



**INSPECTION REPORT
NONCOAL**

Date 4/16/2019

Mine Name New Hope Quarry

Complete Partial X

On Site Times

| | | | | |
|--|------------------------------------|--|--|---|
| Weather | | | | |
| PERMITTEE New Hope Crushed Stone & Lime Co. | TOWNSHIP Solebury | COUNTY Bucks | PERMIT NO. 7974SM3 | |
| ADDRESS PO Box 248 New Hope, PA 18938-0248 | VIOLATION HISTORY NOV'S CO'S | X VIOLATIONS NOTED PREVIOUS VIOLATIONS: <input type="checkbox"/> CORRECTED <input type="checkbox"/> UNCORRECTED | X FOLLOW-UP INSP. REQUIRED X COMPLIANCE ORDER <input type="checkbox"/> FTC ORDER <input type="checkbox"/> CEASE ORDER | LICENSE NO. & EXP. DATE 1879 8/31/2019 OPERATIONAL STATUS Active |

GENERAL MINING INFORMATON: Large Small 10,000 2,000 GP 105 GP 103 Expiration Date

a. Areas-Minerals-Pit Dimensions (L/W/H)-Method: Dolomite
open pit- ~2550' x ~1100' x ~315'

b. Equipment-Use & Conditions: crushing/screening plants; asphalt plant; FELs; haul trucks; track excavators; backhoes; water truck- good condition

c. Contract Miner: Yes No Name _____ d. Approved Blast Plan: Yes No Is there blasting today? Yes No

| Approved Acres | Approved Pit Volume | Progress of Reclamation | Liability |
|---------------------------|------------------------------------|--|-------------------|
| Mining Area: 141 Support: | N/A yd ³ | Regraded 0 acres Topsoiled 0 acres | Current Bond |
| Disturbed not planted: | Current Pit Volume | Water Impoundment : Acres Approved 0 Acres Actual 0 | |
| Affected acres | N/A yd ³ | Planted, Grasses 0 acres | Current Liability |
| Mining Area: 141 Support: | Selective Grading of Highwall | Trees Required 0 ac. Planted 0 ac. | \$1,144,028.80 |
| Disturbed not planted: | Approved: yd ³ Current: | Meeting Stage 1 criteria: 0 acres | |

Highwall Bond (Blasting to achieve reclamation) Approved/Affected

| | | | | | | | | | | | | | | |
|----------|-----|-----|------------|-----|-----|------------|-----|-----|------------|-----|-----|---------|-----|-----|
| <20 ft.: | ft. | ft. | >20<30 ft. | ft. | ft. | >30<40 ft. | ft. | ft. | >40<50 ft. | ft. | ft. | >50 ft. | ft. | ft. |
|----------|-----|-----|------------|-----|-----|------------|-----|-----|------------|-----|-----|---------|-----|-----|

PERFORMANCE STANDARDS NONCOAL

| Obs. | STANDARD | PC or Reg. | Viol. | Comp. Date | Obs. | STANDARD | PC or Reg. | Viol. | Comp. Date |
|------|----------------------------------|------------|--------------------------|------------|------|-------------------------------|------------|--------------------------|------------|
| | Unauthorized Mining | | <input type="checkbox"/> | | | Air Resources Protection | | <input type="checkbox"/> | |
| | Mining License | | <input type="checkbox"/> | | X | Concurrent Reclamation | | <input type="checkbox"/> | |
| | Signs and Markers | | <input type="checkbox"/> | | | Backfilling and Grading | | <input type="checkbox"/> | |
| | Topsoil-Rem/Storage/Handling | | <input type="checkbox"/> | | | Revegetation | | <input type="checkbox"/> | |
| | Effluent Standard | | <input type="checkbox"/> | | | Haul Roads | | <input type="checkbox"/> | |
| | Diversions and Conveyance | | <input type="checkbox"/> | | | General Safety | | <input type="checkbox"/> | |
| | Sediment Control Measures | | <input type="checkbox"/> | | | Permit Conditions | | <input type="checkbox"/> | |
| | Treatment Facilities | | <input type="checkbox"/> | | | Temporary Mining Cessation | | <input type="checkbox"/> | |
| | Sedimentation Ponds | | <input type="checkbox"/> | | | Distance Limitations-Barriers | | <input type="checkbox"/> | |
| | Discharge Structures | | <input type="checkbox"/> | | | Bench Development | | <input type="checkbox"/> | |
| | Dams, Ponds-Design/Const./Maint. | | <input type="checkbox"/> | | | Permit Line Setback | | <input type="checkbox"/> | |
| | Water Monitoring-Ground/Surface | | <input type="checkbox"/> | | | Stability Analysis | | <input type="checkbox"/> | |
| | Water Discharge-Underground Mine | | <input type="checkbox"/> | | X | Subchapter E 77.102(f)(2) | Reg | X | 9/15/19 |
| | Blasting Requirement | | <input type="checkbox"/> | | | | | | |

