



<b>DEP USE ONLY</b>
Date Received
Permit Number

## LARGE NONCOAL (INDUSTRIAL MINERALS) MINE PERMIT APPLICATION

**Before completing this form, read the step-by-step instructions provided with this Permit Application Package.**

SECTION A. APPLICANT INFORMATION			
<b>Applicant Name</b> Ligonier Stone & Lime Company	<b>Applicant Type</b>		
<b>Mailing Address</b> 117 Marcia Street <small>(Street # and Name or P.O. Box)</small>	<input type="checkbox"/> Individual (INDIV)		
_____ <small>(Address Line 2)</small>	<input checked="" type="checkbox"/> PA Corporation (PACOR)		
Latrobe PA 15650 <small>(City) (State) (Zip Code + Four)</small>	<input type="checkbox"/> Non-PA Corporation (NPACO)		
	<input type="checkbox"/> General Partnership (PARTG)		
	<input type="checkbox"/> Limited Partnership (PARTL)		
	<input type="checkbox"/> Municipality (MUNI)		
	<input type="checkbox"/> Sole Proprietorship (SOLEP)		
	<input type="checkbox"/> Other (OTHER)		
724-537-6023 Ext. _____ <small>(Telephone #)</small>	724-537-6021 <small>(FAX #)</small>	<b>Surface Mining Operator's License #</b> 16452	
		<input type="checkbox"/> Pending	
<b>Applicant Contact</b>			
Herrholtz <small>(Last Name)</small>	David <small>(First Name)</small>	S. <small>(MI)</small>	
President <small>(Title)</small>			
<b>Mailing Address</b> <input checked="" type="checkbox"/> Check here if the address is the same as listed above			
_____ <small>(Street # and Name or P.O. Box)</small>			
_____ <small>(City)</small>	_____ <small>(State)</small>	_____ <small>(Zip Code + Four)</small>	
dh@ligonierconstruction.com <small>(Email Address)</small>	(724) 537-6023 <small>(Telephone #)</small>	Ext. _____	724-537-6021 <small>(FAX #)</small>
SECTION B. DESCRIPTION OF ACTIVITY			
<b>Application Type</b>			
<input checked="" type="checkbox"/> New <input type="checkbox"/> Revision/Modification <input type="checkbox"/> Renewal <input type="checkbox"/> Transfer      Permit Number _____			
<b>Type of Mining Activity(ies)</b>			
<input checked="" type="checkbox"/> Surface Mining <input type="checkbox"/> Underground Mining (Includes Surface Effects of Underground Mining) <input type="checkbox"/> Incidental Coal Extraction			
<input type="checkbox"/> Other (specify) _____			
_____			
SECTION C. SITE INFORMATION			
<b>Operation/Site Name</b> SMT East Surface Mine			
<b>Operation/Site Location</b>			
Westmoreland <small>County(ies)</small>		Derry Township <small>Municipality(ies)</small>	
_____		_____	
_____		_____	

**SECTION C. (continued)**

**Operation/Site Location**

U.S.G.S. Map Name(s) Blairsville, PA

Map Coordinates (center of proposed permit area)

Latitude 40° 24' 49" Longitude 79° 16' 20"

Method of latitude/longitude collection Emap

Horizontal accuracy (feet/inches) +/- 50'

Horizontal Reference Datum  N.Am. 1927  
 N.Am. 1983  
 World Geodetic 1984

Name or route number of nearest state/township road and a description of the location of the road that provides access to the operation Access is off of Derry Lane through the existing adjacent SMT Property Surface Mine, approximately 1 mile south of Blairsville

**Name(s) of receiving stream(s)/Chapter 93 Classification**

Unnamed tributaries to Stony Run (CWF) to Stony Run (CWF) to Conemaugh River (WWF) – and- Unnamed tributaries to McGee Run (CWF) to McGee Run (TSF) to Conemaugh River (WWF) –and- Unnamed tributaries to Conemaugh River (CWF) to Conemaugh River (WWF)

**MSHA Mine I.D. No**

36-08898

**Extent of Mining**

<b>Mining Area</b>		<b>Remining</b>	
List Rock/Mineral to be Mined (Include topsoil/overburden to be sold)	Acres of Rock/Mineral Removal	Total acres of abandoned mine land (i.e., open pits, refuse/spoil piles, surface area affected by underground mining) to be reaffected.	
<u>Benwood Limestone</u>	<u>15.4</u>	<u>0</u>	
_____	_____		
_____	_____		
_____	_____		
Total surface acres to be affected by rock/mineral removal	<u>15.4</u>	<b>Processing Facility</b> Total acres to be affected <u>14.6</u>	
Total underground acres to be affected by rock/mineral removal	<u>0</u>	<b>Wetlands</b> Total acres of wetland to be affected by mining <u>0</u> Total acres of wetland to be replaced <u>0</u>	
Permit Area (total acres of mining and support)	<u>224.2</u>		

**SECTION D. PERMIT COORDINATION (or provide GIF form 8000-PM-IT0001)**

- 1. Will this noncoal mining project involve the crushing and screening of noncoal minerals other than sand and gravel?  Yes  No
- 2. Will this noncoal mining project involve the crushing and/or screening of sand and gravel with the exception of wet sand and gravel operations (screening only) and dry sand and gravel operations (crushing and/or screening) processing unconsolidated materials with a rated capacity of less than 150 tons/hour?  Yes  No
- 3. Will this noncoal mining project involve the construction, operation and/or modification of a portable mineral processing plant?  Yes  No
- 4. Will underground tanks for storage of fuel or chemicals be located within the proposed permit area?  Yes  No

**SECTION E. APPLICATION FEE**

Refer to the DEP web page "Fees Associated with Mining Activities" to calculate the appropriate fee for the application package.  
<https://www.dep.pa.gov/Business/Land/Mining/BureauofDistrictMining/Pages/Fees.aspx>

Total Fee submitted: \$16,550.00

Description of total fee included (new permit + NPDES permit, etc.): new permit + new NPDES permit + new blast plan

**Additional fees may be required for water obstructions, stream modifications, and dams. Contact the DMO to discuss.**

**SECTION F. CONSULTANT**

<p>_____                  Verwelst                  (Last Name)                  Professional Engineer                  (Title)</p>	<p>_____                  Brian                  (First Name) (MI)                  Earthtech, Inc.                  (Name of Consulting Firm)</p>	
<p><b>Mailing Address</b>                  P.O. Box 4-A                  _____                  (Street # and Name or P.O. Box)</p>		
<p>_____                  Lemont Furnace                  (City)                  bverwelst@earthtechinc.net                  (E-mail Address)</p>	<p>_____                  PA                  (State)                  (724) 439 - 1313                  (Telephone #)</p>	<p>_____                  15456 -                  (Zip Code + Four)                  (724) 439 - 0633                  (Fax #)</p>

## SECTION G. LAND USE INFORMATION

Complete the following for new permits and major revisions that include new surface area.

1. Is there an adopted county or multi-county comprehensive plan?  Yes  No
2. Is there an adopted municipal or multi-municipal comprehensive plan?  Yes  No
3. Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal ordinance?  Yes  No

If "Yes" is answered to questions 1, 2, or 3, complete 4, 5, and 6.

4. Does the project meet the provisions of the zoning ordinance or does the proposed project have zoning approval?  Yes  No
5. Applicants are encouraged to submit copies of local land use approvals or other evidence of compliance with local comprehensive plans and zoning ordinances. Have you submitted local municipal and county approval letters\* for this mining project with this permit application? **See the attached copies of the notifications sent to the municipal and county; no responses were received to date.**  Yes  No

(If yes, please attach the local municipal and county approval letters.)

6. Have you addressed any concerns from the local municipal and county prior to submitting the application to the Department?  Yes  No

(If yes, please attach all correspondence addressing the concerns.)

\* If Municipal and County Land Use Letters are not included, the applicant should demonstrate that they attempted to obtain the letters. A copy of correspondence sent by the applicant via Certified Mail to the municipality (addressed to the municipal secretary with a copy to the township supervisor chair) and to the county (addressed to the county planning office with a copy to the county commissioners) to request Municipal and County Land Use Letters within 30 days of receipt should be included with this form.

## SECTION H. ADDITIONAL RELATED INFORMATION

Name and Address of Public Office where a copy of this application is on file for public review.  
DEP, New Stanton District Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672

Have arrangements been made to publish notice of this application in a local newspaper of general circulation in the locality of the proposed mining activities?  Yes  No

Name of newspaper where the public notice advertisement will appear: Latrobe Bulletin

Attach a copy of the proposed public notice (see instructions for sample notice containing suggested wording and content).

