



**INSPECTION REPORT
NONCOAL**

Date 7/10/2017

Mine Name New Hope Quarry

Weather N/A

Complete Partial X

On Site Times N/A

PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
ADDRESS PO Box 248 New Hope, PA 18938-0248	VIOLETION HISTORY NOV'S 1 CO'S	X VIOLATIONS NOTED PREVIOUS VIOLATIONS: <input type="checkbox"/> CORRECTED <input type="checkbox"/> UNCORRECTED	X FOLLOW-UP INSP. REQUIRED X COMPLIANCE ORDER <input type="checkbox"/> FTC ORDER X CEASE ORDER
			LICENSE NO. & EXP. DATE 1879 8/31/2017
			OPERATIONAL STATUS Active

GENERAL MINING INFORMATON: Large Small 10,000 2,000 GP 105 GP 103 Expiration Date

a. Areas-Minerals-Pit Dimensions (L/W/H)-Method: Dolomite
open pit- ~2550' x ~1100' x ~315'

b. Equipment-Use & Conditions: crushing/screening plants; asphalt plant; FELs; haul trucks; track excavators; backhoes; water truck- good condition

c. Contract Miner: Yes No Name _____ d. Approved Blast Plan: Yes No Is there blasting today? Yes No

Approved Acres	Approved Pit Volume	Progress of Reclamation	Liability
Mining Area: 141 Support:	N/A yd ³	Regraded 0 acres Topsoiled 0 acres	Current Bond
Disturbed not planted:	Current Pit Volume	Water Impoundment : Acres Approved 0 Acres Actual 0	\$356,199.73
Affected acres	N/A yd ³	Planted, Grasses 0 acres	Current Liability
Mining Area: 141 Support:	Selective Grading of Highwall	Trees Required 0 ac. Planted 0 ac.	\$1,144,028.80
Disturbed not planted:	Approved: yd ³ Current:	Meeting Stage 1 criteria: 0 acres	
Highwall Bond (Blasting to achieve reclamation) Approved/Affected			
<20 ft.:	ft. ft.	>20<30 ft. ft. ft.	>30<40 ft. ft. ft.
			>40<50 ft. ft. ft.
			>50 ft. ft. ft.

PERFORMANCE STANDARDS NONCOAL

Obs.	STANDARD	PC or Reg.	Viol.	Comp. Date	Obs.	STANDARD	PC or Reg.	Viol.	Comp. Date
	Unauthorized Mining		<input type="checkbox"/>			Air Resources Protection		<input type="checkbox"/>	
	Mining License		<input type="checkbox"/>		X	Concurrent Reclamation		<input type="checkbox"/>	
	Signs and Markers		<input type="checkbox"/>			Backfilling and Grading		<input type="checkbox"/>	
	Topsoil-Rem/Storage/Handling		<input type="checkbox"/>			Revegetation		<input type="checkbox"/>	
	Effluent Standard		<input type="checkbox"/>			Haul Roads		<input type="checkbox"/>	
	Diversions and Conveyance		<input type="checkbox"/>			General Safety		<input type="checkbox"/>	
	Sediment Control Measures		<input type="checkbox"/>			Permit Conditions		<input type="checkbox"/>	
	Treatment Facilities		<input type="checkbox"/>			Temporary Mining Cessation		<input type="checkbox"/>	
	Sedimentation Ponds		<input type="checkbox"/>			Distance Limitations-Barriers		<input type="checkbox"/>	
	Discharge Structures		<input type="checkbox"/>			Bench Development		<input type="checkbox"/>	
	Dams, Ponds-Design/Const./Maint.		<input type="checkbox"/>			Permit Line Setback		<input type="checkbox"/>	
	Water Monitoring-Ground/Surface		<input type="checkbox"/>			Stability Analysis		<input type="checkbox"/>	
	Water Discharge-Underground Mine		<input type="checkbox"/>		X	Subchapter E 77.102(f)(1) &(2)	Reg	X	9/19/16
	Blasting Requirement		<input type="checkbox"/>		X	NCSMRA Section 11(b)	Reg	X	9/19/16

COMMENTS AND RECOMMENDATIONS: This inspection report is being generated to issue a violation. On August 26, 2016 the Department issued Compliance Order No. 16-5-032-N (CO) directing New Hope Crushed Stone & Lime Co. (NHCS) to immediately conduct concurrent reclamation to the minimum standards outlined in the Department's January 29, 2016 letter. The CO also directed NHCS to submit a detailed Corrective Action Plan (CAP) explaining how NHCS will conduct concurrent reclamation to the minimum standards outlined in the Department's January 29, 2016 letter and how the reclamation deficiency of 76,868 cubic yards from the 2nd Quarter 2016 would be addressed and/or made up.

