  
25 families' homes, and includes no requirements for

1 noise litigation. The items populated in the  
2 permit, such as deciduous trees, do not provide  
3 year-round impact, if any at all. And the  
4 positioning of stockpiles cannot protect all the  
5 properties surrounding the site.

6 I'm going to skip some items that have  
7 already been mentioned to try and save people's  
8 time. This permit allows for the dust suppression  
9 system that uses 9,250 gallons of water per hour in  
10 an area with an already compromised water system due  
11 to tepic contamination. And I think this should be  
12 something that's definitely considered in your  
13 approval process. This permit contains hours of  
14 operation that can run up to 16 hours a day in a  
15 residential area that has no berms or sounds  
16 barriers.

17 On the permit, in the general  
18 information form, page three of seven, question one,  
19 the permit reads have you informed the surrounding  
20 community and addressed any concerns prior to  
21 submitting the application to the Department. The  
22 answer provided by the applicant is, in fact, no. I  
23 find it unacceptable that you would approve any  
24 permit when that question is answered no. That no  
25 mention must be made to area residents about a

1 super-sized operation that may adversely affect  
2 residents' way of life and potentially their health.

3           It would be an understatement to say  
4 that the revised mining permit for which this  
5 additional VAC permit as applied for, presents a  
6 huge challenge to this community. I'm not talking  
7 about the crusher alone, but the trickle-down impact  
8 for material that's produced by the plant, in a  
9 region that is, by the way, not zoned by local  
10 wealth manufacturing. And how that production and  
11 truck traffic may impact the ability to utilize  
12 public roads safely.

13           Specific to the permit in question, we  
14 are talking about potentially unhealthy levels of  
15 particulate matter as seen by your own department  
16 being released into a populated area. A population,  
17 I might add, that has doubled in size since this  
18 quarry was last operational.

19           CHAIR: One minute.

20           MS. GOTTSBALL: And the protection  
21 measures to these residents is a water suppression  
22 system, the likes of which have already failed under  
23 this operator's watch at this specific facility.  
24 And the reality is the residents had to call your  
25 office asking if it was safe to be outside or



1 whether respirators needed to be done because of the  
2 visible dust fumes. Since your Department cannot  
3 answer specific health-related questions, an  
4 inspector came out to the site, determined that the  
5 equipment was not operating properly, and had to  
6 tell the operator to turn off the machinery and fix  
7 the problem.

8                   For this and many other reasons, I am  
9 adamantly opposed to the approval of this permit. I  
10 would like to know how the applicant continues to  
11 operate when the DEP's own permits state that  
12 operators must abide by federal, state, and local  
13 laws. I submit that if the laws and their  
14 applicability to the given property comes into  
15 question as it indicates regarding the permit in  
16 question tonight, then you shouldn't be granting any  
17 additional permits to the site at this time.

18                   Overall, I believe these permits to be  
19 woefully inaccurate and to contain incorrect  
20 information. Your Department may disagree. But I  
21 believe the condition of this permit, which was put  
22 before the public, is a prime example of how the DEP  
23 does not take into consideration the merit of each  
24 individual case.

25                   CHAIR: Three minutes.

1                   MS. GOTTSBALL: On top of that, I want  
2 to know how can you approve an air quality permit  
3 for items that may or may not be legal in a given  
4 area? And I do appreciate your time tonight. Thank  
5 you.

6                   CHAIR: Thank you. Ryan Gottshall,  
7 Daniel Soliday, Janine Gravelle, Josh Scheiderer,  
8 Michael Logan.

9                   MR. GOTTSBALL: Good evening. Ryan  
10 Gottshall, 2201 North Rockhill Road. I understand  
11 you give us an opportunity for public feedback here  
12 tonight. To me, it appears that this permit is just  
13 already approved. You're just waiting to cross your  
14 T's and dot your I's. You give the people a chance  
15 to speak. You take notes. And you say you'll  
16 investigate things, maybe answer some questions.

17                   This operation has and will be nothing  
18 but harm for a quiet residential neighborhood. This  
19 operation is being forced down our throats from  
20 every angle. The operator is selling the story that  
21 he needs the stone for his turnpike project. Keep  
22 in mind this operator didn't sign a lease agreement  
23 for use of 2055 North Rockhill Road until the  
24 contract for the turnpike was awarded. He then  
25 bullied his way into the township unopposed and

1 threatened to sue anyone that stood in his way.  
2 There are two quarries that produce asphalt that are  
3 much closer to the turnpike job. He does not need  
4 to ruin the community by installing a 1,000 ton per  
5 hour crushing plant in a place that has not mined  
6 stones since 1981.

