

NONCOAL SURFACE MINING PERMIT

NO. 56250301

Permittee Name and Address <u>Rockwood Stone, LLC</u> <u>1281 Rubright Road</u> <u>Rockwood, PA 15557</u>	Location of Operation: Municipality <u>Black Township</u> County <u>Somerset</u>
Name of Operation <u>Rockwood Quarry</u>	

This Permit Approves the Following Type of Operation:

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

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

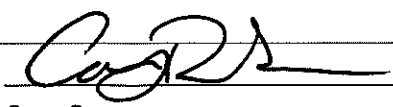
- ☒ PART A NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM (NPDES) INFORMATION
☒ PART B SPECIAL CONDITIONS OR REQUIREMENTS
☒ PART C AUTHORIZATION TO MINE

The permit is for 175.0 acres of which 101.6 acres are planned to be affected. Permittee may conduct surface noncoal mining activities only on that area of the permit outlined on the Authorization to Mine and accompanying maps contained in Part C of this permit. Initial authority to conduct mining activities is granted for an area of 66.3 acres described in Part C of this permit. Additional authority to conduct mining activities may be granted by written approval of the Department and attached to Part C of this permit. Permittee is prohibited from conducting noncoal mining activities on that portion of the permit area which has not been authorized for mining by the Department, in writing, and shown on the bond approval and mining authorization map(s) contained in Part C of this permit.

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

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

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

Permit Issuance Date	<u>October 8, 2025</u>	By	
Permit Reissuance Date	_____		<u>Cory Seese</u>
Permit Transfer Date	_____	Title	<u>District Mining Manager</u>

LIMITS OF AUTHORIZATION

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

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

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

Part A: NPDES Information

The following National Pollutant Discharge Elimination System (NPDES) permit is issued in conjunction with the mining permit/authorization and pursuant to the authority in 25 Pa. Code Chapter 92a. The permittee is required to comply with this NPDES permit as a condition of the mining permit.

☒ Individual NPDES Permit No. PA0279935

☐ Coverage under General Permit BMR GP-104

☐ Other Option Details: _____

PART B: SPECIAL CONDITIONS OR REQUIREMENTS

NONCOAL SURFACE MINING PERMIT NO. 56250301

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

1. Reclamation of the affected area, in accordance with the approved reclamation plan, shall be performed concurrently with the progress of the mining operation to the greatest extent possible.
2. There shall be no disposal of domestic, commercial, or industrial waste materials on any portion of the permit area approved by this permit.
3. The permittee shall grade all areas affected by mining operations upon termination of the mining operation unless otherwise approved by the Department.
4. All highwalls shall be sloped to no grater than 35° from the horizontal.
5. All crushing and screening activities shall be conducted under an approved air quality permit.
6. No blasting shall be conducted until Module 16 has been approved.
7. A surface water withdrawal point on Rhoads Creek is authorized under this permit subject to the following conditions:
 - The suction hose shall be installed at the location shown on the Exhibit 9 map dated June 9, 2025, and shall be removed from the stream when not in use.
 - A staff gauge shall be installed at monitoring point 31 prior to any water withdrawal and maintained throughout the life of the permit.
 - A minimum pass-through flow rate of 1.02 cfs shall be maintained in Rhoads Creek at all times during withdrawal. The permittee shall maintain a log onsite of all staff gauge readings, dates, times, and volumes of water withdrawn.
 - The permittee shall submit an annual report to the Cambria District Office detailing the average monthly withdrawal rates and log of withdrawal dates and streamflow rates. The report must be submitted with the 4th quarter hydrologic monitoring reports.
 - Authorization to withdraw water from Rhoads Creek may be rescinded by the Department if adverse hydrologic impacts to Rhoads Creek occur.
8. The following monitoring plan shall apply to this permit:

Monitoring Point	Required Frequency and Measurements
1	Quarterly for flow rate and quality
8	Quarterly for flow rate and quality
9	Quarterly for flow rate and quality
11	Quarterly for flow rate and quality
14	Quarterly for flow rate and quality
20	Quarterly for flow rate and quality
31	Quarterly for flow rate* and quality
31*	Daily flow when water withdrawal in use

Water quality analysis shall include pH, temperature, specific conductivity, total suspended solids, alkalinity, acidity, total iron, total manganese, total aluminum, and sulfate.