Provide the following (if applicable to this proposed operation):

Pre-Application No. N/A

Notice of Intent to Explore No. 65191802

Application Date: January 5, 2022

Attach the results of the Pennsylvania Natural Diversity Inventory (PNDI)

## Restricted areas:

Are mining activities proposed in any of the following restricted areas?

- Yes  No Areas which have been designated unsuitable for mining.
- Yes  No Areas included in a petition, which has been accepted for review by the Department, for designation as unsuitable for mining.
- Yes  No Areas within 300 feet of any public park, building, school, church, community, or institutional building.
- Yes  No Areas within 100 feet of a cemetery or burial ground.
- Yes  No Areas within the boundary of the Allegheny National Forest. If Yes, approval is required from U.S. Department of Interior.
- Yes  No Areas within the boundary of a State Park, State Forest, or State Wild and Scenic River System. If Yes, approval is required from Pennsylvania Department of Conservation and Natural Resources.
- Yes  No Areas within the boundary of a State Game Land. If Yes, approval is required from Pennsylvania Game Commission.
- Yes  No Areas within the boundaries of the National Park System, the National Wildlife Refuge System, the National System of Trails, the National Wilderness Preservation System, and the Wild and Scenic Rivers System.
- Yes  No Areas within 300 feet from any occupied dwelling.  Yes  No Areas within 100 feet of the outside right of way of a public road or a relocation of a public road. If Yes, provide details in Module 10.12.
- Yes  No Areas within a watershed designated as "Special Protection" pursuant to 25 Pa. Code Chapter 93. If Yes, provide the "Anti-Degradation Supplement for Mining Permits" (Form No. 5600-PM-BMP0007)
- Yes  No Areas within 100 feet of the bank of a perennial or intermittent stream. If Yes, provide details in Module 14.1.
- Yes  No Areas within 125 feet of a permitted or registered oil or gas well. If Yes, provide details in Module 10.9.
- Yes  No Areas within the right-of-way any type of utility line or 100 feet of an underground utility line. If Yes, provide details in Module 10.14.

## PNDI Review:

Utilize the Pennsylvania Natural Diversity Index (PNDI) (<https://conservationexplorer.dcnr.pa.gov/>) to determine if any threatened or endangered species and/or critical habitats exist in proximity to the proposed mining activities. Provide a copy of the PNDI receipt and any copies of correspondence with state or federal agencies regarding the PNDI review. If any threatened or endangered species or critical habitats are identified on the PNDI receipt, then provide details in Module 19.3.

PNDI Receipt Number: PNDI-700661

## PHMC Review:

This project must be submitted for review to the PA State Historic Preservation Office using the PA-SHARE online tool at <https://share.phmc.pa.gov/pashare/landing>.

Project Number Assigned by PHMC: ER-2020-0894-129-B

Attach all correspondence received from PHMC.

Are any cultural or historic resources listed on the National Register of Historic Places located within or adjacent (within 1000 ft.) to the proposed permit area?  Yes  No

Are any publicly owned parks located within or adjacent (within 1000ft.) to the proposed permit area?  Yes  No

Are any significant archaeological sites located within or adjacent (within 1000ft.) to the proposed permit area?  Yes  No

If Yes to any of the three questions above, provide details in Module 10.13

**SECTION I. AFFIDAVIT (§77.107)**

Commonwealth of Pennsylvania, County of Westmoreland

I, David S. Herrholtz being duly sworn, according to law, depose and say that I (~~am the applicant~~) (am an officer or official of the applicant) (~~have the authority to make this application~~) and that the plans, reports and documents submitted as part of the application are true and correct to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. (cross out inapplicable portions in parenthesis)

Sworn and Subscribed to Before Me This

19 Day of January 2021  
(month) (year)

*[Handwritten Signature]*  
 Signature of Applicant or Responsible Official

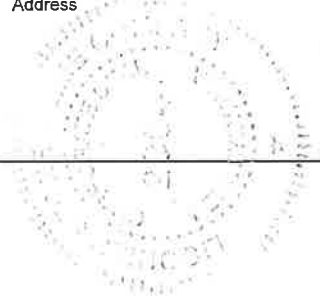
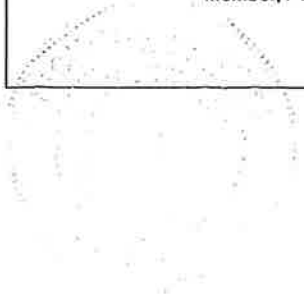
*Nichole W Rose*

David S. Herrholtz  
 Name (Typed)

President **Notary Public  
 Commonwealth of Pennsylvania - Notary Seal  
 Nichole W. Rose, Notary Public  
 Westmoreland County**

117 Marcia Street, Latrobe, PA 15650  
 Address

**My commission expires November 30, 2023  
 Commission number 1238330  
 Member, Pennsylvania Association of Notaries**



**PERSON(S) AUTHORIZED BY APPLICANT TO PREPARE THIS APPLICATION**

LS&L – SMT East

The application, plans, reports and specifications shall be certified by a registered professional engineer, registered professional geologist or registered professional land surveyor, as appropriate. Geologic and hydrogeologic information must be certified by a registered professional geologist. Impoundments requiring a 25 Pa Code Chapter 105 permit or having a storage capacity of equal to or greater than 20 acre-feet; and final contours/grading other than approximate original contour in conjunction with achieving an alternate postmining land use must be certified by a registered professional engineer. Impoundments which do not require a Chapter 105 permit or have a storage capacity of less than 20 acre-feet must be certified by a registered professional engineer or a registered professional land surveyor.

**Registered Professional Engineer**

I, Brian Verwelst do hereby certify to the best of my knowledge, information and belief, that the application, plans, specifications and reports have been prepared in accordance with accepted practice of engineering, are true and correct, and are in accordance with the Rules and Regulations of the Department of Environmental Protection. I further certify that it is within my professional expertise to verify the correctness of the information. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

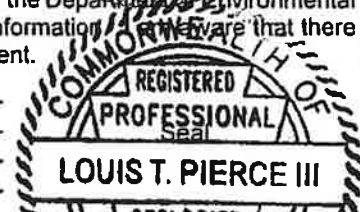
Signature B. Verwelst  
 Address Earthtech, Inc.  
P.O. Box 4-A, Lemont Furnace, PA 15456  
 Telephone No. 724-439-1313



**Registered Professional Geologist**

I, Louis T. Pierce III do hereby certify to the best of my knowledge, information and belief, that the application, plans, specifications and reports have been prepared in accordance with accepted practice of geology and hydrology, are true and correct, and are in accordance with the Rules and Regulations of the Department of Environmental Protection. I further certify that it is within my professional expertise to verify the correctness of the information. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature [Signature]  
 Address Earthtech, Inc.  
966 Pleasant Hill Road, Somerset, PA 15501  
 Telephone No. 814-266-6402



**Registered Professional Land Surveyor**

I, \_\_\_\_\_ do hereby certify to the best of my knowledge, information and belief, that the application, plans, specifications and reports have been prepared in accordance with accepted practice of land surveying and engineering land surveys, are true and correct, and are in accordance with the Rules and Regulations of the Department of Environmental Protection. I further certify that it is within my professional expertise to verify the correctness of the information. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment.

Signature \_\_\_\_\_  
 Address \_\_\_\_\_  
 Telephone No. \_\_\_\_\_

Seal

**APPLICATION FORM CERTIFICATION**

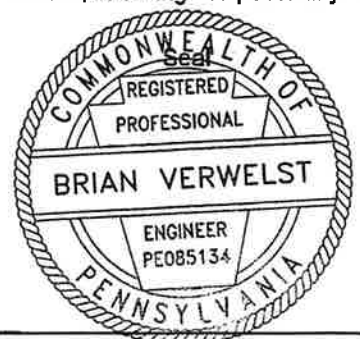
Complete the following if the application is submitted on forms other than the original Department Forms.

Registered Professional Engineer, Registered Professional Land Surveyor or Registered Professional Geologist

I, Brian Verwelst ; being a registered professional (Engineer's/Surveyor's/Geologist's Name - Print or Type)

~~engineer/registered professional land surveyor or registered professional geologist~~ (circle as appropriate) do hereby certify that the forms used in the accompanying application have been reproduced under my supervision and are a facsimile of the forms prepared by the Department. I am aware that there are significant penalties for altering the content of the Department's forms, including the possibility of fine and imprisonment.

