

# Rockhill Quarry Comment/Response Document

On August 11, 2018, the Pennsylvania Department of Environmental Protection published notice in the *Pennsylvania Bulletin* of the draft Air Quality plan approval that DEP plans to issue to R.E. Pierson Material Corporation for the construction of a 1,000-tph non-metallic mineral processing plant at the quarry. The public comment period closed on September 11, 2018.

The comment response document contains the public comments submitted from commentators during both the public comment period and during the public hearing on September 20, 2018.

Each public comment is listed with the identifying Commentator ID at the end of the comment and the department's response to the comment received.

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## List of Commenters

No.	Name	Home / Email Address / Organization	City	State
1	Carol F. McCabe	Manko, Gold, Katcher & Fox for E. Rockhill Twp.	Bala Cynwyd	PA
2	Mark L. Freed, Esq.	Curtin & Heefner LLP for Rockhill Environmental Preservation Alliance	Doylestown	PA
3	Sandi Hippauf	29R Rockhill Rd.	Quakertown	PA
4	Todd Hippauf	29R Rockhill Rd.	Quakertown	PA
5	Emily Geib	900 Rockhill Rd.	E. Rockhill Twp.	PA
6	George Geib	900 Rockhill Rd.	E. Rockhill Twp.	PA
7	Janine Gravelle	2198 North Rockhill Rd.	Sellersville	PA
8	Kimberly Gottshall	2198 North Rockhill Rd.	Sellersville	PA
9	Ryan Gottshall	2198 North Rockhill Rd.	Sellersville	PA
10	Daniel Soliday	Rockhill Environmental Preservation Alliance, Inc.	Perkasie	PA
11	Jim Pascale	1921 Three Mile Run Rd.	Perkasie	PA
12	Luann Ausen	1921 Three Mile Run Rd.	Perkasie	PA
13	Lowell J. Lysinger, Jr.	Heritage Conservancy		
14	Sharon Furlong	Bucks Environmental Action & Bucks County Sierra Club	Feasterville	PA
15	Marianne Morano	1622 N. Ridge Rd.	Perkasie	PA
16	David Arrowood	310 Rock Hill Rd.	Quakertown	PA
17	Mark Ezzo	Columbus Consulting Corp.	Sellersville	PA
18	Michael D. Kracht	Weber, Kracht & Chellew	Perkasie	PA
19	Scott Bergey	Upper Bucks Christian School	Sellersville	PA
20	Scott Sidle	1914 N. Rockhill Rd.	Sellersville	PA
21	Anna Maria Elisa Manalo			
22	Angel Brechbill			
23	Pat Sellers			
24	Joanne and Russ Kater	1710 W. Rock Rd.		
25	Kristen Carper			
26	Matt Ryan			
27	Tina Wartman			
28	Karen M. Kern	2018 N. Rockhill Rd.	Sellersville	PA
29	Marta Griffith, MBA	On Track Resources, LLC		
30	Greg O'Driscoll	815 E. Rockhill Rd.	Sellersville	PA
31	James S. Kopchak			

32	Sean Trotter	
33	Mr. & Mrs. Weise	
34	Rick and Barb Gebelein	
35	Danielle Frederick	
36	Larry and Rosemary Wheatley	
37	Lindsey Lisenbigler	

38	Josh Scheiderer	Resident/UBCS/ Bethel Baptist Church		
39	Michael Logan	455 Business Center Drive Suite 250 mlogan@cps-2comply.com	Horsham	PA
40	David Arrowood	310 Rockhill Rd.	Quakertown	PA
41	Bob Brach			
42	Frank Banhad	Sellersvillclass78oe542 @yahoo.com		
43	Christy Grega	McMullen.family@ comcast.net		
44	Dave Bedillion			
45	Leo Church			
46	Bob Kroenelber			
47	Thomas Hesgood	2331 Muskrat Rd.	Sellersville	PA
48	Sandy Lehrmann	1470 W. Rock Rd.	Perkasie	PA
49	Arthur Hallett	2210 N. Rockhill Rd.	Sellersville	PA
50	Brandon Jetmore <sup>1</sup>	5900 Clymer Rd.	Quakertown	PA

<sup>1</sup> Comment received on November 19, 2018 after the public comment period ended.