Person Contacted Christina Cursley	Title General Manager	Discharge/Seeps <input type="checkbox"/> yes <input type="checkbox"/> no Samples Collected <input type="checkbox"/> yes <input type="checkbox"/> no Range of Samples Collected None to
Signature To be mailed Certified Mail No. 70142120000014094988	Investigator Signature 	Collector ID No. 4525 Employee ID No. 502407

The Operator's signature acknowledges that he has read the report, including the reverse side, and that he was given the opportunity to discuss it with the investigator. The signature does not necessarily mean he agrees with the report. White - District File Yellow - Permittee Pink - Inspector

APPEAL NOTICE

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Second Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal may be obtained from the Board. At 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law.

Violations of performance standards on operations permitted prior to the effective date of the regulations promulgated pursuant to Act 219, the 1984 Noncoal SMCRA shall be cited as a violation of permit conditions and shall be designated as PC on the reverse side in the column headed by PC or Reg.

Violations of performance standards on operations permitted after the effective date of the regulations promulgated pursuant to Act 219, the 1984 Noncoal SMCRA shall be cited as a violation of the regulations and

The following is a list of the performance standards from the regulations promulgated pursuant to Act 219, the 1984 Noncoal SMCRA, followed by the corresponding reference to chapter and section number.

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION

COMMENTS AND RECOMMENDATIONS

Mine Name New Hope QuarryDate: 7/10/2017

PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
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On September 23, 2016 EarthRes Group, Inc.(EarthRes), on behalf of NHCS submitted the CAP. The CAP failed to timely address the reclamation volume deficiencies noted in the CO. The Department had indicated that the CAP had to address the reclamation volume deficiencies within a maximum timeframe of no more than the next three sequential quarters.

On November 4, 2016, NHCS submitted a revised CAP with a new schedule to address the reclamation volume deficiencies. The revised CAP indicated that the reclamation volume deficiencies would be eliminated over the last quarter of 2016 and the first and second quarters of 2017.

On April 13, 2017, the Department approved the November 4, 2016 revised CAP. The Department's April 13, 2017 letter indicated that in accordance with the approved reclamation schedule, NHCS had to eliminate the reclamation volume deficiencies by July 1, 2017. In its monthly truck count and quarterly reports, NHCS was to include the progress towards the reduction in the reclamation volume deficiencies.

The Department's subsequent review of the monthly Reclamation and Restoration Work sheets, and associated quarterly reports, found that, based on the reported reclamation fill placement, NHCS may not eliminate the reclamation volume deficiencies by the July 1, 2017 deadline. The Department advised NHCS of the reclamation obligations during onsite meetings, in inspection reports, and in the Department's letter dated May 23, 2017.

Following a review of the most recent reclamation progress information submitted by NHCS, the Department has determined that NHCS has failed to conduct reclamation activities to the minimum standards and requirements outlined in the Department's January 29, 2016 letter, and the CAP approved by the Department on April 13, 2017. The April, May and June 2017 Reclamation and Restoration Work-sheets and information indicate that NHCS had a reclamation shortfall of 5,086 cu yds in April 2017, a reclamation shortfall of 801 cu yds in May 2017, and did not place the required "catch up" reclamation fill volume identified and outlined in the approved CAP by the July 1, 2017 deadline. In reference to the "catch up" reclamation fill volume the monthly work sheets indicate that there is a 12,835 cu yd shortfall in relationship to the total amount of reclamation fill required to be placed by the approved CAP. As of July 1, 2017 NHCS' total reclamation fill volume shortfall determined by the monthly work-sheets is 18,722 cu yds.

Since NHCS has failed to conduct reclamation activities to the minimum standards and/or requirements outlined in the Department's January 29, 2016 letter and the CAP approved by the Department on April 13, 2017, Compliance Order No. 17-5-025-N is issued.