7 I don't understand how this Department  
8 with DEP can just roll through without any  
9 hesitation. How many folks have every visited East  
10 Rockhill Township and at least the quarry site?  
11 Have you ever visited the old quarry that was out of  
12 operation for 37 years? Have you ever visited this  
13 site before December 2017? I know you can't answer  
14 these questions, but these are valid points.

15 I have some pictures here showing what  
16 the quarry looked like well before. I have a  
17 picture of what the old crusher looked like. And I  
18 doubt it was a 1,000 ton an hour processing plant.  
19 They tore it down in the mid-2000s and they needed  
20 to recycle the steel. There's a high value for  
21 that.

22 All right. Were there any DEP permits  
23 issued for air quality at this site for the past 30  
24 years? That is a big question. Has there been any  
25 studies on air quality in the surrounding area

1 taken? 2017, 2018, I called DEP in Norristown on  
2 multiple occasions asking for this -

3 CHAIR: One minute.

4 MR. GOTTSBALL: - to establish a  
5 baseline. No response, no action from DEP. How do  
6 we know what is truly good air and what is truly bad  
7 air? You guys can study your results on the machine  
8 area and do the engineering studies, and see that  
9 it's going to put out a certain amount of  
10 particulate matter, and make judgement on that. And  
11 not take the whole operation into effect as far as a  
12 total.

13 What is the chemical composition of  
14 this particulate matter? Has anyone studied it?  
15 There was a concern about asbestos crystals in some  
16 veins from the '70s that have been noted at this  
17 quarry site. DEP did some samples. I don't know if  
18 that's enough. But I'm sure Hanson on their files,  
19 has information about this matter. Have they shared  
20 that with DEP?

21 CHAIR: Three minutes.

22 MR. GOTTSBALL: Why was the permit  
23 missing so many pieces of key information that was  
24 submitted and why was it pushed through with blanks?  
25 Obviously, that other residents have pointed out.

1 Who's going to police these operations? It sounds  
2 like DEP is going to come out one day out of the 365  
3 and do, you know, an investigation or a study to see  
4 if things are in line.

5                   This is truly not right. It's not  
6 American to destroy people's lives and families,  
7 ruin a community without giving it a second thought.

8 We should be able to raise a family and have peace  
9 in one's own home. This 1,000 ton per hour non-  
10 metallic mineral processing plant affects us all  
11 that live within a couple miles of this site.

12                   Please be the Department of  
13 Environmental Protection, not the Department of  
14 Everything Permits. Thank you.

15                   CHAIR: Thank you. Daniel Soliday,  
16 Janine Gravelle, Josh Scheiderer, Michael Logan,  
17 Todd Hippauf.

18                   MR. SOLIDAY: I'm Daniel Soliday. I'm  
19 a resident of 1300 West Rock Road in Perkasie. And  
20 for the last 29 years, I've lived at that location.  
21 And I grew up on the other end of West Rock Road in  
22 the '70s and the '80s. So I'm well aware of the  
23 history of the Rockhill Quarry and its closure over  
24 the last 37 years. My residence, my current  
25 residence is approximately 1,000 feet from the

1 active quarry site. Being that close to the quarry,  
2 I've been forced to live with the ongoing noise and  
3 the possible air pollutants.

4           Number one, the hours of operations  
5 are not specifically listed in the application as  
6 they should be. The hours of operations need to be  
7 specifically limited by DEP. This quarry has a  
8 significant number of residents ordering this  
9 operation. Hours of operation with DEP listed for  
10 all equipment covered by this permit.

11           Section B, number one, the hours per  
12 year is listed as 2,800 hours per year. The next  
13 line states January to March has no production.  
14 This indicates the remaining 39 weeks, the machinery  
15 will operate an average of 72 hours a week. Based  
16 upon a six-day work week with no shutdowns for  
17 holidays or basic shutdown, it will operate 12 hours  
18 per day. This is excessive. Said hours of  
19 operations must be detailed and abided to.

20           Section B number four, no scale  
21 drawings were attached to the permit as required by  
22 Section B number four. Section B number four, the  
23 scale drawings containing the hours of operations  
24 need to be listed in item four with any  
25 restrictions. This was not done.

1           Section B number five, this requires  
2 all plant roads and public roads services and  
3 related governmental responsibility for maintenance.  
4 This was incomplete and not provided. Section B  
5 number seven, is not answered how the applicant will  
6 have any other dust suppression in place. Section B  
7 number 12 is answered no to covering the conveyor  
8 belts. There is no justification attached as to why  
9 they are open. All conveyor belts should be  
10 required to be covered to reduce dust emissions.