COMMENTS AND RECOMMENDATIONS: This Inspection report is being generated to note a violation. On November 30, 2015 New Hope Crushed Stone & Lime Co. (New Hope) submitted a Reclamation Plan ("Plan") to reclaim the SMP. The Department reviewed the Plan and determined it was unacceptable because the proposed reclamation plan/timetable did not abate the public nuisance noted in the Environmental Hearing Board ("EHB") Adjudication dated July 31, 2014, in a timely manner. In a letter dated January 29, 2016, the Department notified New Hope that it could not approve the Plan as submitted and modified it to abate the nuisance declared by the EHB in a timely manner. New Hope was to complete the reclamation activities outlined in the Department's January 29, 2016 letter by March 2019. New Hope has failed to complete the reclamation activities outlined in the Department's January 29, 2016 letter by March 2019.

| | | |
|---|---|---|
| Person Contacted Mr. Greg Rodrigo | Title | Discharge/Seeps <input type="checkbox"/> yes <input type="checkbox"/> no Samples Collected <input type="checkbox"/> yes <input type="checkbox"/> no Range of Samples Collected _____ to _____ |
| Signature To be mailed Certified Mail No. <u>7014 22000001409699A</u> | Investigator Signature <i>Gary A. Letsha</i> | Collector ID No. 4525 Employee ID No. 502407 |

The Operator's signature acknowledges that he has read the report, including the reverse side, and that he was given the opportunity to discuss it with the investigator. The signature does not necessarily mean he agrees with the report. White - District File Yellow - Permittee Pink - Inspector

COMMONWEALTH OF PENNSYLVANIA
 DEPARTMENT OF ENVIRONMENTAL PROTECTION
 BUREAU OF MINING AND RECLAMATION

COMMENTS AND RECOMMENDATIONS

Mine Name New Hope Quarry

Date 4/16/2019

| | | | |
|--|----------------------|-----------------|-----------------------|
| PERMITTEE New Hope Crushed Stone & Lime Co. | TOWNSHIP Solebury | COUNTY Bucks | PERMIT NO. 7974SM3 |
|--|----------------------|-----------------|-----------------------|

Therefore, Compliance Order No. 19-5-015-N is issued. New Hope shall immediately cease active mining operations and conduct reclamation to address the reclamation shortfall by the following reclamation schedule/timeline: 1) No mining activity is authorized until such time as the reclamation work outlined in this schedule is completed and approved by the Department; 2) New Hope shall perform original stream channel elevation and location investigation by April 26, 2019. This should also include the natural ground elevation along the quarry rim 25 feet on each side (North & South) of the original stream channel once excavated; 3) Complete backfilling of staked areas 3 through 20, referenced on the Reclamation Update Map dated August 4, 2016 ("RUM") by May 15, 2019; 4) Seed/plant all backfilled slopes in staked areas 3 through 20, referenced on the RUM (except for the inlet area) by May 30, 2019; 5) Begin maximum pumping rate of 500,000 gallons per day on June 5, 2019; 6) Complete stream restoration work (not including inlet) by June 15, 2019; 7) Complete backfilling and planting of staked areas 1 through 3 and staked areas 20 through and south of 23, referenced on the RUM (all uncompleted areas) by September 15, 2019; 8) Submit monthly reclamation progress reports by the 5th of the month for the preceding month; 9) Submit two survey or other engineered (measurement/calculation) reports verifying the amount of reclamation fill material placed. The first survey report is due by June 15, 2019 and the second survey report is due by September 27, 2019.

| | |
|--|---|
| Person Contacted Mr. Greg Rodrigo | Discharge/Seeps <input type="checkbox"/> yes <input type="checkbox"/> no Samples Collected <input type="checkbox"/> yes <input type="checkbox"/> no Range of Samples Collected None |
| Signature <i>Certified Mail No.</i> To be mailed <u>7014212000014096999</u> | Investigator Signature & I.D. No. 502407 <i>Gary A. Laska</i> |

The Operator's signature acknowledges that he has read the report, including the reverse side, and that he was given the opportunity to discuss it with the investigator. The signature does not necessarily mean he agrees with the report.