NHCS shall immediately cease active mining operations, and conduct reclamation to correct the current reclamation volume shortfall of 18,722 cu yds on a continuous daily basis until the shortfall is eliminated to the Department's satisfaction. In addition, NHCS shall conduct and submit to the Department a detailed site survey that: 1) measures the amount of reclamation fill placed in its final location per the permit approved final reclamation plan, and 2) delineates the current highwall slopes, and the required cut and fill amounts for each area still requiring backfilling, grading and/or reclamation. NHCS shall also place and maintain cut and/or fill stakes on each required reclamation area in order to establish/delineate the amount of reclamation work still required on that area.

NHCS shall submit the detailed site survey and associated information to the Department's Pottsville District Office, and conduct the other required survey work outlined above by 8:00 AM, August 7, 2017.

NHCS is reminded that all other permit conditions and requirements which include, but are not limited to, conducting water monitoring, maintaining the approved pumping rate of 500,000 GPD and maintaining Erosion & Sedimentation controls, shall continue during this time.

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF MINING AND RECLAMATION

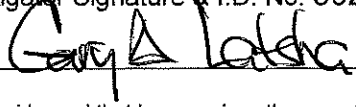
COMMENTS AND RECOMMENDATIONS

Mine Name New Hope Quarry

Date 7/10/2017

PERMITTEE New Hope Crushed Stone & Lime Co.	TOWNSHIP Solebury	COUNTY Bucks	PERMIT NO. 7974SM3
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Compliance History: 2 years – CO issued 8/26/2016 – Subchapter E 77.102(f)(1) & (2) and Section 11(b) of the Noncoal Surface Mining and Reclamation Act. CO issued 10/1/2015 – Section 7(c)(5) and (10) of the Noncoal Surface Mining and Reclamation Act, 52 P.S. § 3307(c)(5) and (10)

Person Contacted Christina Cursley General Manager	Discharge/Seeps <input type="checkbox"/> yes <input type="checkbox"/> no Samples Collected <input type="checkbox"/> yes <input type="checkbox"/> no Range of Samples Collected None
Signature To be mailed Certified Mail No. 70142120000014094988	Investigator Signature & I.D. No. 502407 

The Operator's signature acknowledges that he has read the report, including the reverse side, and that he was given the opportunity to discuss it with the investigator. The signature does not necessarily mean he agrees with the report.

District File/Permittee/Inspector

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION
P.O. BOX 8461
HARRISBURG, PA 17105-8461



COMPLIANCE ORDER

OPERATOR NAME New Hope Crushed Stone & Lime Co.		DOCKET NUMBER 17-5-025-N		
ADDRESS PO Box 248 New Hope, PA 18938-0248		PERMIT NUMBER 7974SM3		
		MUNICIPALITY Solebury Township		
NAME AND TITLE OF PERSON SERVED Christina Cursley General Manager		COUNTY Bucks		
MINE NAME OR DESCRIPTION New Hope Quarry		LICENSE NUMBER 1879		
DATE OF INSPECTION 7/10/2017	DATE OF ORDER 7/10/2017	DATE OF SERVICE/MAIL 7/10/2017	CERT. MAIL NO. 70142120000014094988	CESSATION ORDERED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

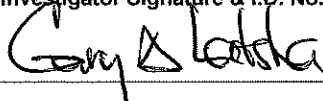
The Department of Environmental Protection is the agency with the authority to administer and enforce the Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. §691.1 *et seq.*, the Surface Mining Conservation and Reclamation Act, the Act of May 31, 1945, P.L. 1198, as amended, 52 P.S. §1396.1 *et seq.*, the Noncoal Surface Mining Conservation and Reclamation Act, the Act of December 19, 1984, P.L. 1093, No 219, as amended, 52 P.S. §3301 *et seq.*, the Coal Refuse Disposal Control Act, the Act of September 24, 1968, P.L. 1040, as amended, 52 P.S. §30.51 *et seq.*, the Bituminous Mine Subsidence and Land Conservation Act, the Act of April 27, 1966, P.L. 31, No. 1, as amended, 52 P.S. §1406.1 *et seq.*, the Anthracite Coal Mine Act, the Act of November 10, 1965, P.L. 721, No. 346, as amended, 52 P.S. §70-101 *et seq.*, the Bituminous Coal Mine Act of 1961, the Act of July 17, 1961, P.L. 659, No. 339, as amended, 52 P.S. §701-101 *et seq.*, and Section 1917-A of the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. §510-17, and the Rules and Regulations of the Environmental Quality Board adopted thereunder.