## General Comments – Requests and Public Notice

1. **Comment:** Requests were made for all documentation submitted by the applicant, specifically actual proof that 500 tons of material has been sold. (17, 28)

**Response:** Any requests pertaining to mining extraction of 500 tons of materials should be sent to DEP, Pottsville District Mining Office, 5 W. Laurel Blvd., Pottsville, PA 17901.

The Pottsville District Mining Office (PDMO) has reviewed the available documentation regarding the annual removal of material from the site. PDMO has determined that the surface mining permit has maintained its active status.

2. **Comment:** DEP should revise the procedure for providing a public notice. The Intent to Issue Notice in the newspaper was noticed by complete chance and it is too difficult to obtain the public documents pertaining to project. Residents within 1,000-feet of the project should receive mailed communication for a public notice. (6, 7, 8, 10)

**Response:** The hearing was advertised in accordance with 25 Pa. Code Section 127.48(b), that is, Bucks County Times Courier, the newspaper of general circulation in the county (August 16, 17 and 18, 2018) and in the PA Bulletin. For any public documents, please contact the Records Management at Southeast Regional Office, 2 East Main St., Norristown, PA 19401, telephone: 484-250-5900.

## General Comments – General Information Form (GIF)

3. **Comment:** The application is incomplete, and many of the questions have not been answered. Many of the questions and answers are very technical and the public cannot have confidence that due diligence was exercised. (5, 10)
4. **Comment:** The General Information Form is missing information: Items 1 through 5 in the Land Use Information section are left blank. (5)

**Response to Comments 3 and 4:** The missing information in the General Information Form (GIF) was previously addressed in a pre-plan approval meeting at the DEP Southeast Regional Office. It was determined that since the company was involved in litigation with the Township to obtain the necessary zoning permits, the questions pertaining to land use could not be fully and accurately addressed. DEP determined that the company could submit the application and submit a revised GIF after resolving the litigation.

Plan Approval applications are submitted for the construction of an air contamination source and/or to install an air cleaning device. Air Quality plan approvals and operating permits are issued to regulate air contamination sources.

During the technical review, DEP determined and believes that the conditions in the proposed plan approval are in compliance with all applicable state and federal air pollution control regulations and compliance with these regulations will minimize impact on the environment.

5. **Comment:** The company entered “NO” to the two questions regarding modifying an activity, when in fact they are modifying an activity. (10)

**Response:** The Rockhill quarry is classified as an existing facility, however the projects to be conducted by R.E. Pierson are not modifying the existing facility but are additional projects on that site. For example, DEP had previously issued the General Plan Approval and General Operating Permits (BAQ-GPA/GP) Nos. GP3-09-0157 and GP9-09-0083 for the temporary operation of portable crushers and associated equipment to crush the stones to smaller aggregates, which does not modify the mining operations.

### **General Comments – GIF & Plan Approval (PA) Application**

6. **Comment:** The information in the application pertaining to GIF questions 5.1 (Water Obstruction and Encroachment Projects) and 6 (Will the project involve discharge of storm water or wastewater from an industrial activity to a dry swale, surface water, ground water or an existing sanitary sewer system or separate storm water operation?) were too scant to provide a reason to grant the permit. The contaminated runoff from the lake at the quarry will adversely affect wells in the area. Silt runoff into the tributaries and aquifer will make the water unfit for use. (12)
7. **Comment:** The plan approval (PA) application is missing information and/or contains misleading information from expired permits. (5, 6, 10, 29, 31)
8. **Comment:** The PA application is missing information: Page 4, Section 6 – Will all loaded trucks entering or leaving the property be required to use a suitable cover to prevent spillage? How will this be enforced? If not, justify. Page 7, Section 12 – Will all conveyor belts be covered? (Answer: No). If not, specifically note those which will be open and justify. (5)

