

TO: Chad Paronish
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Cambria District Mining Office
District Mining Operations
PA Department of Environmental Protection
Commonwealth of Pennsylvania
286 Industrial Park Road
Ebensburg, PA 15931

FROM: Jeffry Dull
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Re: Comments on NPDES Permit Renewal Application Permit No. PA0223239

To Whom It May Concern:

I submit the following comments on Specialty Granules, LLC's ("SGI") application for a renewal NPDES permit, Permit No. PA0223239, associated with the non-coal surface mining at the Pitts Quarry in Hamiltonban Township, Adams County ("Application" or "Renewal Application"). The Pennsylvania Department of Environmental Protection (the "Department", "DEP", or "PADEP") is accepting comments pertaining to the Application materials until July 31, 2019, or two weeks following the July 17, 2019 public hearing. Accordingly, this comment is timely filed.

In my opinion the Department should deny the NPDES permit renewal Application and return the Application to SGI for updating and revision.

The following are some of my concerns:

1. The SGI ownership trail leads from Hagerstown, MD, to New Jersey, to New York, and possibly even to Germany. Since they seem not to be based in Pennsylvania, how can we guarantee that they will clean up their mining sites when they have exhausted the greenstone?
2. Is SGI bonded with the state of Pennsylvania for clean up monies? If so, how much are they bonded for?
 - a. Does SGI actually pay into a state fund?
 - b. If so, how much?
3. It seems that SGI leans heavily on Social Economic Justification to justify the dumping of waste water into Miney Creek, which seems to be ruined, and for the use of Toms Creek for the same purpose, which may actually be EV but now carries HQ designation. What is the true basis of this justification?
 - a. None of their headquarters seem to be in Pennsylvania so where does the real money go?
 - b. I am a neighbor of the mine and the traffic that travels to and from there. I see a lot of Maryland tags on vehicles going to the mine at shift change. How many jobs actually go to Pennsylvania residents since the mine is so close to the Maryland state line?
 - c. Since Maryland would probably not allow this kind of mining on their side of the line, or would have more stringent regulations regarding it, it seems to me that this non-Pennsylvania based company is taking advantage of our state, basically plundering it of resources and taking the money out of state. Is this true?

4. It concerns me that on SGI's web site they have posted, "SGI Responds to Second Round of Public Comments on Northern Tract Permit Application" on 10 July 2019 but in those comments SGI never seems to mention a willingness to partner with organizations like Friends of Toms Creek or other Eco-friendly groups to work toward eliminating pollution of all kinds that may come from the mining operations. They simply seem to give a rebuttal to many of the concerns and complaints that their neighbors have raised.

a. Another interesting point regarding the public meeting held on 30 January 2019, was that seemingly without exception those who spoke for SGI did not live near the mine (the exception may have been one employee of SGI) and all received monies from SGI. Those who spoke against SGI's mining operation, who were in the majority, were without exception, neighbors of SGI and affected directly by truck traffic, noise, light pollution, vibrations from blasting, and drainage pollution. SGI seems more than willing to hand money out to people and agencies who are not affected by their operation but much less willing to deal with those who are.

5. Why is it that SGI is tasked by PADEP to conduct their own testing of run-off, asbestos in the air and water, blasting damage in the local area, and other pollutant related testing and seemingly accepts the results without question but when groups like Friends of Toms Creek contract a professional like Dr. Ben M. Stout III, Ph.D., a Professor of Biology, whose testing shows that Toms Creek achieved Exceptional Value scores those results are contested and not accepted by PADEP? Is there a double standard for businesses and the resident voters who are making no money off this manufacturing, may be risking their health just by living near it, and just want to have a clear EV stream in which to fish?

6. SGI says they will dump very little if any waste into Toms Creek. If this is true, why do they need the permit at all?

a. The initial application for this permit was submitted around 1994. Since then the climate has changed in the area and substantial rain events occur a number of times each year. Is the basis upon which this permit was originally requested out of date? I believe it must be. This is why it should be completely revamped with an emphasis on keeping Toms Creek clean and EV.

The bottom line is that I do not trust SGI, or any corporation, to properly monitor themselves, especially when their profits are at stake. As an LLC they could shut down and leave when they choose and, as they are not based in this state, there may be no way to make them pay for clean up. PADEP should be the honest broker that watches what they do. Those of us who are concerned about what is happening with SGI do not want to see them "take the money and run." Once a mountain top is gone it is gone forever. Once Toms Creek and its watershed is ruined it is ruined forever. We could all work together to stop this from happening and still help the economy. I hope this is what SGI has in mind but I have not seen any proof of it. Our children and their children deserve better. We need to make it happen.

Sincerely,

//signed//

Jeffry A. Dull
Catherine K. Dull

