

## **Module 20: Postmining Land Use and Reclamation** **[Section 7 NSMCRA/§§77.462/77.591/77.593]**

### **20.1 Proposed Postmining Land Use**

For premining land use areas identify the postmining land use to which the land will be restored, how each land use is to be achieved and the necessary support activities which may be needed to achieve the land use. Identify the type of reclamation for each area (approximate original contour, terrace, water impoundment, etc.). (Key the postmining land use(s) to the "Land Use and Reclamation Map" Exhibit 18.)

See Map Exhibit 18 for postmining land uses and also the description below.

Forestland – Pre-mining areas consisting of forestland are shown on the Exhibit 18. Forestland area that is subject to mining activity will be returned to Unmanaged Natural Habitat as per the landowner land use change letter.

Unmanaged – Pre-mining areas consisting of unmanaged natural habitat will be returned to unmanaged habitat post mining.

Industrial-Quarry – The post-mining land use will be unmanaged natural habitat. The permanent seed mixture #2 will be applied to all affected areas during the first planting season after regrading.

The proposed post-mining contours will not follow approximate original contours and a variance is proposed. Please see the Exhibit 18 map for post-mining contours and grades.

After the first growing season, soil tests will be performed to determine what nutrients will be used to top dress all areas. Any bare spots will be scarified, reseeded, and re-mulched.

### **20.2 Approximate Original Contour**

For postmining land use areas to be reclaimed to approximate original contour show that the reclaimed land will be capable of supporting the uses it was capable of supporting prior to mining or higher or better uses. Notes: A higher or better use is a post-mining land use where the economic value or nonmonetary benefit to the landowner or the community is greater than for the pre-mining land use. A highest or best use is where the economic value or nonmonetary benefit to the landowner or the community is maximized. If you are proposing an alternative to AOC, complete either section 20.3 or 20.4, as appropriate.

Are you proposing an alternative to AOC? ☐ No ☒ Yes  
If Yes is checked fill out either section 20.3 or 20.4 as appropriate.

### **20.3 Alternative to Approximate Original Contour (AOC) Reclamation under Section 7 (c)(2)(ii) of NSMCRA/§ 77.593(1)**

- a) **Show that the alternative to AOC is likely to be achieved and that it poses no actual or potential threat to public health or safety, or of water diminution, interruption, contamination or pollution.**

A post mining variance is proposed as an alternative to AOC. See the Exhibit 18 for reclamation grades. This will be achieved by backfilling highwalls and sloping areas of the mining pit to stable grades. A slope not exceeding 35° will be used to tie un-mined areas to the approximate pit floor. There will not be a threat to public health due to the remote area in which the property is situated. In addition, this mine is located on private property. The reclaimed slopes will eliminate highwalls which will allow safe recreational use of the property.

There is no anticipated water diminution or interruption due to the fact that no mining of streams is proposed. Surface runoff may be redirected; however, the limited size of smaller watersheds should not cause negative

effects. The proposed mining will encounter sandstone, which is not expected to have a negative water quality impact.

- b) **Demonstrate that the proposed operation will be carried out over a substantial period of time; the ratio of the minerals proposed to be mined, relative to the volume of the overburden, is very large; and the overburden and other spoil material at the proposed permit area are insufficient to restore the area to AOC.**

Proposed mining will be sandstone unit with minimal overburden. The lifespan will be carried out over several years and prevent backfilling to original contour. The lowered final grades will generally follow the direction of natural stone deposit and be sloped to tie in surrounding grades and utility line corridors that bisect the site. The proposed mining will remove approximately 60+ feet of sandstone and encounter minimal overburden with average OB thickness being less than 10 feet.

- c) **Show that the alternative to AOC reclamation is consistent with applicable land use policies, plans and programs and with Federal, State and Local law.**

The proposed post mining grades are not prevented by any known federal, state or local laws or regulations. The post mining grades will be necessary due to the volume of site export material.

- d) **Demonstrate that the restored land will be capable of supporting the highest or best use it can reasonably support and that the proposed postmining land use is compatible with adjacent land uses.**

The restored land will be vegetated with the unmanaged natural habitat mixture to provide an erosion resistant final cover. Due to the limited number of soils and overburden, the final backfill material will be rocky and have varying slopes. The highwalls will be removed by backfilling and smoothing. The existing land use is primarily for hunting and recreational use. The proposed land use will achieve this capability and provide terrain suitable for wild game habitat. This land use will complement and enhance surrounding forested properties by providing grassland cover for wild game browsing.