**Response to Comments 6, 7 and 8:** The following statement is contained in the Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to silt runoff and truck tarps: *“No disturbance is proposed to any floodplain, streams, watercourses, lakes, ponds, lake/pond shorelines, wetlands, wetland margins and/or riparian buffers. Limited woodland and steep slope disturbance is proposed outside of the permitted mining area and is substantially less than the maximum permitted disturbance amounts under the (proposed) zoning ordinance. The woodland and steep slope disturbance within the permitted mining area is not subject to the woodland and steep slope disturbance requirements. No wetlands have been identified onsite through Nation Wetland Inventory (NW) mapping.”*

*“Pierson estimates that it will annually remove approximately 300,000 to 800,000 tons of aggregate from the quarry over the next 10-year period. Removal is based on the demand in the area. Pierson is not proposing to market overburden and intends to only extract and stockpile overburden necessary to get to the rock. All overburden to remain on site for the purpose of reclamation.”*

*“Overburden will be stabilized with vegetation to prevent wind and water erosion.”*

*“All trucks carrying product from the site must tarp their loads.”*

In addition, the permittee must operate in compliance with National Pollutant Discharge Elimination System (NPDES) Permit No. PA0594121 that is issued in conjunction with the mining permit.

Pursuant to 25 Pa. Code § 123.1 of Section C, Condition #002 of the Plan Approval, no fugitive emissions are allowed, and if there are any, corrective actions must be taken.

Pursuant to 25 Pa. Code § 127.25, a person may not cause or permit the operation of an air contamination source subject to the requirements of 25 Pa. Code § 127.11 and identified in the plan approval application in a manner inconsistent with good operating practices; therefore, DEP considers all documentation submitted as part of a plan approval application to be enforceable.

- 9. Comment:** There are no scale drawings containing the hours of operation attached to the application as required in Section B-Mineral & Coal Processing Plant Information. (10)

**Response:** A scaled site plan clearly identifying the location and capacity of the equipment was provided in Exhibit-2 of the application. Additionally, R.E. Pierson proposed to restrict the hours of operation for the proposed 1,000-tph non-metallic mineral processing plant (e.g., crusher) to 2,800 hours per year and to conduct daily monitoring and recordkeeping to demonstrate compliance with the restriction.

This information was obtained from the plan approval application which proposes an operating schedule of 8-10 hours per day, 5-6 days a week, operating 9 months a year (April – December), 2,800 hours per year.

The following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to the hours of operation from the quarry: *“Blasting will occur within the mining area, subject to DEP regulations, Monday through Friday, between the hours of 9:00 AM and sunset. Blasting is proposed to occur no more than twice per week.”*

- 10. Comment:** Information for the section in the application requiring plant roads and public service roads and related governmental responsibility for maintenance was not provided. (10).

**Response:** As documented in Section B. 5. (Miscellaneous) of the plan approval application, plant roads will be paved or covered with sub base stone from the quarry. East Rockhill and Richland Townships are responsible for nearby public road maintenance. Informal commitment by Pierson Materials to substantially contribute to road to PA 309.

### **General Comments – Truck Traffic**

- 11. Comment:** Excessive truck traffic. (2, 5, 6, 8, 43)
- 12. Comment:** Truck traffic on narrow roads impacting the pedestrian and vehicular traffic. (14, 22, 29, 32, 33, 43)
- 13. Comment:** Studies should have been done for traffic, endangered animals and threats to waterways and wells. (5, 6, 10, 29, 31)
- 14. Comment:** The traffic study did not take into account the full amount of traffic when the school, located ½ mile from the quarry entrance, is in session. (12, 19)
- 15. Comment:** Trucks are too big for these small rural roads (11, 43)

**Response to Comment 11, 12, 13, 14 and 15:** Plan Approval applications are submitted for the construction of an air contamination source and/or to install an air cleaning device. Plan approvals and operating permits are issued to regulate air contamination sources. They are not intended to regulate motor vehicle traffic.

As documented in Section B. 11. (Processed Material Reclaim and Load Out) of the plan approval application, 175 truckloads per day will be required to drive to the stockpiles This is regulated under East Rockhill Township Ordinances, Chapter 15, Motor Vehicles Traffic.