Signature B. Verwelst Date 1-25-2021





COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF MINING PROGRAMS

**PERMIT APPLICATION – CONTENT**

**APPLICANT'S ✓ CHECKLIST**

Please check the following list to make sure that you have included all the required information. Place a checkmark next to each item completed and/or provided. Ensure that the latest version of each module is submitted.

**Modules**

- 1. General Information
- 2. NPDES Information
- 3. Ownership/Compliance Information
- 4. Areas Where Mining is Prohibited or Limited
- 5. Property Interest/Right of Entry
- 6. Environmental Resources Map
- 7. Geology Information
- 8. Hydrology
- 9. Operations Map
- 10. Operational Information
- 11. Incidental Coal Extraction
- 12. Erosion and Sedimentation Controls
- 13. Impoundments/Treatment Facilities
- 14. Streams/Wetlands
- 15. Underground Mines
- 16. Blasting Plan
- 17. Air Pollution and Noise Control Plan
- 18. Land Use and Reclamation Map
- 19. Land Use/Vegetation
- 20. Postmining Land Use and Reclamation
- 21. Topsoil/Subsoil
- 22. (Reserved)
- 23. Revegetation
- 24. Special Protection Waters

Has a check, payable to the Commonwealth of Pennsylvania for the proper amount, been included?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Has the application been properly executed and if a corporation, the corporate seal affixed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
One original and the appropriate numbers of copies have been provided. (New permit, total of 4. Revisions/Transfer, total of 3.)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No



## 1. PROJECT INFORMATION

Project Name: **SMT East**  
Date of Review: **1/17/2020 03:23:42 PM**  
Project Category: **Mining, other non-coal minerals (limestone,shale)**  
Project Area: **283.84 acres**  
County(s): **Westmoreland**  
Township/Municipality(s): **DERRY**  
ZIP Code: **15717**  
Quadrangle Name(s): **BLAIRSVILLE**  
Watersheds HUC 8: **Conemaugh**  
Watersheds HUC 12: **Conemaugh River-Kiskiminetas River; McGee Run**  
Decimal Degrees: **40.410296, -79.274519**  
Degrees Minutes Seconds: **40° 24' 37.670" N, 79° 16' 28.2678" W**

## 2. SEARCH RESULTS

Agency	Results	Response
PA Game Commission	No Known Impact	No Further Review Required
PA Department of Conservation and Natural Resources	No Known Impact	No Further Review Required
PA Fish and Boat Commission	No Known Impact	No Further Review Required
U.S. Fish and Wildlife Service	No Known Impact	No Further Review Required

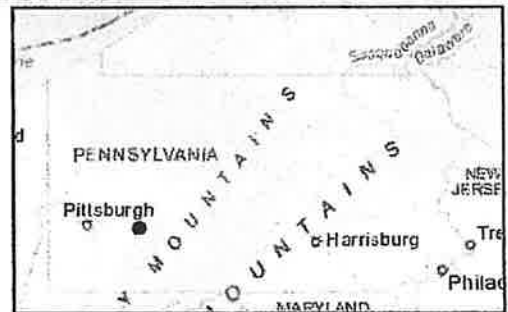
As summarized above, Pennsylvania Natural Diversity Inventory (PNDI) records indicate no known impacts to threatened and endangered species and/or special concern species and resources within the project area. Therefore, based on the information you provided, no further coordination is required with the jurisdictional agencies. This response does not reflect potential agency concerns regarding impacts to other ecological resources, such as wetlands.

### SMT East



- Project Boundary
- Buffered Project Boundary

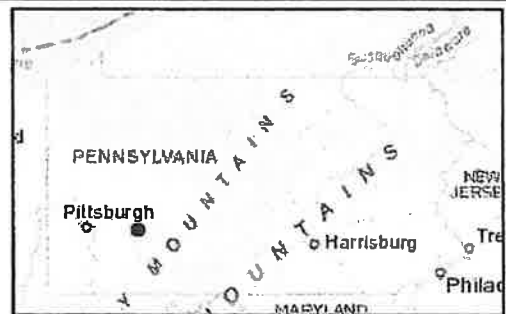
Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community



### SMT East



- Project Boundary
- Buffered Project Boundary



Service Layer Credits: Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community  
 Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS,

## RESPONSE TO QUESTION(S) ASKED

**Q1:** The proposed project is in the range of the Indiana bat. Describe how the project will affect bat habitat (forests, woodlots and trees) and indicate what measures will be taken in consideration of this. Round acreages up to the nearest acre (e.g., 0.2 acres = 1 acre).

**Your answer is:** The project will affect 1 to 39 acres of forests, woodlots and trees.

**Q2:** Is tree removal, tree cutting or forest clearing of 40 acres or more necessary to implement all aspects of this project?

**Your answer is:** No

### 3. AGENCY COMMENTS

Regardless of whether a DEP permit is necessary for this proposed project, any potential impacts to threatened and endangered species and/or special concern species and resources must be resolved with the appropriate jurisdictional agency. In some cases, a permit or authorization from the jurisdictional agency may be needed if adverse impacts to these species and habitats cannot be avoided.

These agency determinations and responses are **valid for two years** (from the date of the review), and are based on the project information that was provided, including the exact project location; the project type, description, and features; and any responses to questions that were generated during this search. If any of the following change: 1) project location, 2) project size or configuration, 3) project type, or 4) responses to the questions that were asked during the online review, the results of this review are not valid, and the review must be searched again via the PNDI Environmental Review Tool and resubmitted to the jurisdictional agencies. The PNDI tool is a primary screening tool, and a desktop review may reveal more or fewer impacts than what is listed on this PNDI receipt. The jurisdictional agencies **strongly advise against** conducting surveys for the species listed on the receipt prior to consultation with the agencies.

#### PA Game Commission

##### RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

#### PA Department of Conservation and Natural Resources

##### RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

#### PA Fish and Boat Commission

##### RESPONSE:

No Impact is anticipated to threatened and endangered species and/or special concern species and resources.

#### U.S. Fish and Wildlife Service

##### RESPONSE:

No impacts to **federally** listed or proposed species are anticipated. Therefore, no further consultation/coordination under the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq. is required. Because no take of federally listed species is anticipated, none is authorized. This response does not reflect potential Fish and Wildlife Service concerns under the Fish and Wildlife Coordination Act or other authorities.

#### **4. DEP INFORMATION**

The Pa Department of Environmental Protection (DEP) requires that a signed copy of this receipt, along with any required documentation from jurisdictional agencies concerning resolution of potential impacts, be submitted with applications for permits requiring PNDI review. Two review options are available to permit applicants for handling PNDI coordination in conjunction with DEP's permit review process involving either T&E Species or species of special concern. Under sequential review, the permit applicant performs a PNDI screening and completes all coordination with the appropriate jurisdictional agencies prior to submitting the permit application. The applicant will include with its application, both a PNDI receipt and/or a clearance letter from the jurisdictional agency if the PNDI Receipt shows a Potential Impact to a species or the applicant chooses to obtain letters directly from the jurisdictional agencies. Under concurrent review, DEP, where feasible, will allow technical review of the permit to occur concurrently with the T&E species consultation with the jurisdictional agency. The applicant must still supply a copy of the PNDI Receipt with its permit application. The PNDI Receipt should also be submitted to the appropriate agency according to directions on the PNDI Receipt. The applicant and the jurisdictional agency will work together to resolve the potential impact(s). See the DEP PNDI policy at <https://conservationexplorer.dcnr.pa.gov/content/resources>.

### 5. ADDITIONAL INFORMATION

The PNDI environmental review website is a preliminary screening tool. There are often delays in updating species status classifications. Because the proposed status represents the best available information regarding the conservation status of the species, state jurisdictional agency staff give the proposed statuses at least the same consideration as the current legal status. If surveys or further information reveal that a threatened and endangered and/or special concern species and resources exist in your project area, contact the appropriate jurisdictional agency/agencies immediately to identify and resolve any impacts.

For a list of species known to occur in the county where your project is located, please see the species lists by county found on the PA Natural Heritage Program (PNHP) home page ([www.naturalheritage.state.pa.us](http://www.naturalheritage.state.pa.us)). Also note that the PNDI Environmental Review Tool only contains information about species occurrences that have actually been reported to the PNHP.