Hydrologic Monitoring Reports (HMRs) shall be submitted electronically to the Cambria District Mining Office Quarterly. The reports are due by the 28th day of the month following the end of the quarter and shall be submitted in a format acceptable to the Department. All HMRs shall include cumulative data.

PART C
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS

NONCOAL
AUTHORIZATION TO MINE

Number 32853-56250301-01

under issued S.M.P. number 56250301

PERMITTEE NAME	<u>Rockwood Stone, LLC</u>	ISSUANCE DATE	<u>October 8, 2025</u>
AND ADDRESS	<u>1281 Rubright Road</u>	MUNICIPALITY	<u>Black Township</u>
	<u>Rockwood, PA 15557</u>	COUNTY	<u>Somerset</u>
NAME OF OPERATION	<u>Rockwood Quarry</u>		

TYPE OF OPERATION

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

- A. Permittee is hereby authorized to conduct noncoal mining activities on lands of Joseph C. and Lynett E. Metzgar; and On the Trail, LLC situated in Black Township, Somerset County. Surface owners' consent is attested to by inclusion of a properly executed Consent of Landowner form submitted in support of this approval.
- B. Surface noncoal mining activities are limited to the area designated as yellow in the map submitted in support of the request for this Mining Authorization, which covers 66.3 acres.
- C. The maximum allowed depth of pit or height of highwall is 70, but shall not extend below the elevation of pit floor which is 2,000 feet MSL. The maximum length of highwall allowed is 3,600 feet.
- D. Bond Description
- ☒ Original Bond ☐ Additional Bond
- ☒ Surety Bond No. ISM-3708 in Amount of \$735,158.00 with Rockwood Casualty Insurance Company as surety.
- ☐ Collateral Bond dated _____ in Amount of _____ supported by _____.
- ☐ PILB
- ☐ Additional Remarks:
- E. The approved erosion and sediment control facility related to the area to be mined in accordance with this authorization must be constructed in accordance with the approved plan. These facilities shall be certified to the Department by a qualified registered professional engineer (where required by Chapter 105) or by a qualified registered land surveyor prior to the commencement of other noncoal mining activities in this area.
- F. The attached sheet contains five (5) additional special conditions or requirements relating to this authorization.

cc: Christine Drobnoek, SMCI
 Earthtech, Inc.
 File

By: 
 Cory Seese
 Title: District Mining Manager
 For the Department of Environmental Protection

PART C

PERMIT NO. 32853-56250301-01

AUTHORIZATION TO MINE

1. A Contractual Consent of Landowner for On The Trail, LLC was recorded on January 14, 2025, in the recorder's office of Somerset County and is filed herein.
2. A Contractual Consent of Landowner for Joseph C. and Lynett E. Metzgar was recorded on January 14, 2025, in the recorder's office of Somerset County and is filed herein
3. Per 25 PA Code Chapter 77.231, public liability insurance coverage must be maintained in full force for the duration of the permittee's mining and reclamation operations on this SMP.
4. LIM No. 56250301 authorizes a variance, approved October 8, 2025, to the 100 foot stream barrier requirement of Section 11(c) of the Noncoal Surface Mining Conservation and Reclamation Act to conduct the following surface mining activities within 0 feet of Rhoads Creek:

Installation of a flexible holes for a water withdrawal. No earth disturbance within the FEMA delineated flood zone is authorized by the variance.

The permittee is hereby ordered to carry out the activities approved by this condition in accordance with the design plans specified in the approved Module 14 of LIM No. 5625030, and in such fashion so as to prevent adverse hydrologic and water quality impacts.

5. Small Noncoal Permit No. 56190801 to Rockwood Stone, LLC is canceled and replaced with the issuance of Large Noncoal Permit No. 56250301 to Rockwood Stone, LLC. The large noncoal permit completely encompasses Small Noncoal Permit No. 56190801 and covers current bond liability with the issuance of LNC No. 56250301. Bond in the amount of \$17,200.00 for Small Noncoal Permit No. 56190801 shall be released to Rockwood Stone, LLC under separate cover.