The following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to truck traffic from the quarry: *“Truck access shall be arranged so as to minimize danger to traffic and avoid nuisance to surrounding properties. (Refer to Circulation Plan Sheet 8 for onsite operations. See report by Horner & Canter Associates, as to proposed offsite truck routes.”*

Pursuant to 25 Pa. Code § 127.25, a person may not cause or permit the operation of an air contamination source subject to the requirements of 25 Pa. Code § 127.11 and identified in the plan approval application in a manner inconsistent with good operating practices; therefore, DEP considers all documentation submitted as part of a plan approval application to be enforceable.



## General Comments – Excessive Noise

- 16. Comment:** Excessive noise from quarrying and blasting. Excessive noise from truck traffic. (6, 10, 16, 32, 33, 34, 36)
- 17. Comment:** Excessive noise. The permit should have a requirement for the installation of proper noise suppression system, such as high berms, to shield residents from the noise. (2, 6, 7, 8)

**Response to Comments 16 and 17:** Plan Approval applications are submitted for the construction of an air contamination source and/or to install an air cleaning device. Air Quality plan approvals and operating permits are issued to regulate air contamination sources. They are not intended to regulate excessive noise. This is regulated under East Rockhill Township Ordinances, Chapter 6, Part 2, Noise. However, since this crusher will be operating at a facility with a Surface Mine Permit; DEP's Pottsville District Mining Office (PDMO) will and has been monitoring noise levels at the site and all readings have been within the guidelines established by the Department for those activities. The PDMO will also be requiring additional noise mitigation requirements on the new crusher and has had preliminary discussions on that specific issue with the Operator/Permittee.

However, the following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to noise from the quarry: *“Most construction equipment operates between 76 and 91dB on average at 50 feet Reference: Peurifoy, R.L (Robert Leroy) (2006), Construction planning, equipment and methods / Robert L. Peurifoy, Clifford J. Schexnayder, Aviad Shapira – 7<sup>th</sup> ed. NY, NY, McGraw-Hill.*

*According to the Train Horn Rule (49 CFR 222), the maximum volume level for the train horn is 110dB and the minimum level is 96-decibels (dB). The train separates the quarry operations from the nearest neighbor.”*

*“The estimated noise levels, measured at the property lines, of all quarry equipment, is approximately 60-db.*

*“All quarry production blasts shall be monitored by the company with a seismographic and sound equipment at the structure neither owned or leased by the permittee. A record of each blast shall be maintained by the permittee for a period of at least five (5) years.”*

*“Blasting will occur within the mining area, subject to DEP regulations, Monday through Friday, between the hours of 9:00 AM and sunset. Blasting is proposed to occur no more than twice per week.”*

The Mining Regulations also state that:

*All quarry production blasts shall be monitored by the company with a seismographic and sound equipment at the structure neither owned or leased by the permittee. 25 Pa Code, Chapter 211.151 states that blasts shall be conducted in a manner that achieves either a scaled distance of 90 at the closest building or other structure designated by the Department or meets the allowable peak particle velocity as indicated in Figure 1 (USBM-Z-Curve) at any building or other structure designated by the Department. Blasts shall be designed and conducted to control airblast so that it does not exceed 133dB at any building or other structure designated by the Department. 25 Pa Code Chapter 211.133 states a record of each blast shall be maintained by the permittee for a period of at least three (3) years and shall make the blast report available to the Department upon request.”*

*“Blasting will occur within the mining area, subject to DEP regulations. 25 Pa Code Chapter 211.156 states a blast may be detonated only between sunrise and sunset unless the Department authorizes a blast at another time of day. Blasting is proposed to occur no more than twice per week.”*

*“No ground vibration caused by blasting and machinery shall exceed the limit established by the act of July 10, 1957, P.L 685, as amended, 73 P.S. 164-168. 25 Pa Code, Chapter 211.151 states that blasts shall be conducted in a manner that achieves either a scaled distance of 90 at the closest building or other structure designated by the Department or meets the allowable peak particle velocity as indicated in Figure 1 (USBM-Z-Curve) at any building or other structure designated by the Department.*