### 6. AGENCY CONTACT INFORMATION

**PA Department of Conservation and Natural Resources**  
Bureau of Forestry, Ecological Services Section  
400 Market Street, PO Box 8552  
Harrisburg, PA 17105-8552  
Email: [RA-HeritageReview@pa.gov](mailto:RA-HeritageReview@pa.gov)

**U.S. Fish and Wildlife Service**  
Pennsylvania Field Office  
Endangered Species Section  
110 Radnor Rd; Suite 101  
State College, PA 16801  
NO Faxes Please

**PA Fish and Boat Commission**  
Division of Environmental Services  
595 E. Rolling Ridge Dr., Bellefonte, PA 16823  
Email: [RA-FBPACENOTIFY@pa.gov](mailto:RA-FBPACENOTIFY@pa.gov)

**PA Game Commission**  
Bureau of Wildlife Habitat Management  
Division of Environmental Planning and Habitat Protection  
2001 Elmerton Avenue, Harrisburg, PA 17110-9797  
Email: [RA-PGC\\_PNDI@pa.gov](mailto:RA-PGC_PNDI@pa.gov)  
NO Faxes Please

### 7. PROJECT CONTACT INFORMATION

Name: Kari Hissem  
Company/Business Name: Earthtech, Inc.  
Address: P.O. Box 4-A  
City, State, Zip: Lemont Furnace PA 15486  
Phone: (724) 439.1313 Fax: (724) 439.0633  
Email: Khissem@earthtechinc.net

### 8. CERTIFICATION

I certify that ALL of the project information contained in this receipt (including project location, project size/configuration, project type, answers to questions) is true, accurate and complete. In addition, if the project type, location, size or configuration changes, or if the answers to any questions that were asked during this online review change, I agree to re-do the online environmental review.

Kari Hissem for Ligonier Stone+Line Co, Inc.  
applicant/project proponent signature

1.17.2020  
date



# Earthtech, Inc.

CONSULTING SCIENTISTS & ENGINEERS

Environmental, Mining &  
Site Development Services  
[www.earthtechinc.net](http://www.earthtechinc.net)

February 12, 2021

CERTIFIED MAIL: 7020 0640 0000 3298 4021

Derry Township  
c/o Municipal Secretary  
5231 Route 982  
Derry, PA 15627

Dear Municipal Secretary:

The purpose of this notice is to inform you that the Pennsylvania Department of Environmental Protection (DEP) has received the following application:

**Permit Application Type:** Large Non-Coal Surface Mine Permit

**Applicant Contact:** Mr. David Herrholtz of Ligonier Stone & Lime Company

**Project Location:** Located approximately 1 mile southwest of Blairsville along the western side of State Route 217.

**Project Description:** The SMT East LNC includes the removal of the Benwood Limestone on the Ligonier Stone & Lime Company property in Derry Township at the above project location.

DEP Office Contact Information: Department of Environmental Protection, New Stanton District Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672: Acts 67,68 and 127 of 2000, which amended the Municipalities Planning Code (MPC) to direct state agencies to consider comprehensive plans and zoning ordinances when reviewing applications for permitting of facilities or infrastructure, and specify that state agencies may rely upon comprehensive plans and zoning ordinances under certain conditions as described in Sections 619.2 and 1105 of the MPC.

Enclosed is a General Information Form (GIF) completed by Earthtech, Inc. for the applicant for this project. DEP invites you to review the attached GIF and comment on the accuracy of answers provided with regard to land use aspects of this project; please be specific to DEP and focus on relationship to zoning ordinances. If you wish to submit comments to DEP to become part of a land use review of this project, you must respond within 30 days to the DEP regional office referenced in this letter. If there are no land use comments received by the end of the comment period, DEP will assume that there are no substantive land use conflicts and proceed with the normal application review process.

For more information about this land use review process, please visit [www.dep.state.pa.us](http://www.dep.state.pa.us), Keyword: "DEP Land Use Reviews."

Sincerely,

Kari Hissem

Attachments

**Mailing Address:** P.O. Box 4-A  
Lemont Furnace, PA 15456

**Office Numbers:** Somerset: (814) 266-6402 FAX: (814) 266-6530  
Uniontown: (724) 439-1313 FAX: (724) 439-0633





# Earthtech, Inc.

CONSULTING SCIENTISTS & ENGINEERS

Environmental, Mining &  
Site Development Services  
[www.earthtechinc.net](http://www.earthtechinc.net)

February 12, 2021

CERTIFIED MAIL: 7020 0640 0000 3298 4038

Westmoreland County  
County Commissioners  
2 N. Main Street, Suite 101  
Greensburg, PA 15601

Dear County Commissioners:

The purpose of this notice is to inform you that the Pennsylvania Department of Environmental Protection (DEP) has received the following application:

**Permit Application Type:** Large Non-Coal Surface Mine Permit

**Applicant Contact:** Mr. David Herrholtz of Ligonier Stone & Lime Company

**Project Location:** Located approximately 1 mile southwest of Blairsville along the western side of State Route 217.

**Project Description:** The SMT East LNC includes the removal of the Benwood Limestone on the Ligonier Stone & Lime Company property in Derry Township at the above project location.

DEP Office Contact Information: Department of Environmental Protection, New Stanton District Office, P.O. Box 133, 131 Broadview Road, New Stanton, PA 15672: Acts 67,68 and 127 of 2000, which amended the Municipalities Planning Code (MPC) to direct state agencies to consider comprehensive plans and zoning ordinances when reviewing applications for permitting of facilities or infrastructure, and specify that state agencies may rely upon comprehensive plans and zoning ordinances under certain conditions as described in Sections 619.2 and 1105 of the MPC.

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Sincerely,

Kari Hissem

Attachments

cc: Westmoreland County Planning Commission

<b>Mailing Address:</b>	P.O. Box 4-A Lemont Furnace, PA 15456	<b>Office Numbers:</b>	Somerset: (814) 266-6402 Uniontown: (724) 439-1313	FAX: (814) 266-6530 FAX: (724) 439-0633
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**GENERAL INFORMATION FORM – AUTHORIZATION APPLICATION**

Before completing this General Information Form (GIF), read the step-by-step instructions provided in this application package. This form is used by the Department of Environmental Protection (DEP) to inform our programs regarding what other DEP permits or authorizations may be needed for the proposed project or activity. This version of the General Information Form (GIF) must be completed and returned with any program-specific application being submitted to the DEP.

<b>Related ID#s (If Known)</b>	<b>DEP USE ONLY</b>
Client ID# <u>239228</u> APS ID# _____	Date Received & General Notes
Site ID# _____      Auth ID# _____	
Facility ID# _____	

**CLIENT INFORMATION**

DEP Client ID# 239228	Client Type / Code PACORP	Dun & Bradstreet ID#
Legal Organization Name or Registered Fictitious Name Ligonier Stone & Lime Company		Employer ID# (EIN)      Is the EIN a SSN? 20-2279082 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> NO
State of Incorporation or Registration of Fictitious Name PA	<input checked="" type="checkbox"/> Corporation <input type="checkbox"/> LLC <input type="checkbox"/> Partnership <input type="checkbox"/> LLP <input type="checkbox"/> LP <input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Association/Organization <input type="checkbox"/> Estate/Trust <input type="checkbox"/> Other	
Individual Last Name	First Name	MI      Suffix
Additional Individual Last Name	First Name	MI      Suffix
Mailing Address Line 1 117 Marcia Street		Mailing Address Line 2
Address Last Line – City Latrobe	State PA	ZIP+4      Country 15650      USA
Client Contact Last Name Herrholtz	First Name David	MI      Suffix S.
Client Contact Title President	Phone 724-537-6023	Ext      Cell Phone
Email Address dh@ligonierconstruction.com	FAX 724-537-6021	

**SITE INFORMATION**

DEP Site ID#	Site Name SMT East	
EPA ID#	Estimated Number of Employees to be Present at Site	15
Description of Site Noncoal Surface Mine		
Tax Parcel ID(s): 45-17-29, 94 & 142; 45-18-6		
County Name(s)	Municipality(ies)	City    Boro    Twp    State
Westmoreland	Derry	<input type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> PA
Site Location Line 1 Along the western side of SR217		Site Location Line 2
Site Location Last Line – City Blairsville	State PA	ZIP+4 15717

**Detailed Written Directions to Site**  
Follow SR217 south from Blairsville approximately 1 mile, turn right onto Pizza Barn Road. Make a right onto Derry Lane. The entrance is through the adjoining SMT Property Surface Mine on the right.

