



Pennsylvania
**Department of
Environmental Protection**

January 8, 2025

VIA EMAIL

Andrew Bishop, President
Bishop Brothers Construction Co., Inc.
1376 Leisure Drive
Towanda, PA 18848

RE: New Large Noncoal Surface Coal Mining Permit Issuance
Bishop Brothers Construction Co., Inc.
SMP No. 08230301, Minard Mine
NPDES No. PA0270041
Athens Township, Bradford County
APS ID No. 1089095, AUTH ID No. 1440877 & 1440878

Dear Mr. Bishop:

Enclosed is a newly issued large noncoal surface mining permit. The approved surface mine application has been incorporated into the permit. The NPDES Permit is also issued in association with this mining permit. Please take note of the following special conditions:

1. Prior to permit activation, the Bishop Brothers must provide documentation from Athens Township that the requirements of the Land Development Plan have been met. See Part B, Condition No. 1 of the permit document.
2. Prior to permit activation, Bishop Brothers must provide comments from Athens Township on the analysis of the floodway impacts. See Part B, Condition No. 2 of the permit document.
3. The PA Game Commission must be notified immediately upon discovery of nesting bald eagles near the permit area. See Part B, Condition No. 9 of the permit document.
4. The Pennsylvania State Historic Preservation Office (SHPO) and DEP Moshannon District Mining Office must be notified immediately by phone and writing if any archaeological resources are uncovered on site. At the time of discovery, all disturbance activities must cease. See Part B, Condition No. 10 of the permit document.
5. The details of three stream variances, two floodway variances, and a PASPGP-6 (bridge crossing) are authorized for this permit. See Part B, Conditions No. 11, No. 12, No. 13, No. 14, No. 15, and No. 16 of the permit document.
6. Once mining activities advance north of the electric line to the Minard residence, Six piezometers must be installed to monitor Wetlands I, II, and J. See Part B, Condition No. 17 and the Part B Addendum of the permit document.

7. If applicable, Additional Chapter 105 fees will be assessed on future bonding increments. See Part B, Condition No. 18 of the permit document.
8. All water accumulations must be pumped from the pit sump to Basin 2. No gravity draining of the pit sump may occur. See Part B, Condition No. 20.
9. The quarterly monitoring points are listed in the Part B Addendum of the permit document.
10. The current agreement with FirstEnergy Pennsylvania Electric Company does not authorized the relocation of the electric line within the permit boundary. A new agreement must be obtained authorizing the relocation of the electric line. See Part C, Condition No. 6 of the permit document.
11. An overburden stockpile of 70,000 cubic yards must be established as soon as is practicable. See Part C, Condition No. 10.

You will need to register the newly issued NPDES permit in order to submit electronic NPDES monitoring reports (eDMR). To register the permit for eDMR submissions please send an email to the PADEP Bureau of Mining Programs at RA-epminingedmr@pa.gov. Each permittee should have an individual that is registered on PADEP's GreenPort website as an Electronic Filing Administrator (EFA) who submit eDMR reports. Include the EFA's username, permittee name, and NPDES permit number in the request email.

If you should have any questions or comments, please contact the Moshannon District Office at 814.342.8200.

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 <https://ehb.pa.gov/> 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.

Sincerely,



Paul Kephart
District Mining Manager
Moshannon District Mining Office

Enclosures: SMP & NPDES Permit

cc: Tim Gourley, P.E., Tract Engineering, PLLC *(via email)*
Todd Eaby, P.G., SRBC *(via email)*
Daniel C. Husted, P.E., Chief, Permit & Technical Services *(via email)*
H. David Goss, Inspector Supervisor *(via email)*
Holly Greenly, Inspector *(via email/hardcopy)*
Michael Donahue, Blasting Inspector *(via email)*
eDMR Resource Account *(via email)*
eFACTS/Permit File/BMP, Data Management/GIS Section

DCH/JPM/adf