## General Comments – Excessive Particulate Matter /Dust Emissions

- 18. Comment:** The air pollution has adverse effects on residents with respiratory problems (37, 43).
- 19. Comment:** Quarries with rock crushing capabilities allow exposure to respirable crystalline silica which has a direct link to human lung cancer. (17, 43)
- 20. Comment:** Air pollution from excessive particulate matter. (3, 4, 5, 6, 8, 10, 27, 14, 31, 32, 36, 43)
- 21. Comment:** Excessive dust and exhaust emissions. (13)
- 22. Comment:** Particulate matter, smoke and ash will negatively affect air quality and standard of life. (37)
- 23. Comment:** No mention made to all the residents about the super-sized operation that will adversely affect residents' way of life of life due to the emission of particulate matter in excess of DEP standards. (6, 7, 8, 10, 12)
- 24. Comment:** The application indicates that all conveyor belts will not be covered. The plan approval should require that all conveyor belts to be covered to reduce dust emissions. (10)

**Response to Comments 18, 19, 20, 21, 22, 23 and 24:** The proposed 1,000-tph non-metallic mineral processing plant (e.g., crusher) will be powered by electricity with no emissions other than particulate matter generated by crushing. The draft plan approval limits the emission of particulate matter from the site to 7.8 tons per year and contains requirements for monthly monitoring and recordkeeping to demonstrate compliance with the restriction.

Pursuant to the language of Condition #026 of Section C (Site Level Plan Approval Requirements) of the proposed plan approval documents “A person responsible for any source specified in 25 Pa. Code §123.1 shall take all responsible actions to prevent particulate matter from becoming airborne. These actions include, but are not limited to the following:

- (1) Use, where possible, of water or chemicals for control of in the demolition of buildings or structures, construction operations, the grading of roads or the clearing of land.”

A wet dust suppression system (WDSS) comprised of water sprays will be used at several locations to control the particulate matter emissions from crushing activities. The plan approval requires the operation of the WDSS on any and all occasions that the 1,000-tph non-metallic mineral processing plant (Source ID: 101) is operated, except in those

unusual circumstances where conditions are such that operation can take place without creating fugitive emissions in excess of the limitations specified in the permit.

Also, the following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to particulate matter and dust emissions: *“Dust generated by the mining operation will be handled as follows:*

- A. Access roads, haul roads and adjoining portions to public roads will be controlled by water or calcium chloride. A water truck will be used to wet the surfaces and if not effective, then the calcium chloride may be applied to the water.*
- B. All trucks carrying product from the site must tarp their loads.*
- C. Dust from drilling is controlled by adding water while drilling and/or by venting the exhaust through the drill rig’s baghouse.”*

*“Complaints will be handled on an individual basis as and when received. The Quarry Manager will be charged with monitoring and responding to any complaints in a prompt manner.”*

The plan approval application identifies the name of the plant official who is responsible for determining when to implement dust control measures.

Also, to address this concern about fugitive emissions, the following condition is added to the permit under Additional Requirements in Section C:

- (a) the wind speed and wind direction shall be monitored continuously each operating day, in maximum increments of 30-60seconds, by means of an automated weather station.*
- (b) If at any time the automated weather station does not monitor either wind speed or wind direction, then monitoring of wind speed and/or wind direction shall be performed manually and recorded at least twice each operating day until the weather station has been repaired or replaced and has resumed monitoring the wind speed and wind direction.*
- (c) If the automated weather station stops monitoring or recording the wind speed or wind direction as a result of a malfunction, within two (2) hours of discovery of the malfunction, the permittee shall take steps to have the automated weather station repaired or replaced; this may involve, but not be limited to, calling a service technician or submitting an order to have the automated weather station repaired or replaced.*