<b>Site Contact Last Name</b> Herrholtz	<b>First Name</b> David	<b>MI</b> S.	<b>Suffix</b>
<b>Site Contact Title</b> President	<b>Site Contact Firm</b> Ligonier Stone & Lime Company		
<b>Mailing Address Line 1</b> 117 Marcia Street		<b>Mailing Address Line 2</b>	
<b>Mailing Address Last Line – City</b> Latrobe		<b>State</b> PA	<b>ZIP+4</b> 15650
<b>Phone</b> 724-537-6023	<b>Ext</b>	<b>FAX</b> 724-537-6021	<b>Email Address</b> dh@ligonierconstruction.com
<b>NAICS Codes</b> (Two- & Three-Digit Codes – List All That Apply) 21 - 212 & 213			<b>6-Digit Code</b> (Optional)
<b>Client to Site Relationship</b> OPR			

**FACILITY INFORMATION**

<b>Modification of Existing Facility</b>	<b>Yes</b>	<b>No</b>
1. Will this project modify an existing facility, system, or activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Will this project involve an addition to an existing facility, system, or activity?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

*If "Yes", check all relevant facility types and provide DEP facility identification numbers below.*

Facility Type	DEP Fac ID#	Facility Type	DEP Fac ID#
<input type="checkbox"/> Air Emission Plant	_____	<input type="checkbox"/> Industrial Minerals Mining Operation	_____
<input type="checkbox"/> Beneficial Use (water)	_____	<input type="checkbox"/> Laboratory Location	_____
<input type="checkbox"/> Blasting Operation	_____	<input type="checkbox"/> Land Recycling Cleanup Location	_____
<input type="checkbox"/> Captive Hazardous Waste Operation	_____	<input type="checkbox"/> Mine Drainage Treatment / Land Recycling Project Location	_____
<input type="checkbox"/> Coal Ash Beneficial Use Operation	_____	<input type="checkbox"/> Municipal Waste Operation	_____
<input type="checkbox"/> Coal Mining Operation	_____	<input type="checkbox"/> Oil & Gas Encroachment Location	_____
<input type="checkbox"/> Coal Pillar Location	_____	<input type="checkbox"/> Oil & Gas Location	_____
<input type="checkbox"/> Commercial Hazardous Waste Operation	_____	<input type="checkbox"/> Oil & Gas Water Poll Control Facility	_____
<input type="checkbox"/> Dam Location	_____	<input type="checkbox"/> Public Water Supply System	_____
<input type="checkbox"/> Deep Mine Safety Operation -Anthracite	_____	<input type="checkbox"/> Radiation Facility	_____
<input type="checkbox"/> Deep Mine Safety Operation -Bituminous	_____	<input type="checkbox"/> Residual Waste Operation	_____
<input type="checkbox"/> Deep Mine Safety Operation -Ind Minerals	_____	<input type="checkbox"/> Storage Tank Location	_____
<input type="checkbox"/> Encroachment Location (water, wetland)	_____	<input type="checkbox"/> Water Pollution Control Facility	_____
<input type="checkbox"/> Erosion & Sediment Control Facility	_____	<input type="checkbox"/> Water Resource	_____
<input type="checkbox"/> Explosive Storage Location	_____	<input type="checkbox"/> Other:	_____

<b>Latitude/Longitude Point of Origin</b>	<b>Latitude</b>			<b>Longitude</b>		
	<b>Degrees</b>	<b>Minutes</b>	<b>Seconds</b>	<b>Degrees</b>	<b>Minutes</b>	<b>Seconds</b>
	40	24	49	-79	16	20
<b>Horizontal Accuracy Measure</b>	Feet	+/- 50	--or--	Meters		
<b>Horizontal Reference Datum Code</b>	<input type="checkbox"/>	North American Datum of 1927	<input checked="" type="checkbox"/>	North American Datum of 1983	<input type="checkbox"/>	World Geodetic System of 1984
<b>Horizontal Collection Method Code</b>	GISDR					
<b>Reference Point Code</b>	CNTER					
<b>Altitude</b>	Feet	1100	--or--	Meters		
<b>Altitude Datum Name</b>	<input checked="" type="checkbox"/>	The National Geodetic Vertical Datum of 1929	<input type="checkbox"/>	The North American Vertical Datum of 1988 (NAVD88)		
<b>Altitude (Vertical) Location Datum Collection Method Code</b>	TOPO					
<b>Geometric Type Code</b>	POINT					
<b>Data Collection Date</b>	February 18, 2020					
<b>Source Map Scale Number</b>	1	Inch(es)	=	2,000	Feet	
	--or--	Centimeter(s)	=		Meters	

**PROJECT INFORMATION**

**Project Name**

SMT East

**Project Description**

Noncoal Surface Mine

**Project Consultant Last Name**

Verwelst

**First Name**

Brian

**MI**

**Suffix**

**Project Consultant Title**

Professional Engineer

**Consulting Firm**

Earthtech, Inc.

**Mailing Address Line 1**

P.O. Box 4-A

**Mailing Address Line 2**

**Address Last Line – City**

Lemont Furnace

**State**

PA

**ZIP+4**

15456

**Phone**

724-439-1313

**Ext**

**FAX**

724-439-0633

**Email Address**

bverwelst@earthtechinc.net

**Time Schedules**

**Project Milestone (Optional)**

1. Is the project located in or within a 0.5-mile radius of an Environmental Justice community as defined by DEP?  Yes  No

To determine if the project is located in or within a 0.5-mile radius of an environmental justice community, please use the online [Environmental Justice Areas Viewer](#).

2. Have you informed the surrounding community prior to submitting the application to the Department?  Yes  No

Method of notification: \_\_\_\_\_

3. Have you addressed community concerns that were identified?  Yes  No  N/A

If no, please briefly describe the community concerns that have been expressed and not addressed.

4. Is your project funded by state or federal grants?  Yes  No

Note: If "Yes", specify what aspect of the project is related to the grant and provide the grant source, contact person and grant expiration date.

Aspect of Project Related to Grant

Grant Source: \_\_\_\_\_

Grant Contact Person: \_\_\_\_\_

Grant Expiration Date: \_\_\_\_\_

5. Is this application for an authorization on Appendix A of the Land Use Policy? (For referenced list, see Appendix A of the Land Use Policy attached to GIF instructions)  Yes  No

Note: If "No" to Question 5, the application is not subject to the Land Use Policy.

If "Yes" to Question 5, the application is subject to this policy and the Applicant should answer the additional questions in the Land Use Information section.



### LAND USE INFORMATION

**Note:** Applicants should submit copies of local land use approvals or other evidence of compliance with local comprehensive plans and zoning ordinances.

1. Is there an adopted county or multi-county comprehensive plan?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
2. Is there a county stormwater management plan?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
3. Is there an adopted municipal or multi-municipal comprehensive plan?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
4. Is there an adopted county-wide zoning ordinance, municipal zoning ordinance or joint municipal zoning ordinance?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

**Note:** If the Applicant answers "No" to either Questions 1, 3 or 4, the provisions of the PA MPC are not applicable and the Applicant does not need to respond to questions 5 and 6 below.  
If the Applicant answers "Yes" to questions 1, 3 and 4, the Applicant should respond to questions 5 and 6 below.

5. Does the proposed project meet the provisions of the zoning ordinance or does the proposed project have zoning approval? If zoning approval has been received, attach documentation.	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
6. Have you attached Municipal and County Land Use Letters for the project?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No

### COORDINATION INFORMATION

**Note:** The PA Historical and Museum Commission must be notified of proposed projects in accordance with DEP Technical Guidance Document 012-0700-001 utilizing the [Project Review Form](#).

If the activity will be a mining project (i.e., mining of coal or industrial minerals, coal refuse disposal and/or the operation of a coal or industrial minerals preparation/processing facility), respond to questions 1.0 through 2.5 below.

If the activity will not be a mining project, skip questions 1.0 through 2.5 and begin with question 3.0.