11           CHAIR: One minute.

12           MR. SOLIDAY: Air pollution control  
13 review form page four, requires Pierson to list all  
14 violations and enforcement action. Pierson has not  
15 listed violations in other states. Specifically,  
16 the provision of Pierson, already Pierson  
17 Construction Company, had been fined for alleged  
18 violations for the underground facility act of New  
19 Jersey dated November 30th, 2016.

20           General information form authorization  
21 application, page two. Pierson has entered no to  
22 questions one and two indicating they are not  
23 modifying an existing facility system or activity,  
24 when in fact they are modifying an activity. This  
25 information below is not filled in. And the

1 information needs to be filled in on the  
2 application.

3                   General information form authorization  
4 application, page three, question one is answered  
5 no. Pierson, by answering no, has tried to --- has  
6 failed to notify the surrounding community or  
7 addressed any concerns.

8                   CHAIR: That was your time.

9                   MR. GOTTSBALL: Thank you.

10                   CHAIR: Janine Gravelle, Josh  
11 Scheiderer, Michael Logan, Todd Hippauf.

12                   MS. GRAVELLE: Hi. My name is Janine  
13 Gravelle and I live at 2198 North Rockhill Road.  
14 I've been here in East Rockhill Township for 23  
15 years. A little background on the site. The  
16 Rockhill site is one that is extremely unique to  
17 Bucks County. And the site is assigned a prior  
18 level 2 of importance. This seems that it's an area  
19 that has a county and state-wide significance based  
20 on the overall quality and the diversity importance  
21 of the resources.

22                   In other words, it's atypical to all  
23 the other quarries in Bucks County. Those other  
24 quarries are basic holes in the ground on black non-  
25 descript cracks that are burned and buffered off the



1 soil mounds, evergreens and fencing. It's hard to  
2 tell that they exist. And the lack of adjoining  
3 residents who are few and far between. The opposite  
4 can be said about the Rockhill quarry. It's  
5 surrounded by hundreds of homes. Just North  
6 Rockhill Road alone contains 68 homes, one church,  
7 one school, and a daycare.

8 I am opposed to the 1,000 ton per hour  
9 mineral processing plan because the noise from  
10 December 2017 until today from this site is  
11 unbearable to begin with. And the DEP does nothing  
12 to remedy the situation. A crusher of that  
13 magnitude is going to add to the horrific situation  
14 of unbearable noise. And I read through the 92-page  
15 permit, and there's not one provision to mitigate  
16 the problem of noise for residents.

17 I am opposed to this operation because  
18 all the other quarries in Bucks County crush 100 to  
19 150 tons per hour. I recall a study on all the  
20 quarries. Why would you allow a 1,000 ton per hour  
21 crusher when all the other quarries can only crush  
22 100 to 150 tons per hour in a very densely  
23 residential area? It makes absolutely no sense. I  
24 am opposed to the DEP allowing this operation to run  
25 a crusher for 8 to 16 hours per day as stated in the

1 pending permit. Those are ridiculous hours. Other  
2 quarries operate 7:00 to 3:00, 7:00 to 4:00, 7:00 to  
3 5:00. This is unheard of. This is something we  
4 hear of in other states that are really wrong.

5 I am opposed to the use of 9,250  
6 gallons of water per hour that this operation will  
7 use just for the dust suppression. For an eight  
8 hour day, that's 75,000 gallons of water used. Now,  
9 if he's going to drill up another little pond  
10 through there, that's one thing. But let's face it.  
11 We get into a drought. We all have wells. He  
12 starts wanting more water. We're going to have a  
13 problem. And we're not in an area that can have  
14 public water piped in just like that. It's really  
15 not possible due to all the boulders in the land.

16 Lastly, on page three of seven from  
17 the general information form of the plan approval  
18 air permit application, question one, have you  
19 informed the surrounding community and addressed any  
20 concerns prior to submitting the application to the  
21 Department. As we all know, the answer checked off  
22 is no. This is just one more aspect of this  
23 operation that's just been, you know, getting the go  
24 ahead from everywhere to turn our area that we live  
25 in, which is a bucolic one, into an area that's

1 similar to a filthy industrial wasteland.

2 CHAIR: That's time.

3 MS. GRAVELLE: Okay. Thank you very  
4 much.

5 CHAIR: Thank you. Josh Scheiderer,  
6 Michael Logan, Todd Hippauf.

7 MR. SCHEIDERER: Josh Scheiderer, S-C-  
8 H-E-I-D-E-R-E-R. Representing the Christian School.  
9 We have some various concerns. We have some very  
10 serious concerns to the permits being requested or  
11 being issued without fully taking into account the  
12 impact on our school. Provide you with a few facts  
13 that I believe are relevant. And Amelia previously  
14 stated that the surrounding area is not under  
15 purview. And we have a daycare and day school at  
16 the location that serves over 230 students. And on  
17 a daily basis, we have approximately 300 people on  
18 the property between parents, volunteers, staff,  
19 guests, et cetera.