#### ***20.4 Alternative to Approximate Original Contour (AOC) Reclamation under Section 7(c)(2)(iii) of NSMCRA/§ 77.593(2)***

- a) **Show that the alternative to AOC is likely to be achieved and that it poses no actual or potential threat to public health or safety, or of water diminution, interruption, contamination or pollution.**
- b) **Demonstrate that the proposed alternative to AOC will leave no highwalls, will improve the watershed of the area, and that the landowner has approved the alternative to AOC. (Submit a notarized statement by the landowner approving the alternative to AOC.)**
- c) **Demonstrate that the affected land will be restored to a condition capable of supporting the uses it was capable of supporting prior to mining or to a higher or better use.**

**APPROXIMATE ORIGINAL CONTOUR VARIANCE (A.O.C.) STATEMENT & POST-MINING LAND  
USE CHANGE REQUEST**

To: Commonwealth of Pennsylvania  
Department of Environmental Protection  
Cambria District Mining Office

Rockwood Stone, LLC.  
Rockwood Quarry  
Black Township, Somerset County

To Whom It May Concern:

We, Joseph C. and Lynette E. Metzgar, are the property owners of the mining area located approximately 0.75 mile south of Rockwood, PA, on the eastern side of Rockdale Road in Black Township, Somerset County, PA. We consent to a variance from Approximate Original Contour (A.O.C.) for site reclamation. The reclamation contours shown on the Exhibit 18 map will best suit our plans to use the property. The post-mining reclamation contouring will include varying slopes to tie in around utility poles and surrounding area.

We hereby request that DEP approval be granted for a land use change on our property. We would like the affected areas currently classified as forestland to be changed to post-mining land uses of unmanaged natural habitat throughout the property. This is what we want the land use to be and it best suits our plans to use the property.

We understand that the Non-Coal Surface Mining and Conservation and Reclamation Act obligates the company for liability for at least five years following reclamation, and that the land use will be developed and maintained through at least the fifth year following reclamation.

Sincerely,

Owner Signature(s):

Joseph C. Metzgar

Lynette E. Metzgar

COMMONWEALTH OF

Pennsylvania

COUNTY OF

Somerset

Before me the undersigned Notary, personally appeared

Joseph Metzgar & Lynette Metzgar

known to me (or satisfactorily proven) to be the person(s) subscribed to in this instrument and who executed the same, this 13<sup>th</sup> day of January, 2025.

Notary Public:

Candy Fazenbaker

Seal

My Commission Expires:

October 30, 2026

Commonwealth of Pennsylvania - Notary Seal  
Candy Fazenbaker, Notary Public  
Somerset County  
My commission expires October 30, 2026  
Commission number 1286517  
Member, Pennsylvania Association of Notaries

## PROPERTY OWNER REQUEST TO LEAVE THE POND AND ITS DITCHES

**TO:** The PA Department of Environmental Protection  
Bureau of Mining & Reclamation, or  
To Whom it May Concern:

We, Joseph C. and Lynette E. Metzgar, the owners of the property located approximately 0.75 mile south of Rockwood, on the eastern side of Rockdale Road, in Black Township, Somerset County, PA, hereby request that Rockwood Stone, LLC leave the pond and its associated ditches following reclamation for our use. Once all of the reclamation has been completed, we want this pond and its ditches to permanently remain as part of the post-mining landuse. We then accept all of the maintenance and liability of them.

Owner's Signature(s) \_\_\_\_\_

Joseph C. Metzgar

Lynette E. Metzgar

COMMONWEALTH of Pennsylvania

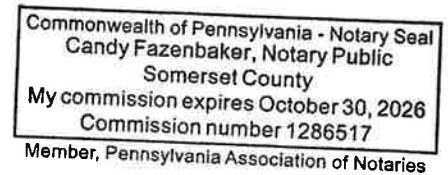
COUNTY of Somerset

Before me, the undersigned notary, personally appeared Joseph Metzgar  
→ Lynette Metzgar, known to me (or satisfactorily proven) to be the  
person(s) subscribed to in this instrument and who executed the same,  
this 13<sup>th</sup> day of January, 20 25.

Notary Public \_\_\_\_\_

seal

My Commission Expires: October 30, 2026



## PROPERTY OWNER REQUEST TO LEAVE THE HAULROAD

TO: The PA Department of Environmental Protection  
Bureau of Mining & Reclamation, or  
To Whom it May Concern:

We, Joseph C. Metzgar & Lynette E. Metzgar, the owners of the property located approximately 0.75 mile south of Rockwood, on the eastern side of Rockdale Road, in Black Township, Somerset County, PA, hereby request that Rockwood Stone, LLC leave the haulroad following mining and reclamation activities for our use and access. Once all of the reclamation has been completed, we want this road to permanently remain as part of the post-mining land use. We then accept all of the maintenance and liability of the road.

Owner's Signature(s)

  
Joseph C. Metzgar

  
Lynette E. Metzgar

COMMONWEALTH of Pennsylvania

COUNTY of Somerset

Before me, the undersigned notary, personally appeared Joseph Metzgar  
& Lynette Metzgar, known to me (or satisfactorily proven) to

be the person(s) subscribed to in this instrument and who executed the same,

this 13<sup>th</sup> day of January, 2025.

Notary Public



Seal

My Commission Expires: October 30, 2026

Commonwealth of Pennsylvania - Notary Seal  
Candy Fazenbaker, Notary Public  
Somerset County  
My commission expires October 30, 2026  
Commission number 1286517  
Member, Pennsylvania Association of Notaries