1.0 Is this a coal mining project? If "Yes", respond to 1.1-1.6. If "No", skip to Question 2.0.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
1.1 Will this coal mining project involve coal preparation/ processing activities in which the total amount of coal prepared/processed will be equal to or greater than 200 tons/day?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.2 Will this coal mining project involve coal preparation/ processing activities in which the total amount of coal prepared/processed will be greater than 50,000 tons/year?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.3 Will this coal mining project involve coal preparation/ processing activities in which thermal coal dryers or pneumatic coal cleaners will be used?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.4 For this coal mining project, will sewage treatment facilities be constructed and treated waste water discharged to surface waters?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.5 Will this coal mining project involve the construction of a permanent impoundment meeting one or more of the following criteria: (1) a contributory drainage area exceeding 100 acres; (2) a depth of water measured by the upstream toe of the dam at maximum storage elevation exceeding 15 feet; (3) an impounding capacity at maximum storage elevation exceeding 50 acre-feet?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
1.6 Will this coal mining project involve underground coal mining to be conducted within 500 feet of an oil or gas well?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.0 Is this a non-coal (industrial minerals) mining project? If "Yes", respond to 2.1-2.6. If "No", skip to Question 3.0.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
2.1 Will this non-coal (industrial minerals) mining project involve the crushing and screening of non-coal minerals other than sand and gravel?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
2.2 Will this non-coal (industrial minerals) mining project involve the crushing and/or screening of sand and gravel with the exception of wet sand and gravel operations (screening only) and dry sand and gravel operations with a capacity of less than 150 tons/hour of unconsolidated materials?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

2.3	Will this non-coal (industrial minerals) mining project involve the construction, operation and/or modification of a portable non-metallic (i.e., non-coal) minerals processing plant under the authority of the General Permit for Portable Non-metallic Mineral Processing Plants (i.e., BAQ-PGPA/GP-3)?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
2.4	For this non-coal (industrial minerals) mining project, will sewage treatment facilities be constructed and treated waste water discharged to surface waters?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
2.5	Will this non-coal (industrial minerals) mining project involve the construction of a permanent impoundment meeting one or more of the following criteria: (1) a contributory drainage area exceeding 100 acres; (2) a depth of water measured by the upstream toe of the dam at maximum storage elevation exceeding 15 feet; (3) an impounding capacity at maximum storage elevation exceeding 50 acre-feet?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
3.0	Will your project, activity, or authorization have anything to do with a well related to oil or gas production, have construction within 200 feet of, affect an oil or gas well, involve the waste from such a well, or string power lines above an oil or gas well? If "Yes", respond to 3.1-3.3. If "No", skip to Question 4.0.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
3.1	Does the oil- or gas-related project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water (including wetlands)?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
3.2	Will the oil- or gas-related project involve discharge of industrial wastewater or stormwater to a dry swale, surface water, ground water or an existing sanitary sewer system or storm water system? If "Yes", discuss in <i>Project Description</i> .	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
3.3	Will the oil- or gas-related project involve the construction and operation of industrial waste treatment facilities?	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
4.0	Will the project involve a construction activity that results in earth disturbance? If "Yes", specify the total disturbed acreage.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
4.0.1	Total Disturbed Acreage				95.0
4.0.2	Will the project discharge or drain to a special protection water (EV or HQ) or an EV wetland?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
4.0.3	Will the project involve a construction activity that results in earth disturbance in the area of the earth disturbance that are contaminated at levels exceeding residential or non-residential medium-specific concentrations (MSCs) in 25 Pa. Code Chapter 250 at residential or non-residential construction sites, respectively?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.0	Does the project involve any of the following: water obstruction and/or encroachment, wetland impacts, or floodplain project by the Commonwealth/political subdivision or public utility? If "Yes", respond to 5.1-5.7. If "No", skip to Question 6.0.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.1	Water Obstruction and Encroachment Projects – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a watercourse, floodway or body of water?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
5.2	Wetland Impacts – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a wetland?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.3	Floodplain Projects by the Commonwealth, a Political Subdivision of the Commonwealth or a Public Utility – Does the project involve any of the following: placement of fill, excavation within or placement of a structure, located in, along, across or projecting into a floodplain?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.4	Is your project an interstate transmission natural gas pipeline?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

5.5	Does your project consist of linear construction activities which result in earth disturbance in two or more DEP regions AND three or more counties?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.6	Does your project utilize Floodplain Restoration as a best management practice for Post Construction Stormwater Management?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
5.7	Does your project utilize Class V Gravity / Injection Wells as a best management practice for Post Construction Stormwater Management?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
6.0	Will the project involve discharge of construction related stormwater to a dry swale, surface water, ground water or separate storm water system?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
6.1	Will the project involve discharge of industrial waste stormwater or wastewater from an industrial activity or sewage to a dry swale, surface water, ground water or an existing sanitary sewer system or separate storm water system?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
7.0	Will the project involve the construction and operation of industrial waste treatment facilities?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
8.0	Will the project involve construction of sewage treatment facilities, sanitary sewers, or sewage pumping stations? If "Yes", indicate estimated proposed flow (gal/day). Also, discuss the sanitary sewer pipe sizes and the number of pumping stations/treatment facilities/name of downstream sewage facilities in the <i>Project Description</i> , where applicable. 8.0.1 Estimated Proposed Flow (gal/day)	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
9.0	Will the project involve the subdivision of land, or the generation of 800 gpd or more of sewage on an existing parcel of land or the generation of an additional 400 gpd of sewage on an already-developed parcel, or the generation of 800 gpd or more of industrial wastewater that would be discharged to an existing sanitary sewer system? 9.0.1 Was Act 537 sewage facilities planning submitted and approved by DEP? If "Yes" attach the approval letter. Approval required prior to 105/NPDES approval.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
10.0	Is this project for the beneficial use of biosolids for land application within Pennsylvania? If "Yes" indicate how much (i.e. gallons or dry tons per year). 10.0.1 Gallons Per Year (residential septage) _____ 10.0.2 Dry Tons Per Year (biosolids) _____	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
11.0	Does the project involve construction, modification or removal of a dam? If "Yes", identify the dam. 11.0.1 Dam Name _____	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
12.0	Will the project interfere with the flow from, or otherwise impact, a dam? If "Yes", identify the dam. 12.0.1 Dam Name _____	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
13.0	Will the project involve operations (excluding during the construction period) that produce air emissions (i.e., NOX, VOC, etc.)? 13.0.1 If "Yes", is the operation subject to the agricultural exemption in 35 P.S. § 4004.1? 13.0.2 If the answer to 13.0.1 is "No", identify each type of emission followed by the estimated amount of that emission. Enter all types & amounts of emissions; separate each set with semicolons.	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
		<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No

14.0	Does the project include the construction or modification of a drinking water supply to serve 15 or more connections or 25 or more people, at least 60 days out of the year? If "Yes", check all proposed sub-facilities.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
14.0.1	Number of Persons Served	_____			
14.0.2	Number of Employee/Guests	_____			
14.0.3	Number of Connections	_____			
14.0.4	Sub-Fac: Distribution System	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.5	Sub-Fac: Water Treatment Plant	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.6	Sub-Fac: Source	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.7	Sub-Fac: Pump Station	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.8	Sub Fac: Transmission Main	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
14.0.9	Sub-Fac: Storage Facility	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
15.0	Will your project include infiltration of storm water or waste water to ground water within one-half mile of a public water supply well, spring or infiltration gallery?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
16.0	Is your project to be served by an existing public water supply? If "Yes", indicate name of supplier and attach letter from supplier stating that it will serve the project.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
16.0.1	Supplier's Name	_____			
16.0.2	Letter of Approval from Supplier is Attached	<input type="checkbox"/>	Yes	<input type="checkbox"/>	No
17.0	Will this project be served by on-lot drinking water wells?	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
18.0	Will this project involve a new or increased drinking water withdrawal from a river, stream, spring, lake, well or other water bod(ies)? If "Yes", reference Safe Drinking Water Program.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
18.0.1	Source Name	_____			
19.0	Will the construction or operation of this project involve treatment, storage, reuse, or disposal of waste? If "Yes", indicate what type (i.e., hazardous, municipal (including infectious & chemotherapeutic), residual) and the amount to be treated, stored, re-used or disposed.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
19.0.1	Type & Amount	_____			
20.0	Will your project involve the removal of coal, minerals, contaminated media, or solid waste as part of any earth disturbance activities?	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No
21.0	Does your project involve installation of a field constructed underground storage tank? If "Yes", list each Substance & its Capacity. <b>Note:</b> Applicant may need a Storage Tank Site Specific Installation Permit.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
21.0.1	Enter all substances & capacity of each; separate each set with semicolons.	_____			
22.0	Does your project involve installation of an aboveground storage tank greater than 21,000 gallons capacity at an existing facility? If "Yes", list each Substance & its Capacity. <b>Note:</b> Applicant may need a Storage Tank Site Specific Installation Permit.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
22.0.1	Enter all substances & capacity of each; separate each set with semicolons.	_____			
23.0	Does your project involve installation of a tank greater than 1,100 gallons which will contain a highly hazardous substance as defined in DEP's Regulated Substances List, 2570-BK-DEP2724? If "Yes", list each Substance & its Capacity. <b>Note:</b> Applicant may need a Storage Tank Site Specific Installation Permit.	<input type="checkbox"/>	Yes	<input checked="" type="checkbox"/>	No
23.0.1	Enter all substances & capacity of each; separate each set with semicolons.	_____			



24.0 Does your project involve installation of a storage tank at a new facility with a total AST capacity greater than 21,000 gallons?  Yes  No  
If "Yes", list each Substance & its Capacity. **Note:** Applicant may need a Storage Tank Site Specific Installation Permit.