20 Our location is only half a mile from  
21 the quarry entrance. That is as the crow flies.  
22 And our outside fence and playground is six months  
23 old through elementary students is within 50 yards  
24 of the road that's being used by the trucks going in  
25 and out. Our high school classroom, 50 yards from

1 the road. Our afternoon recess for our daycare and  
2 elementary students. Also PE classes and afternoon  
3 athletic practices, which are on the soccer,  
4 baseball fields that are located right next to the  
5 area that will be affected by the increase in  
6 particulate matter.

7                   We host numerous athletic events, as  
8 well as athletic tournaments after school, on  
9 weekdays, and on weekends, as well as community  
10 basketball programs from November through March. So  
11 we are a year-round facility that's used in a  
12 variety of ways. It's concerning that according to  
13 what we understand, none of this was taken into  
14 consideration. And we recognize that the  
15 regulations are narrowly defined and allow you only  
16 to evaluate certain aspects. But as many others  
17 have mentioned, the totality of the impact on the  
18 environment really should be addressed.

19                   We feel there is serious and potential  
20 --- there is potential for some serious safety  
21 issues, whether it be air and water quality, traffic  
22 on the roads, subject of this particular hearing.  
23 And so, we would ask that even though our school is  
24 small compared to the one we're in here, it is not  
25 insignificant. And that the little ones in our

1 school mean a big deal to us. And we feel that they  
2 should protected by the Department of Environmental  
3 Protection.

4 CHAIR: One minute.

5 MR. SCHEIDERER: We would ask for two  
6 things, due process and due consideration. Due  
7 process with no rush decision. We're grateful for  
8 this hearing. But if the decision is premature,  
9 then it will be easy for important details to be  
10 missed, like the fact that there is a school close  
11 by, with children as young as six-months-old out in  
12 the open, as much as the weather will allow. We  
13 believe due process would prevent mistakes being  
14 made and missing important details.

15 Second, we ask for due consideration  
16 of the entirety of the community. Your study is not  
17 the only one that seems to ignore the fact that  
18 there is a school. The traffic study did the same  
19 thing because it was conducted during spring break  
20 when, of course, there was no traffic coming in and  
21 out. Due consideration of the entirety of the  
22 community is important. And we obviously are here  
23 tonight with very many resident concerns. Please be  
24 aware of the school in the area as well. Please  
25 give due process.

1                    CHAIR: Thank you, Josh. Michael  
2 Logan, Todd Hippauf, Jim Pascale, Luann Ausen.  
3 Michael? Jim, you're not up yet. Michael? Are you  
4 Michael?

5                    MR. LOGAN: Yes.

6                    CHAIR: Okay. Michael, followed by  
7 Todd. Oh, no. Michael, followed by Todd, followed  
8 by Jim.

9                    MR. LOGAN: Good evening. My name is  
10 Michael Logan. I'm the vice president of  
11 Environmental Services and Compliance Plus Services,  
12 Inc. Located 455 Business Center Drive, Suite 250,  
13 Horsham, Pennsylvania.

14                    Our company is the environmental  
15 consulting firm that submitted the air quality  
16 permit application on behalf of R.E. Pierson  
17 Corporation for the installation and operation of  
18 the permitted crushing and speeding equipment to be  
19 located at the Hanson East Rockhill Quarry. The  
20 East Rockhill Quarry site has been an active mining  
21 operation for over 100 years, has maintained a DEP  
22 mining permit since the Mining Act was adopted, and  
23 has previously had crushing and screening equipment  
24 operating at the site.

25                    Currently, there are temporary

1 portable crushers, screeners, and stacking conveyors  
2 operating on the north side of the property under  
3 general air quality permits issued by the state.  
4 Water springs are used to control and reduce  
5 potential emissions and particulate matter from the  
6 equipment.

7                   The equipment is powered by diesel  
8 engines, which emit associated products of  
9 combustion. The proposed permitting crushing and  
10 screening equipment will be located on the south  
11 side of the property. And will use electricity as  
12 its power. As a result, there will be no emissions  
13 related to the power with the equipment on-site.