The Undersigned authorized representative of the Department has determined that the violations listed in the attachment(s) exist on the above referenced mine site. This Order constitutes a separate order for each violation listed.

Pursuant to §§5, 301, 307, 315, 316, 401, 402, 601 and 610 of The Clean Streams Law (35 P.S. §691.5, 691.301, 691.307, 691.315, 691.316, 691.401, 691.402, 691.601, and 691.610), §§4.2 and 4.3 of the Surface Mining Conservation and Reclamation Act (52 P.S. §1396.4b and 1396.4c), §11 of the Noncoal Surface Mining Conservation and Reclamation Act, (52 P.S. §3311), §§3.1 and 9 of the Coal Refuse Disposal Control Act, (P.L. 31, 52 P.S. §1406.1), §§701-101 *et seq.*, of the Bituminous Coal Mine Act (52 P.S. §§701-101) and Section 1917-A of the Administrative Code (71 P.S. §510-17) and 25 Pa. Code §§86.211 and 86.213, it is hereby ordered that the operator shall perform the corrective actions listed in the attachment within the designated abatement time.

APPEAL NOTICE

Any person aggrieved by this action may appeal, pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. Section 7514, and the Administrative Agency Law, 2 Pa. C.S. Chapter 5A, to the Environmental Hearing Board, Section Floor, Rachel Carson State Office Building, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457, 717-787-3483. TDD users may contact the Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Environmental Hearing Board within 30 days of receipt of written notice of this action unless the appropriate statute provides a different time period. Copies of the appeal form and the Board's rules of practice and procedure may be obtained from the Board. The appeal form and the Board's rules of practice and procedure are also available in braille or on audiotape from the Secretary to the Board at 717-787-3483. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law. IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST REACH THE BOARD WITHIN 30 DAYS. YOU DO NOT NEED A LAWYER TO FILE AN APPEAL WITH THE BOARD. IMPORTANT LEGAL RIGHTS ARE AT STAKE, HOWEVER, SO YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD (717-787-3483) FOR MORE INFORMATION.

Cert. Mail No. 70142120000014094988	Department Representative Name and Title Gary A. Latsha
Operator/Representative Signature To be mailed	Investigator Signature & I.D. No.  502407

Please read carefully and be advised that:

Under the provisions of Section 3.1 of the Surface Mining Conservation and Reclamation Act, Sections 5 and 8 of the Noncoal Surface Mining Conservation and Reclamation Act, Section 609 of the Clean Streams Law, Section 4 of the Coal Refuse Disposal Control Act, and Section 5 of the Bituminous Mine Subsidence and Land Conservation Act, the Department is prohibited from issuing your firm or associated companies any further permits or licenses until such time that the violations enumerated in this order are corrected to the satisfaction of the Department.

In accordance with the Department's Rules and Regulations and the Statutes stated herein, your failure to abate the noted violations by the specific abatement date will result in the cessation of your mining operation.

Pursuant to Section 18.4 of the Surface Mining Conservation and Reclamation Act, Section 605 of the Clean Streams Law, Section 21 of the Noncoal Surface Mining Conservation and Reclamation Act, Section 11 of the Coal Refuse Disposal Control Act, and Section 17 of the Bituminous Mine Subsidence and Land Conservation Act, the Department may assess a civil penalty for any violation of the previously stated Acts. A civil penalty must be assessed for any violation(s) which results in a Cessation Order being issued. The civil penalty so assessed may be up to five thousand dollars (\$5,000) per day for each Surface Mining Conservation and Reclamation Act, Noncoal Surface Mining Conservation and Reclamation Act, Coal Refuse Disposal Control Act or Bituminous Mine Subsidence and Land Conservation Act violation.

These laws also provide for summary and misdemeanor, and criminal penalties of up to ten thousand dollars (\$10,000) and twenty-five thousand dollars (\$25,000) respectively for each separate violation.