24.0.1 Enter all substances & capacity of each; separate each set with semicolons.

**NOTE:** If the project includes the installation of a regulated storage tank system, including diesel emergency generator systems, the project may require the use of a Department Certified Tank Handler. For a full list of regulated storage tanks and substances, please go to [www.dep.pa.gov](http://www.dep.pa.gov) search term storage tanks

25.0 Will the intended activity involve the use of a radiation source?  Yes  No

**CERTIFICATION**

I certify that I have the authority to submit this application on behalf of the applicant named herein and that the information provided in this application is true and correct to the best of my knowledge and information.

For applicants supplying an EIN number: I am applying for a permit or authorization from the Pennsylvania Department of Environmental Protection (DEP). As part of this application, I will provide DEP with an accurate EIN number for the applicant entity. By filing this application with DEP, I hereby authorize DEP to confirm the accuracy of the EIN number provided with the Pennsylvania Department of Revenue. As applicant, I further consent to the Department of Revenue discussing the same with DEP prior to issuance of the Commonwealth permit or authorization.

Type or Print Name Kari Hissem

  
Signature

Project Coordinator

Title

2.12.2021

Date



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Instructions

KH SMT EAST 67/60

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<p>1. Article Addressed to:</p> <p>Derry Township          5321 State Route 982          Derry, PA 15627</p>	<p>3. Service Type</p> <table style="width: 100%; border: none;"> <tr> <td><input type="checkbox"/> Adult Signature</td> <td><input type="checkbox"/> Priority Mail Express®</td> </tr> <tr> <td><input type="checkbox"/> Adult Signature Restricted Delivery</td> <td><input type="checkbox"/> Registered Mail™</td> </tr> <tr> <td><input type="checkbox"/> Certified Mail®</td> <td><input type="checkbox"/> Registered Mail Restricted Delivery</td> </tr> <tr> <td><input checked="" type="checkbox"/> Certified Mail Restricted Delivery</td> <td><input type="checkbox"/> Return Receipt for Merchandise</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery</td> <td><input type="checkbox"/> Signature Confirmation™</td> </tr> <tr> <td><input type="checkbox"/> Collect on Delivery Restricted Delivery</td> <td><input type="checkbox"/> Signature Confirmation Restricted Delivery</td> </tr> <tr> <td><input type="checkbox"/> Insured Mail</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</td> <td></td> </tr> </table>	<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®	<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™	<input type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery	<input checked="" type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Return Receipt for Merchandise	<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Signature Confirmation™	<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation Restricted Delivery	<input type="checkbox"/> Insured Mail		<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	
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<p>2. Article Number (Transfer from service label)</p> <p>7020 0640 0000 3298 4021</p>																	

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<input type="checkbox"/> Adult Signature Restricted Delivery \$ _____	
Postage \$ <u>1.40</u>	
<b>Total Postage and Fees</b> \$ <u>7.85</u>	
Se Westmoreland Co. Commissioners Si 2 N. Main Street, Suite 101 Ci Greensburg, PA 15601 P	

Instructions

KH SMT EAST 67/09

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1. Article Addressed to:  Westmoreland Co. Commissioners 2 N. Main Street, Suite 101 Greensburg, PA 15601	B. Received by (Printed Name) C. Date of Delivery JEFF BERKEY 2-16-21
2. Article Number: (Transfer from service label) 7020 0640 0000 3298 4038	D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No
3. Service Type <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	<input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery

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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
BUREAU OF MINING PROGRAMS

**BONDING INCREMENT APPLICATION AND  
AUTHORIZATION TO CONDUCT  
NONCOAL MINING ACTIVITIES**

DEP Use Only	
No.	_____
Bond No.	_____
<b>Filing Fee</b>	
Amount	_____
Date Received	_____

**Instructions**

No portion of the permit area shall be affected by noncoal mining activities unless the operator has provided a bond to the Department and the Department has approved the bond and issued a written authorization to affect such area.

Submit the original of this application and two copies. The affidavit (Part F) must be properly signed and executed.

Include proper bond endorsement documents for the type of bond being used.

**Part A GENERAL**

Applicant	<u>Ligonier Stone &amp; Lime Company</u>	Mine Drainage Permit No or	_____
Address	<u>117 Marcia Street</u>	Surface Mining Permit No.	<u>65210301 – Phase I Bond</u>
	<u>Latrobe, PA 15650</u>	Operation Name	<u>SMT East Surface Mine</u>
Telephone	<u>724-537-6023</u>	Municipality	<u>Derry Township</u>
		County	<u>Westmoreland</u>

Name of Landowner	Municipality	County	Acres to be Affected
<u>Ligonier Stone &amp; Lime Company</u>	<u>Derry Township</u>	<u>Westmoreland</u>	<u>107.2</u>

**Part B Consent of Landowner Form (check applicable)**

- The Consent of Landowner Form is attached and it has been recorded with the Recorder of Deeds.
- The Consent of Landowner Form was filed with Bonding Increment and Mining Authorization No. and it has been recorded with the Recorder of Deeds.
- Not filing Consent of Landowner Form because lease was in existence prior to January 1, 1972. Operator must provide 1) a true and correct copy of the lease; 2) execute a Consent of Landowner Form as Lessee; and 3) provide a Chain of Title for the Lease. The lease, Consent of Landowner Form, and Chain of Title have been recorded with the Recorder of Deeds.

**Part C Map**

Attach a copy of Exhibit 9. Operations Map indicating each area where mining authorization has been granted, and the area where this bonding increment approval and mining authorization is being requested.

**Part D Additional Information**

- Are you revising your erosion and sediment control plan?  Yes  No  
If yes, briefly describe the revisions and complete the appropriate modules and submit with this application
- Briefly describe any proposed revisions to the surface mining permit. Include application modules and plans for the revision and professional certification where appropriate. If the revisions are subject to public notice or a stream or road variance is being requested, the proof of publication must be submitted to the Department prior to any mining authorization being granted.
- Are you modifying your approved blasting plan for this bonding increment?  Yes  No  
If yes, submit blasting plan with this request (use Module 16: Blasting Plan).

**Part E Bonding**

Type of Bond  Surety  Collateral  PILB Other (Specify) \_\_\_\_\_

**Bond Amount**

- Bonding Calculations – Consolidated Noncoal  
Is the Bond Calculation Summary (5600-FM-MR0474) for consolidated Noncoal mining operations attached?  
 Yes  No
- Bonding Calculations – Unconsolidated Noncoal (sand & gravel, unconsolidated shale, clay, etc.)  
Is the Bond Calculation Summary (5600-FM-MR0473) for unconsolidated noncoal mining operations attached?  Yes  No
- Bond calculation is not applicable with this submittal.  Date of current bond calculation \_\_\_\_\_.