14                   Once the permitted crushing and  
15 screening equipment is fully operational, the  
16 temporary portable crushers, screeners, and stacking  
17 equipment that is associated and is associated with  
18 these will cease operation and be removed from the  
19 property. Thus, totally eliminating the source of  
20 emissions and noise from the north side of the  
21 property. The proposed permitting crushing and  
22 screening equipment will operate using a safety-wide  
23 water spray system, which will control potential ---

24                   CHAIR: One minute.

25                   MR. LOGAN: --- emissions of

1 particulate matter. In conclusion, the permitting  
2 crushing and screening equipment will operate in  
3 compliance with all applicable state and federal air  
4 pollution control regulations. The permitted  
5 crushing and screening equipment will produce less  
6 noise and emissions than the temporary crushers and  
7 the screening equipment currently operating at the  
8 site. Overall, the impact on the environment will  
9 be reduced with the operation of the permitted  
10 crushing and screening equipment.

11 CHAIR: Thank you. Todd Hippauf,  
12 followed by Jim and Luann, and then Bob Brasch.

13 MR. HIPPAUF: Good evening. My name  
14 is Todd Hippauf. I'm a resident of Richland  
15 Township. And my property is adjacent to the  
16 Rockhill Quarry. I'm here today because I oppose  
17 R.E. Pierson's application, for plan number 090241  
18 Bucks County.

19 The DEP's mission is to protect  
20 Pennsylvania's air, land and water from pollution.  
21 And provide for the health and safety of its  
22 citizens through a cleaner environment. You work as  
23 partners and individuals, organizations,  
24 governments, and businesses to prevent pollution and  
25 restore our natural resources. This should sound



1 very familiar to you. It is your own mission  
2 statement.

3 To approve this application would be  
4 going directly against it. The DEP needs to be  
5 aware of the type of rock and mineral species that  
6 are present in the quarry. According to mine.org,  
7 the world's leading authority on minerals and their  
8 locales, deposits, and mines worldwide, the vein of  
9 Rockhill Quarry was exposed in the late 1970s that  
10 contained white asbestos, formed and amphibole. I  
11 probably have that wrong, but that's in the  
12 documents. And dense matter amphiblorene.

13 Since I am not a geologist, I  
14 conducted additional research, whereupon I learned  
15 from asbestos.com that amphibole asbestos has  
16 needle-shaped fibers. And studies suggest that it  
17 takes much less exposure to this type of asbestos to  
18 cause cancer. Do you know anybody with cancer? My  
19 guess is if you do or did, it has not been a  
20 pleasurable experience. The possibility of Pierson  
21 exposing another vein containing asbestos output  
22 should be reason enough for DEP to deny this  
23 application. Waiting to test the rock after it has  
24 been extracted would be too late for the health and  
25 safety of every resident and Pierson's employees.

1                   You have heard many people speak about  
2 their concerns tonight. Please do not take them or  
3 me lightly. Put yourselves in our shoes. If you  
4 live next to the quarry or near it, would you want  
5 all your, want all concerns expressed here tonight  
6 for you and your family? I ask that the DEP do what  
7 is right. Honor Act 1, Section 27 of the PA  
8 Constitution and your own mission statement. Deny  
9 R.E. Peirson's permit application. Thank you.

10                   CHAIR: Jim and then Luanne, followed  
11 by Bob Brasch.

12                   MR. PASCALE: Ladies and gentlemen,  
13 what we're talking about tonight is greed. There's  
14 no other word for it. It's called greed. The  
15 applicant has numerous other locations where he can  
16 locate the quarry. There's other opportunities.  
17 But yet, he picks a quarry that's been closed for 40  
18 years, that has been developed with citizens and  
19 schools and families that walk on roadways. It's  
20 just unbelievable.

21                   There are other options. Your company  
22 is the DEP, the Department of Environmental  
23 Protection. This is an opportunity for the DEP to  
24 actually do something special, right? Normally,  
25 you're sequestered somewhere in, I don't know where.

1 Some remote area far from this town. And you work  
2 soldier to soldier with the applicant, outside of  
3 the eyes of the public that have to live with the  
4 results. I say stand up and do your job, and don't  
5 let this fellow come into this town and destroy this  
6 town. It's a great town. He has other options. He  
7 just wants to make the most he can make by  
8 destroying this town. So I would encourage you to  
9 do what you can to listen to all the outstanding  
10 comments that you heard here today.

11 None of us want to be here. We want  
12 to go back to our normal lives. The applicant will  
13 go back to his home in New Jersey where you probably  
14 can't see a quarry for miles to come. But there are  
15 many who live right across the street. People  
16 across the street from this facility. Just say no.