District File/Permittee/Inspector



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS
P.O. BOX 8461
HARRISBURG, PA 17105-8461

COMPLIANCE ORDER

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|--|----------------------------|-----------------------------------|--|--|
| OPERATOR NAME New Hope Crushed Stone & Lime Co. | | | DOCKET NUMBER 19-5-015-N | |
| ADDRESS P.O.Box 248 New Hope, PA 18938 | | | PERMIT NUMBER 7974SM3 | |
| | | | MUNICIPALITY Solebury | |
| NAME AND TITLE OF PERSON SERVED Greg Rodrigo | | | COUNTY Bucks | |
| MINE NAME OR DESCRIPTION New Hope Quarry | | | LICENSE NUMBER 1879 | |
| DATE OF INSPECTION 4/16/2019 | DATE OF ORDER 4/17/2019 | DATE OF SERVICE/MAIL 4/17/2019 | CERT. MAIL NO. 7014 212000014096999 | CESSATION ORDERED <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

The Department of Environmental Protection is the agency with the authority to administer and enforce the Clean Streams Law, the Act of June 22, 1937, P.L. 1987, as amended, 35 P.S. § 691.1 *et seq.*, the Surface Mining Conservation and Reclamation Act, the Act of May 31, 1945, P.L. 1198, as amended, 52 P.S. § 1396.1 *et seq.*, the Noncoal Surface Mining Conservation and Reclamation Act, the Act of December 19, 1984, P.L. 1093, No. 219, as amended, 52 P.S. § 3301 *et seq.*, the Coal Refuse Disposal Control Act, the Act of September 24, 1968, P.L. 1040, as amended, 52 P.S. § 30.51 *et seq.*, the Bituminous Mine Subsidence and Land Conservation Act, the Act of April 27, 1966, P.L. 31, No. 1, as amended, 52 P.S. § 1406.1 *et seq.*, the Anthracite Coal Mine Act, the Act of November 10, 1965, P.L. 721, No. 346, as amended, 52 P.S. § 70-101 *et seq.*, the Bituminous Coal Mine Act of 1961, the Act of July 17, 1961, P.L. 659, No. 339, as amended, 52 P.S. § 701-101 *et seq.*, and Section 1917-A of the Act of April 9, 1929, P.L. 177, as amended, 71 P.S. § 510-17, and the Rules and Regulations of the Environmental Quality Board adopted thereunder.

The undersigned authorized representative of the Department has determined that the violations listed in the attachment(s) exist on the above referenced mine site. This Order constitutes a separate Order for each violation listed.

Pursuant to §§ 5, 301, 307, 315, 316, 401, 402, 601, and 610 of the Clean Streams Law (35 P.S. §§ 691.5, 691.301, 691.307, 691.315, 691.316, 691.401, 691.402, 691.601, and 691.610), §§ 4.2 and 4.3 of the Surface Mining Conservation and Reclamation Act (52 P.S. §§ 1396.4b and 1396.4c), § 11 of the Noncoal Surface Mining Conservation and Reclamation Act, (52 P.S. § 3311), §§ 3.1 and 9 of the Coal Refuse Disposal Control Act, (P.L. 31, 52 P.S. § 1406.1), §§ 701-101 *et seq.*, of the Bituminous Coal Mine Act (52 P.S. §§ 701-101) and Section 1917-A of the Administrative Code (71 P.S. § 510-17), and 25 Pa. Code §§ 86.211 and 86.213, it is hereby ordered that the operator shall perform the corrective actions listed in the attachment within the designated abatement time.