**Part F Application Fee**

There is a fee required under 25 PA Code Chapter 77.106 for each bonding increment application. The fee is \$450. Is the fee being submitted with the application?  Yes  No

**Part G Affidavit**

Commonwealth of Pennsylvania, County of Westmoreland

I, David S. Herrholtz being duly sworn, according to law, depose and say that I (~~am the applicant~~) (am an officer or official of the applicant) (~~have the authority to make this application~~) and that the plans, reports and documents submitted as part of the application are true and correct to the best of my knowledge and belief. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. (cross out applicable portions in parenthesis)

Sworn and Subscribed to Before Me This

13 Day of December 2021  
(month) (year)

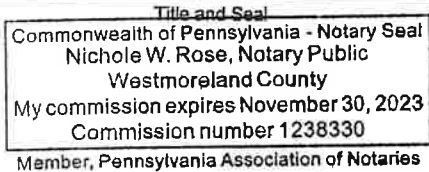
Nichole W. Rose  
Notary Public

[Signature]  
Signature of Applicant or Responsible Official

David S. Herrholtz  
Name (Typed)

President

117 Marcia Street, Latrobe, PA 15650  
Address



## BOND CALCULATION SUMMARY-NONCOAL CONSOLIDATED

Permittee: Ligonier Stone & Lime Company		Date: 12.29.2021
Permit #: 65210301	Mine Name: SMT East Surface Mine – Phase I Bond	
Municipality: Derry Township	County: Westmoreland	

Operation (see attached calculations)	Quantity	Units	Rate \$/Unit	Bond Amount
Mining Area (i.e. minor grading/vegetation)	15.9	Acres	\$3500	\$55,650.00
Support Area (revegetation)	46.0	Acres	\$1830	\$59,841.00
Spoil Storage/Earthmoving		Cubic yards		
Highwall Blasting				
Up to 20 ft Height		Linear foot		
>20 up to 30 Height		Linear foot		
>30 up to 40 Height		Linear foot		
>40 up to 50 Height		Linear foot		
>50 Height		Linear foot		
Mine Sealing		Calculation		
Ponds	5	No of Ponds	\$3,800	\$19,000.00
Demolition of Structures	Calculation	Calculation	Costworks	\$27,803.00
Large Tires		Each		
Other Costs				
Trees		each		
Mobilization/Demobilization	Calculation	Calculation	4%	\$6,491.76
<b>Total Reclamation Cost</b>				<b>\$168,785.76</b>

**See attached calculations.**

## Noncoal Bond Rate Guidelines 2021

<b>Project Name:</b>	SMT East Surface Mine
<b>Operator:</b>	Ligonier Stone & Lime Company
<b>Municipality:</b>	Derry Township
<b>County:</b>	Westmoreland

Revised 12.2021

Unit Operation	Unit Measure	Unit Costs (\$)	If Applies to Permit Mark with " X "	Amount of Units	Total (\$)
Mining Area	acre	3,500.00	x	15.9	55,650.00
Support Area	acre	1,830.00	x	46.0	59,841.00
Pond Removal	pond	3,800.00	x	5	19,000.00
Structure Demolition	Costs for structure demolition will be calculated using costs listed in the construction industry's latest annual cost publications, such as the <i>Means Building Construction Cost Data</i> publication.	2022 CostWorks	x	27,803	27,803.00
<b>Subtotal</b>					<b>162,294.00</b>

Special Condition	Unit Measure	Unit Costs (\$)	If Applies to Permit Mark with "X"	Amount of Units	Total (\$)
Mobilization/Demobilization	4% of subtotal or maximum of \$40,000.00	0.04	x	162,294.00	6,491.76
<b>Subtotal</b>					<b>6,491.76</b>

<b>Conventional Bond Total Required</b>	<b>\$168,785.76</b>
---	---------------------

### CONVENTIONAL BOND CALCULATIONS

<u>OPERATION</u>	<u>EXPLANATION FOR CALCULATIONS</u>
Grading	N/A, process pad and haul roads to remain
Pond:	5 ponds
Mobilization/Demobilization:	4% of direct costs or \$40,000 maximum

Other:

**Structure Demolition Details:**  
**Total from below: \$27,803.00**

The 2022 edition of Means Building Construction Cost Data publication was used in order to determine the structure demolition figure:

Conveyor & Belts: 2,850 feet of belt Steel Frame Structure Demolition: Labor Foreman \$47.60/hr at 40 hrs = \$1,904.00 and 4 Laborer \$45.60/hr each at 40 hrs = \$7,296.00; \$1,904.00 + \$7,296.00 = Total \$9,200.00, reference CSI #024116130020 crew info.  
 Front-End Loader (95 h.p.) for 5 days @ \$445.00/day = \$2,225.00; reference #015433204620  
 Total Conveyor & Belts: \$9,200.00 + \$2,225.00 = **\$11,425.00**

Scale Steel Frame & Concrete Footer Ramps  
 Steel Frame Structure Demolition = 70' x 10' x 1'; \$0.48/c.f. = **\$336.00**, reference #024116130020  
 Concrete Footer Ramps = 10' x 10' x 1 1/2'; \$0.68/c.f. = **\$102.00**, reference #024116130050

Removal Costs for Mobile Items: **Total = \$800.00**  
 Scale House  
 \$800.00/item for removal off of the site

4 - Scalping Screen Tower: 35 feet high, \$2,850.00 each = \$11,400.00 ; Rock Breaker Tower: 25 feet high = \$2,850.00; 60' tower \$2,850.00, reference CSI #024113780700 **Total = \$14,250.00**

Jaw Crusher = \$445.00 + Secondary Crusher = \$445.00; reference CSI #050505100270 **Total = \$890.00**

**PUBLIC NOTICE  
NEW PERMIT**

Pursuant to the "Noncoal Surface Mining Conservation and Reclamation Act" and the "Clean Streams Law", notice is hereby given that Ligonier Stone & Lime Company, 117 Marcia Street, Latrobe, PA 15650, has made application to the Pennsylvania Department of Environmental Protection (DEP) for a permit to conduct large noncoal surface mining activities including a processing area, authorization to conduct blasting and to discharge under a new Individual National Pollutant Discharge Elimination System Permit in Derry Township, Westmoreland County. The processing area pad is requested to remain permanently after mining operations are completed for future use by industrial/commercial land use. Dust and noise mitigation is proposed for on-site activities. Site operations are planned for 6 am to 5 pm Monday through Saturday. The proposed SMT East Surface Mine (Application #65210301) permit area is 224.2 acres and is located approximately 1.0 mile southwest of Blairsville, and 0.25 miles northwest of Brenizer along the western side of State Route 217 immediately west of the intersection with Torrance Road. The receiving streams for this proposed permit area are Unnamed Tributaries to Stony Run (Cold Water Fishes) and Unnamed Tributaries to Conemaugh River (Warm Water Fishes).

The application includes the following variance requests: (1) An encroachment on the barrier of Unnamed Tributary #4A to Conemaugh River to upgrade an existing road and install erosion and sedimentation controls consisting of a culvert and ditches being approximately 400' along the southern side of the stream. The road upgrade and erosion and sedimentation controls will be no closer than 30' from the stream. (2) An encroachment on the barrier of Unnamed Tributary #6 to Conemaugh River to upgrade an existing road and install erosion and sedimentation controls consisting of culverts and ditches being approximately 600' along the north side of the stream. The road upgrade and erosion and sedimentation controls will be no closer than 20' from the stream. (3) A land use change of some of the affected forestland areas to have a post-mining land use of unmanaged natural habitat. Also, a land use change of an area of the affected forestland, pastureland and or land occasionally cut for hay, and unmanaged natural habitat to have a post-mining land use of industrial/commercial. The Blairsville, PA U.S. Geological Survey 7.5-minute topographic map contains the area described. A copy of the application is available for public inspection at the DEP, New Stanton District Office, 131 Broadview Road, New Stanton, PA 15672. Written comments, objections, or a request for public hearing or informal conference may be submitted to the DEP, New Stanton District Office, P.O. Box 133, New Stanton, PA 15672, within thirty days following the date of the last (i.e. 4<sup>th</sup>) publication of this notice, and must include the person's name, address, telephone number, and a brief statement as to the nature of the comment(s).

\*\*\*\*\* END OF NOTICE \*\*\*\*\*

Instructions for The Latrobe Bulletin  
TEL: 724-537-3351 EMAIL: lb.class@verizon.net

1. Please publish the above public notice ONCE A WEEK FOR FOUR (4) consecutive weeks:

**June 7<sup>th</sup>, June 14<sup>th</sup>, June 21<sup>st</sup>, and June 28<sup>th</sup> 2022**

2. Please send the **proof-of-publication** to: Earthtech, Inc., Attn: Kari Hissem, P.O. Box 4-A, Lemont Furnace, PA 15456, 724-439-1313.
3. Please send the **bill** to: Ligonier Stone & Lime Company, 117 Marcia Street, Latrobe, PA 15650, 724-537-6023.