17 CHAIR: Thank you, Jim. Luann.

18 MS. AUSEN: My name is Luann Ausen. I  
19 live in the township. The air pollution control  
20 act, the policy, it's declared to be a policy of the  
21 Commonwealth of Pennsylvania to protect air  
22 resources of the Commonwealth to the degree  
23 necessary for the protection of public health,  
24 safety, and wellbeing of its citizens, prevention of  
25 injury to plant and animal life, and to property.

1 And protection of the comfort and convenience of the  
2 public, and protection of the recreational interest  
3 of the Commonwealth.

4                   We are being violated. We don't ---  
5 we have no protection. This came out of the blue.  
6 This is a small quarry that had been mined years  
7 ago, decades ago. It wasn't prepared for what  
8 happened. We weren't told. And now, we're just  
9 confronted by so much. And very concerned, we're  
10 all very concerned with the safety issues. And I  
11 know that it needs to be, you know, addressed, the  
12 pressure system. But there are traffic safety  
13 issues. These trucks are way too big to be on these  
14 small rural roads. I shared before, I had a  
15 student, former student that was killed because a  
16 truck carrying, you know, crushed stone couldn't  
17 negotiate a turn.

18                   We have schools in our area. We have  
19 a school right down the road. The trucks would be  
20 passing by a school. I think it's Rockhill Road.  
21 I'm not quite sure. But getting back to the crusher  
22 ---.

23                   CHAIR: One minute.

24                   MS. AUSEN: One minute, okay. As  
25 mentioned before, the water that's being taken out

1 from the ponds and that, the groundwater eventually  
2 will be --- you don't --- I really never got an  
3 answer if the quarry, if that was spring-fed or was  
4 it from rainwater. If it's spring-fed, will that,  
5 you know, affect our - you know, our wells? And  
6 also, too, it was mentioned before in my last - you  
7 know, the time before, I had mentioned about the  
8 albite, the minerals that were mined in the '70s.  
9 That goes into the water system. Yes, it's  
10 pollution that causes cancer.

11 All right. So, you know, there's so  
12 many things that need to be addressed. And I guess  
13 this whole process has been premature. You put out  
14 these permits in little bits and you don't look at  
15 the big picture. And I think that needs to be done.  
16 You need to look at holistically, what's going to  
17 occur with this super quarry, okay. And the impact  
18 it will have on the people in our community and  
19 environment as well.

20 CHAIR: Thank you. Bob Brasch,  
21 followed by Frank Banhad. Sorry for that.

22 MR. BRASCH: Good evening. Bob  
23 Brasch. I don't live in the area, but I do hunt  
24 gamelands in the back side of the quarry. So I know  
25 the area. It's a beautiful area. I don't work for

1 Richard. Never did work for Richard. But I'm here  
2 to talk about the crushing operation.

3 I'm a heavy equipment operator and I  
4 work on a lot of Haines and Kibbles houses quarries.  
5 Some of their crushers are wrapped in steel.  
6 They've got a skin around them to keep the dust out.  
7 And they have the water systems on. They spray down  
8 the water on the conveyors so they don't have to be  
9 covered. They spray them as they come out of the  
10 crusher. There's a sprayer at the top. So all the  
11 times I've worked in the quarry, I've never seen  
12 hardly any dust coming off the conveyors. The  
13 systems nowadays are high-tech. This is the 21st  
14 Century. I worked with Mr. Pierson down at 202.  
15 He's got all state-of-the-art equipment. And I'm  
16 sure he's going to have the same thing over here.  
17 The crushing system he's putting in there, the super  
18 crusher, I understand that the rock here in this  
19 area is super hard. And his portable crusher broke  
20 down, so they had to bring in a bigger crusher. And  
21 that's probably why the big crusher's coming in  
22 here.

23 As far as I heard somebody say about  
24 dust and the equipment run across the quarry floor.  
25 What I've seen done, and I'm sure he does the same

1 thing; is takes clean stone and they spread that  
2 over where all the equipment's going to run. That  
3 keeps the dust down, plus the water drop. I think  
4 the only noise you're really going to have to worry  
5 about is the back-up alarms on equipment. Once he  
6 gets up and running and gets everything in order.  
7 Right now, he's over there. He's getting things  
8 moving. You may not have a problem. I just say  
9 give the man a chance. I understand you live here.  
10 I'd be concerned, too. But give the man a chance  
11 first.

12 CHAIR: Thank you. Frank Banhad,  
13 Christy Grega, Dave Bedillion.

14 MR. BANHAD: Frank Banhad. 1978,  
15 graduated at Penn Ridge High, Sellersville. And I  
16 also graduated from Upper Bucks Tech.