## General Comments – Wastewater Disposal

- 25. Comment:** There has been insufficient ground remodeling from the extraction and discharge which could impact drinking water from wells. (2, 5, 11)
- 26. Comment:** The plan approval does not mention of the water source of the wet suppression system nor how the company will dispose of the wastewater. (3)
- 27. Comment:** Little is known about the potential effects on the area’s watersheds. (5, 6)
- 28. Comment:** Sediment and wastewater from the quarry will run-off into watershed and state park. (3, 46)
- 29. Comment:** Wells drying up due to usage by the wet suppression system. (2, 3, 4, 7, 8, 10)
- 30. Comment:** Activation of a “Mega Quarry” would compromise already contaminated water system and PFAS contaminated wells less than one mile from the site. (5, 6)

**Response to Comments 25, 26, 27, 28, 29 and 30:** The existing water, that is, the pond and cistern along the track, will be used to supply water to the wet suppression system. From the wet process system, the water is proposed to be sent to a designated pond with a closed loop system. This will be addressed in the NPDES Permit No. PA059412 to add additional monitoring and discharge points. Groundwater and surface water affects are regulated through the surface mining permit. PDMO will require additional information regarding the proposed effects on groundwater and surface water before additional pumping can be approved. All proposed operations must meet the Noncoal Mining Regulations and the National Pollutant Discharge Elimination System (NPDES) Regulations.

- 31. Comment:** The company estimates that it will use 9,250 gallons of water per hour just for dust suppression, for an 8-hour day, that is 75,000 gallons of water. (7)

**Response:** This is correct. The proposed draft plan approval limits the discharge of water from the wet dust suppression system (*WDSS*) used to control particulate matter emissions. The limits will vary depending on the construction phases for equipment. During Phase I, the maximum total allowable flow rate from the *WDSS* is 41.53 gallons per minute, which would equate to 2,491.8 gallons per hour and 19,934.4 gallons for an 8-hour day. During Phase II, the maximum total allowable flow rate from the *WDSS* is 113.09 gallons per minute, which would equate to 6,785.4 gallons per hour and 54,283.2 gallons for an 8-hour day.

## General Comments – Asbestos

- 32. Comment:** A vein of asbestos was found in the quarry. (9, 14, 24)
- 33. Comment:** A vein of white asbestiform amphibole found in the quarry. (4, 30)
- 34. Comment:** Albite, a mineral that was mined in the 1970's goes into the water system and causes cancer. (11)

**Response to Comments 32, 33 and 34:** In a letter to the company dated January 4, 2018, DEP mandated a comprehensive investigation to determine if asbestos from mineral are present in any of the rock to be mined at the Rockhill quarry. In a letter to the company dated January 25, 2018, DEP acknowledged receipt of the monitoring plan for naturally occurring asbestos (NOA) and notified the company that the plan had been incorporated into Noncoal Surface Mining Permit No. 7974SM1. The 2<sup>nd</sup> letter lifted the order to cease all production drilling, blasting and crushing activities. Currently, there has been no findings of asbestos.

To address this concern, DEP is requiring R.E. Pierson to design and install an air monitoring program for asbestos. This supplemental air monitoring is being implemented to detect any airborne asbestos and take corrective action if needed.

The following condition is added to the permit under Additional Requirements in Section C:

- (a) *The permittee shall design and implement an air monitoring program prior to the operation of the crusher, for Department approval, to detect airborne asbestos fibers around the perimeter of the quarry prior to the operation of the crusher. The air monitoring program shall include, but not be limited to, a corrective action plan in the event airborne asbestos fibers are detected above the action level. This air monitoring will supplement, not replace, physical and visual inspection that is done in accordance with the Mining Permit.*
- (b) *The action level are readings or calculated airborne asbestos fiber concentrations that exceed 0.01 fibers/cc.*
- (c) *The permittee shall conduct daily air samples for the week prior to the commencement of operation of the crusher and during the first week of the operation of the crusher.*
- (d) *Any airborne asbestos fiber levels that are found at and around the perimeter of the site, which exceed the action level expressed in paragraph (b) above, shall:*
- (1) *be investigated;*
  - (2) *be reported to the facility management, or individual(s) designated by the permittee and DEP within 24 hours at 484.250.5900*

(3) have appropriate corrective action taken; and

(4) be recorded in a permanent written log.