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING AND RECLAMATION
P.O. BOX 8461
HARRISBURG, PA 17105-8461

ORDER (Continuation)

PARAGRAPH NO. 1

DOCKET NUMBER

17-5-025-N

Description of Violation: Following a review of the reclamation progress information submitted by New Hope Crushed Stone (NHCS), the Department has determined that NHCS has failed to conduct reclamation activities to the minimum standards and/or requirements outlined in the Department's January 29, 2016 letter and the Corrective Action Plan (CAP) approved by the Department on April 13, 2017. The April, May and June 2017 Reclamation and Restoration Worksheets and related information indicate that NHCS had a reclamation shortfall of 5,086 cu yds in April 2017, a reclamation shortfall of 801 cu yds in May 2017, and did not place the required "catch up" reclamation fill volume identified and outlined in the approved CAP by the July 1, 2017 deadline noted in the Department's April 13, 2017 letter. In reference to the "catch up" reclamation fill volume, the monthly worksheets show a 12,835 cu yd shortfall in relationship to the total amount of reclamation fill required to be placed by the approved CAP. As of July 1, 2017, NHCS' total reclamation fill volume shortfall, as determined by NHCS' monthly worksheets, is 18,722 cu yds.

Location of Violation: Permit No. 7974SM3, Solebury Township, Bucks County

Provisions of Regulation, Statute or Permit Violated: 25 Pa. Code §77.102(f)(1) & (2) and Section 11(b) of the Noncoal Surface Mining Conservation and Reclamation Act, 52 P.S. § 3311(b). Dept letter date: April 13, 2017

Corrective Action Required or Activity to be Ceased: NHCS shall immediately cease active mining operations. NHCS shall conduct reclamation work to abate the current reclamation volume shortfall of 18,722 cu yds. NHCS shall conduct reclamation work on a continuous daily basis until demonstrated to the Department's satisfaction that the shortfall has been eliminated. In addition, NHCS shall conduct and submit to the Department a detailed site survey that: 1) measures the amount of reclamation fill placed in its final location per the permit approved final reclamation plan, and 2) delineates the current highwall slopes, and the required cut and fill amounts for each area still requiring backfilling, grading and/or reclamation. NHCS shall also place and maintain cut and/or fill stakes on each required reclamation area in order to establish/delineate the amount of reclamation work still required on that area.

Required Abatement Date and Time: Immediately cease active mining operations and perform only reclamation work. Reclamation work is to be conducted on a daily basis until the Department determines that the reclamation shortfall is abated, and the other required reclamation fill placement volumes have been placed as required. NHCS shall submit the detailed site survey and associated information to the Department's Pottsville District Office, and conduct the other required survey work outlined above by 8:00 AM on August 7, 2017.

Page ___ of ___ Pages

Date of Service/Mail: 7/10/2017

For the Department:

Gary A. Gotska

Please read carefully and be advised that:

Under the provisions of Section 3.1 of the Surface Mining Conservation and Reclamation Act, Section 609 of the Clean Streams Law, Sections 5 and 8 of the Noncoal Surface Mining Conservation and Reclamation Act, Section 4 of the Coal Refuse Disposal Control Act and Section 5 of the Bituminous Mine Subsidence and Land Conservation Act, the Department is prohibited from issuing your firm or associated companies any further permits or licenses until such time that the violations enumerated in this Order are corrected to the satisfaction of the Department.

In accordance with the provisions of the Department's Rules and Regulations and the Statutes stated herein, your failure to abate the noted violations by the specific abatement date will result in the cessation of your mining operation.

Pursuant to Section 18.4 of the Surface Mining Conservation and Reclamation Act, Section 605 of the Clean Streams Law, Section 21 of the Noncoal Surface Mining Conservation and Reclamation Act, Section 11 of the Coal Refuse Disposal Act and Section 17 of the Bituminous Mine Subsidence and Land Conservation Act, the Department may assess a civil penalty for any violation of the previously stated Acts. A civil penalty must be assessed for any violation(s) which results in a Cessation Order being issued. The civil penalty so assessed may be up to ten thousand (\$10,000) per day for each Clean Streams Law violation and up to five thousand dollars (\$5,000) per day for each Surface Mining Conservation and Reclamation Act, Noncoal Surface Mining Conservation and Reclamation Act, Coal Refuse Disposal Act or Bituminous Mine Subsidence and Land Conservation Act violation.

These laws also provide for summary and misdemeanor, and criminal penalties of up to ten thousand dollars (\$10,000) and twenty-five thousand dollars (\$25,000) respectively for each separate violation.