17 Beautiful building. Where I  
18 graduated, it wasn't anything like this. Is this  
19 all cardboard or is that stone? Am I standing on  
20 carpet? What's underneath it? Is it just dirt or  
21 is it concrete? Now, I remember that quarry in  
22 operation doing cement and concrete just about a  
23 little over a decade ago. I work with Penns Clark  
24 Hanson, guys. They were up there not even eight  
25 years ago. So I don't know where we're getting this

1 thing's been closed for 40 years. But what I'm  
2 saying is, nobody wants this in their backyard. And  
3 I understand that. But when you buy a house, you  
4 take on the typography of that community. That  
5 quarry was here way before you guys.

6 MR. PASCALE: It was closed.

7 MR. BRASCH: It wasn't closed.

8 CHAIR: Please be respectful to the  
9 speakers.

10 MR. BRASCH: Yes. Okay. What I'm  
11 saying is, we all love these things. I mean, I go  
12 to Home Depot. I see every weekend, people are  
13 pulling out pavers and blocks and all of that.  
14 Where's that come from? Does it fall from the sky,  
15 right? It comes from quarries. We all got here  
16 tonight. I bet, how many people - I didn't see any  
17 horses when I pulled in here. They were all cars.  
18 And they all came down on a road that was done from  
19 material from aggregates from quarries. We have a  
20 tech school. I went to the tech school. It would  
21 be a perfect opportunity to generate jobs, co-op  
22 jobs. I think that's what we should be pushing Mr.  
23 Pierson to entertain, too, for future equipment  
24 operators, future quarry runners.

25 Like I said, you know, you can say



1 this is a greed operation. Now, like I said, I'm a  
2 tech school grad and everything. Isn't greed trying  
3 to push this off into someone else's neighborhood?  
4 Isn't that a definition of greed? It's okay for you  
5 to have it in your yard, but it's not okay for you  
6 to have it in my yard.

7 CHAIR: One minute.

8 MR. BANHAD: I'm not finished with  
9 that. Thank you.

10 CHAIR: Christy Grega, followed by  
11 Dave Bedillion, and then Leo Church.

12 MS. GREGA: Hi. My name is Christy  
13 Grega and I do live in East Rockhill as well. Bear  
14 with me. I had to change this up a bit. I'm here  
15 to respectfully request that the application for the  
16 stone crusher and future quarry permits be denied.  
17 One of the health concerns that we have is about the  
18 air quality and safety of the air if a 1,000 ton per  
19 hour stone crusher is put in place, not your  
20 standard 100 ton per hour or less than most other  
21 quarries in the area.

22 As you know, stone crushers give rise  
23 to a substantial quantity of fine particle dust  
24 emissions, which create health hazards, to the  
25 surrounding population by way of causing respiratory

1 diseases. Quarries with rock crushing capabilities  
2 allow exposure to respirable crystalline silica,  
3 which does have a direct link to human lung cancer.  
4 Residents near active quarry operations will then be  
5 exposed to the crystalline silica. Children, the  
6 elderly, and people with autoimmune disorders are at  
7 the most risk to develop breathing problems. The  
8 physical properties of atmospheric particulates  
9 affect human health, either by allowing penetration  
10 of the lung and causing irritation to the internal  
11 membrane, or by transporting absorbed toxic gases  
12 and vapors deeper into the lung than they would  
13 normally travel.

14                   The environment near and in the stone  
15 crusher site contain millions of suspended mineral  
16 particles of respirable size that get deposited,  
17 sorry, deposited in lungs following inhalation;  
18 causing a multitude of breathing and respiratory  
19 issues. As for the environment, particulates in the  
20 atmosphere increases, particulates may absorb  
21 incoming solar radiation causing an increase in the  
22 atmospheric and land surface temperature.

23                   With the deposition of particles and  
24 various materials, especially buildings, damages  
25 caused to those materials, this effect is expensive

1 to remove the deposited particulates. And it also  
2 damages vegetation by preventing them from  
3 photosynthesis, which then causes that vegetation to  
4 die. This reduction in growth of vegetation then  
5 takes away from a vital resource from the local  
6 animal population, as well as hampering the  
7 aesthetics of this beautiful, most tranquil area.

8 The transportation of rocks and stones  
9 also affected residents along the truck routes from  
10 the quarries since many of the particles stick to  
11 the rock and the trucks at their source, and then  
12 blow off as they drive along the route.

13 CHAIR: One minute.

14 MS. GREGA: When the trucks get  
15 covered as they are transported, they transport the  
16 rock off their site. Would the DEP please consider  
17 how adversely the use of the stone crusher, asphalt  
18 plant, and quarry this area is going to negatively  
19 impact all of our lives and our children's lives now  
20 and in the future? Thank you.