(e) After two (2) weeks of daily monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine the feasibility of decreasing the monitoring frequency to weekly on operating days.

(f) After one (1) month of weekly monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine the feasibility of decreasing the frequency of monitoring to monthly on operating days.

(g) After six (6) months of monthly monitoring with airborne asbestos fiber levels less than the action level, and upon the permittee's request, DEP will determine if the monitoring may cease.

(h) The Department reserves the right to change the above monitoring requirements at any time, based on but not limited to: the review of the physical and visual inspections, asbestos sampling and testing and/or calculated asbestos airborne fiber concentrations.

Note: The permit shall calculate the estimated airborne asbestos fiber concentration on the filter sample using the following OSHA formula as per 1910 Subpart Z, Appendix B:

Where:

$$AC = \frac{\left( \frac{FB}{FL} - \frac{BFB}{BFL} \right) \times ECA}{FR \times MFA \times T \times 1000}$$

AC = Airborne fiber concentration

FB = Total number of fibers greater than 5 μm counted

FL = Total number of fields counted on the filter

BFB = Total number of fibers greater than 5 μm counted in the blank

BFL = Total number of fields counted on the blank

ECA = Effective collecting area of filter (385 mm<sup>2</sup> nominal for a 25-mm filter.)

FR = Pump flow rate (L/min)

MFA = Microscope count field area (mm<sup>2</sup>). This is 0.00785 mm<sup>2</sup> for a Walton-Beckett Graticule.

T = Sample collection time (min)

1,000 = Conversion of L to cc

Please note: The PDMO requires asbestos testing of the rock prior to mining into a new area. The operator would be restricted from mining in an area where asbestos is present.

### **General Comments – Environmental Impact on Wildlife and Ecosystem**

- 35. Comment:** The company did not respond to the attempts of contact from the community and proceeded to destroy acres of wildlife habitat surrounding the quarry. (13, 14, 29)
- 36. Comment:** The area surrounding the quarry has a developed ecosystem and there are many endangered species in the area. (2, 3, 13, 14, 29)
- 37. Comment:** Possible adverse environmental impact on State protected lands such as Quakertown Swamp, and Markey Park. (3, 10, 13, 14 ,16, 33)
- 38. Comment:** The deposition of particulates damages vegetation by preventing photosynthesis causing them to die and takes away a vital resource from the local wildlife as well as hampering the aesthetics of the area. (17)

**Response to Comments 35, 36, 37 and 38:** DEP has considered your comments but **does** not believe that the operation of the quarry will result in measurable population impacts to your species of concern. The quarry is an existing industrial site and the water in the quarry is not a lake, but a quarry pit and is regulated as such. It is not intended to provide wildlife habitat. None of the species mentioned are listed as threatened, endangered, or even candidate for listing, by federal and state agencies. Other water resources in the vicinity such as Lake Nockamixon, Tohickon Creek, East Branch Perkiomen Creek are more suitable wildlife habitats.

The mining activities will be conducted at a previously mined and industrial site. The Pennsylvania Fish and Boat Commission (PAFBC) is the designated agency to regulate and protect reptiles and amphibians. Please contact this agency to determine if they can aid in your volunteer activities. PAFBC has been contacted by the PDMO regarding the harvest of fish in the quarry lake. PDMO has relayed the information to Hanson (the Permittee). Hanson has stated they intend to comply with the PAFBC guidelines

### **General Comments – Hours of Operation**

- 39. Comment:** The hours of operation should be specifically listed in the application. (10)

**Response from N. Rockhill Township Manager:** No hours of operation have been established, ordinances specify curfew hours between 10:00 p.m. to 7:00 a.m. Contractors hours are between 7:00 a.m. to 7:00 p.m., with no Sundays. Blasting is not allowed at this location between 6:00 p.m. to 7:00 a.m.