APPEAL NOTICE

Any person aggrieved by this action may appeal the action to the Environmental Hearing Board (Board), pursuant to Section 4 of the Environmental Hearing Board Act, 35 P.S. § 7514, and the Administrative Agency Law, 2 Pa.C.S. Chapter 5A. The Board's address is:
Environmental Hearing Board, Rachel Carson State Office Building, Second Floor, 400 Market Street, P.O. Box 8457, Harrisburg, PA 17105-8457. TDD users may contact the Environmental Hearing Board through the Pennsylvania Relay Service, 800-654-5984. Appeals must be filed with the Board within 30 days of receipt of notice of this action unless the appropriate statute provides a different time. This paragraph does not, in and of itself, create any right of appeal beyond that permitted by applicable statutes and decisional law. A Notice of Appeal form and the Board's rules of practice and procedure may be obtained online at <http://ehb.courtapps.com> or by contacting the Secretary to the Board at 717-787-3483. The Notice of Appeal form and the Board's rules are also available in braille and on audiotape from the Secretary to the Board.

IMPORTANT LEGAL RIGHTS ARE AT STAKE. YOU SHOULD SHOW THIS DOCUMENT TO A LAWYER AT ONCE. IF YOU CANNOT AFFORD A LAWYER, YOU MAY QUALIFY FOR FREE PRO BONO REPRESENTATION. CALL THE SECRETARY TO THE BOARD AT 717-787-3483 FOR MORE INFORMATION. YOU DO NOT NEED A LAWYER TO FILE A NOTICE OF APPEAL WITH THE BOARD. IF YOU WANT TO CHALLENGE THIS ACTION, YOUR APPEAL MUST BE FILED WITH AND RECEIVED BY THE BOARD WITHIN 30 DAYS OF RECEIPT OF NOTICE OF THIS ACTION.

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|-----------------------------------|---|---------------------------|
| | Department Representative Name & Title Gary A. Latsha Acting District Mining Manager | |
| Operator/Representative Signature | Investigator Signature | Employee ID No. 502407 |



COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION
BUREAU OF MINING PROGRAMS
P.O. BOX 8461
HARRISBURG PA 17105-8461

ORDER (Continuation)

DOCKET NUMBER

19-5-015-N

PARAGRAPH NO. 1

Description of Violation: New Hope was to complete the reclamation activities outlined in the Department's January 29, 2016 letter by March 2019. New Hope has failed to complete the reclamation activities outlined in the Department's January 29, 2016 letter by March 2019.

Location of Violation: Surface Mine Permit No. 7974SM3, Solebury Township, Bucks County

Provisions of Regulation, Statute or Permit Violated: Subchapter E 77.102(f)(2)

Corrective Action Required or Activity to be Ceased: New Hope shall immediately cease active mining operations and conduct reclamation to address the reclamation shortfall by the following reclamation schedule/timeline: 1) No mining activity is authorized until such time as the reclamation work outlined in this schedule is completed and approved by the Department; 2) New Hope shall perform original stream channel elevation and location investigation by April 26, 2019. This should also include the natural ground elevation along the quarry rim 25 feet on each side (North & South) of the original stream channel once excavated; 3) Complete backfilling of staked areas 3 through 20, referenced on the Reclamation Update Map dated August 4, 2016 ("RUM") by May 15, 2019; 4) Seed/plant all backfilled slopes in staked areas 3 through 20, referenced on the RUM (except for the inlet area) by May 30, 2019; 5) Begin maximum pumping rate of 500,000 gallons per day on June 5, 2019; 6) Complete stream restoration work (not including inlet) by June 15, 2019; 7) Complete backfilling and planting of staked areas 1 through 3 and staked areas 20 through and south of 23, referenced on the RUM (all uncompleted areas) by September 15, 2019; 8) Submit monthly reclamation progress reports by the 5th of the month for the preceding month; 9) Submit two survey or other engineered (measurement/calculation) reports verifying the amount of reclamation fill material placed. The first survey report is due by June 15, 2019 and the second survey report is due by September 27, 2019.

Required Abatement Date and Time: September 15, 2019

Page 2 of 2 Pages

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| Date of Service/Mail: | 4/17/2019 |
| For the Department: | <i>Cory D. Laska</i> |
| Employee ID No. | 502407 |

White - District File

Yellow - Permittee

Pink - Inspector