21 CHAIR: Thank you, Christy. Dave  
22 Bedillion. Dave Bedillion, followed by Leo Church.

23 MR. BEDILLION: Hi, folks. Thank you  
24 for your time. I'm a resident and worker at Pierson  
25 Quarry. And I'm very grateful for the job. I have

1 three kids. All of them grew up in this area,  
2 graduated here at Penn Ridge. It's a great school.  
3 It's pretty important. You know, local jobs. My  
4 paychecks goes locally to the businesses. The ---  
5 you know, Mr. Pierson is actually saving PA tax, PA  
6 residents money on the taxes because if somebody  
7 else got the bid, it would cost much more. And the  
8 fact that he's coming in and bringing state of the  
9 art equipment in, just like your automobiles are a  
10 lot better, a lot more efficient, cleaner now than  
11 what they were 50 years ago. So is this kind of  
12 equipment.

13 My father was a quarry guy. He still  
14 has his health. And it's not going to ruin the  
15 town. It's not going to ruin the environment. It's  
16 just mining. It's important. It's done all  
17 throughout Bucks and Montgomery County. And there's  
18 residents within miles of all these places. So I  
19 think fuller heads hopefully will prevail. And  
20 thank you for your time. And have a good night.

21 CHAIR: Thank you. Next, Leo Church,  
22 followed by R. Kroendber.

23 MR. CHURCH: Good evening. How many  
24 of you are ---?

25 CHAIR: State your name, please. Can

1 you please --- you're presenting comments to me.  
2 And can you please state your name for the record.

3 MR. CHURCH: Sure. My name's Leo  
4 Church.

5 CHAIR: Thank you.

6 MR. CHURCH: I work for R.E. Pierson  
7 at the Rockhill Quarry. I'm a newcomer at that  
8 quarry. I knew R.E. Pierson in business for many,  
9 many years. I know he will do everything he needs  
10 to do to make the DEP, do the regulations on it,  
11 whatever it takes for this to go through, he will  
12 do. Sorry, I'm not a very good speaker. I know  
13 he'll take care of --- whatever permits needs to be  
14 done and whatever everybody in the community would  
15 like to do, I'm sure he would be willing to work for  
16 you guys to make everything right, to keep everybody  
17 happy.

18 CHAIR: All right. Thank you. Next,  
19 we have R. Kroendber.

20 MR. KROENELBER: Close enough.

21 CHAIR: Thanks. We're almost done,  
22 folks. David Arrowwood, Thomas Horzgood, and Arthur  
23 Hallett.

24 MR. KROENELBER: Hello. I'm here  
25 because I also work for Pierson.

1                    CHAIR: State your name.

2                    MR. KROENELBER: Bob Kroenelber. I  
3 live in Phillipsburg. After looking for work for a  
4 long time, I finally found it down here at this  
5 quarry. To address some minor concerns, I've done  
6 this, not quarry for years, but working  
7 construction. There are two larger trucks onsite to  
8 use them whenever we need to. There's water  
9 applications on the conveyors or the crushers. We  
10 are taking steps that we're instructed to do as far  
11 as water run-off and water control. Other than  
12 that, I really, you know, I feel badly for realtors  
13 didn't tell you that this was still a permitted  
14 property. And maybe you should address them.

15                    CHAIR: Okay. Thank you. David  
16 Arrowwood, Thomas Horzgood, Arthur Hallett. David  
17 Arrowwood? Last call.

18                    AUDIENCE MEMBER: Oh, he had to step  
19 out.

20                    CHAIR: Okay. Thomas Horzgood,  
21 Horzgood? Arthur Hallett?

22                    MR. HALLETT: No comment.

23                    CHAIR: No comment, okay. Okay. With  
24 that, we will conclude the public hearing. As a  
25 reminder, the public comment period will close on

1 September 30th. There is information on the sign-in  
2 sheet on the different ways that you can submit  
3 those comments. Again, whether you spoke into the  
4 microphone or submit in writing, those comments are  
5 considered with equal consideration. Thank you for  
6 being here. And I adjourn at 8:24.

7 \* \* \* \* \*

8 HEARING CONCLUDED AT 8:24 P.M.

9 \* \* \* \* \*

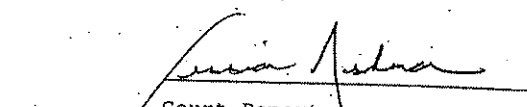
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I hereby certify that the foregoing proceedings, hearing held before Virginia Cain, was reported by me on 09-20-18 and that I, Jessica Ashman, read this transcript and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 13th day of October, 2018

  
Court Reporter  
Jessica Ashman