- 40. Comment:** The 1,000-tph crusher will be allowed to operate for 8 to 16 hours per day as stated in the pending permit. (7)



- 41. Comment:** The Township failed to execute jurisdiction to enforce hours of operation regulations on the company's quarrying activity. (2, 6, 27)

**Response to Comments 40 and 41:** The proposed plan approval limits the facility to 2,800 hours per year of operation. In addition, the following statement is contained in Exhibit-2 Site Plan and Equipment Layout Drawing Attachment, Operation Notes, to the Plan Approval Application pertaining to hours of operation: "*Blasting will occur within the mining area, subject to DEP regulations, Monday through Friday, between the hours of 9:00 a.m. and sunset. Blasting is proposed to occur no more than twice per week.*"

Pursuant to 25 Pa. Code § 127.25, a person may not cause or permit the operation of an air contamination source subject to the requirements of 25 Pa. Code § 127.11 and identified in the plan approval application in a manner inconsistent with good operating practices; therefore, DEP considers all documentation submitted as part of a plan approval application to be enforceable.

### **General Comments – Zoning and Permits**

- 42. Comment:** The company has operated the quarry without the Township denying their permit for special exception (e.g., zoning permits) and they have constructed building and have performed land developments without permits. (3, 4, 5, 31, 33, 34)
- 43. Comment:** The company is currently in litigation to obtain the necessary zoning approvals for the proposed operations at the site and DEP should suspend its review of the application until litigation is resolved. (1)

**Response to Comments 42 and 43:** The approval of this plan approval does not relieve the permittee from its obligations to comply with all applicable Federal, State and Local laws and regulations.

### **General Comments – Other Comments**

- 44. Comment:** The quarry has been dormant for many years. The location of the quarry is too close to a significant residential area. (2, 5, 9, 10, 11, 16, 26)
- 45. Comment:** The permit should not be approved for the planned location. (6, 7, 8, 16, 35)
- 46. Comment:** There are two quarries that produce asphalt that are much closer to the turnpike job. (9)

**Response to Comments 44, 45, 46:** The location of the quarry and the contractor, R.E. Pierson, awarded the turnpike expansion project is outside of purview of this application.

- 47. Comment:** There have been no inspections of DEP permit issued for the site in many years. (9)

**Response:** The Pottsville District Mining Office conducted compliance and enforcement activities for this quarry prior to the submittal of the application, and conducts and has conducted inspections of this site on a routine basis. Copies of these inspection reports are contained in the permit file located in the Pottsville District Office and are available upon request for review. Their activities do not preclude the Air Quality Program from reviewing and approving this application for this crushing plant.

- 48. Comment:** The company is risking an environmental catastrophe with the gas pipeline that runs alongside of the blasting structure. (10, 33)

**Response:** Blasting at the quarry is conducted under the purview of the Pottsville Mining District Office. Pipeline safety is under the purview of either the Pennsylvania Utility Commission or the Federal Energy Regulatory Commission. The initial five blast events were under the supervision of the PDO's Blasting & Explosives Inspector. The distance from the quarry blasting to the pipeline is between 2500 feet and 3000 feet, depending on the location of each blast. With the initial five blasts, the PDO required the operator to monitor the pipeline for ground vibration during these blasting events. The seismic results recorded at the pipeline for each of the five blast events resulted in a "no trigger" of the seismograph. This application for plan approval is specific to the crushing plant and does not address blasting activities.

- 49. Comment:** DEP should ensure that the plan approval minimizes the environmental impact of the operation to the greatest extent possible, such as (1) increasing the frequency of the monitoring required for odors, visible emissions and fugitive emissions to two or more times per day, (2) clarify the conditions pertaining to the operation of the wet dust suppression system, specifically to ensure that the minimum flow rates in the enumerated ranges for phases one and two will be adequate to ensure dust suppression across all atmospheric conditions, (3) increase the frequency of the recordkeeping requirement for the water flow rate to once per hour during operation of the processing plant and (4) include a requirement to submit a semi-annual report to DEP. (1)

**Response:** Plan Approval applications are submitted for the construction of an air contamination source and/or to install and air cleaning device. Air Quality plan approvals and operating permits are issued to regulate air contamination sources.

DEP believes that the conditions in the proposed plan approval are in compliance with all applicable state and federal air pollution control regulations and compliance with these regulations will minimize the impact on the environment.