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July 21, 2024

Diane Roote, P.G.
Department of Environmental Protection
New Stanton District Mining Office
131 Broadview Road
New Stanton, PA 15672

**Re: Large Noncoal Mining Application
Neiswonger Construction, Inc.
Maggie Lynn Underground Mine
SMP-Application No. 63192001
NPDES Permit Application No. PA 0278360
Deemston Borough, Washington County**

Dear Ms. Roote:

So that processing may continue regarding the above referenced application, enclosed please find three paper copies and an electronic copy on CD of our response to your permit review letter dated June 26, 2024. Numbered items correspond to your numbered comments.

Module 5

1. With our submission of April, John Kosky was given the materials of Module 5, Appendix A to present to the Washington County courthouse to verify that he is the owner of both properties 220-004-00-00-0033-00 and 0032-00. As of this time he has not presented those items to the Washington County recorder of deeds. It is anticipated that when he does the ownership on the Washington County GIS will no longer show Peoples Gas as the owners of these parcel numbers.
2. "Note #5" has been changed to "Note #4" for properties 36 & 37 and the word "from" in notes #1 and #2 has been changed to "Form". A new page 5-2 has been included with this submission.
3. A statement that the "lease dated March 28, 2023 which is not subject to pending court litigation" has been added to properties 5, 36 and 27 on page 5-2.

Exhibits

4. The total mining area acreage has been adjusted under the Exhibit 9 phase 1 bond map legend to 72.6 acres. Rather than having the department do a hand mark up a new Exhibit 9 has been included with this submission.

Module 8

5. A value 184,752 has been included on page 8-16 within Module 8 and is included with this submission. This equates to 24,699 ft³ of storage space that should be added to SP-1. On page 13-5 of Module 13 it is shown that 24,738 ft³ of storage was added to SP-1 for the flow from the mine. This should be that the pond design is still sufficient in size.
6. It is acknowledged that the 8.1(A) for parcel 16 has been removed from the application both in the original within the Department and in the GeoTech copy.

Module 10

7. Page 10-1 through 10-12 of Module 10 are enclosed. They have the Department form number and the current revision date.
8. These additional changes have been included in Module 10.
 - a. The reference to Appendix B regarding the request to allow Erosion and Sedimentation controls in place after mining and the waivers has been moved from section 10.5 to the end of section 10.6 on page 10-7. Additional language has been added that details the waivers that have been included within Appendix B. Module page Appendix B-8 is included but is labeled as "Page Has Been Removed."
 - b. Additional language of the review letter has been added to section 10.12 and page 10-11. There has been no response from PennDOT regarding the certified letter sent from GEI on June 15, 2020
 - c. Under section 10.14 a breakdown of Appendix D has been included as a new bullet point.
9. The operator has informed both GEI and the New Stanton office of DEP that full removal of the inventory items off permit location will be done before bond request. This is unlikely to occur in July but will happen in a timely fashion. The operator understands that the materials will have to be removed from the permit area and that the permit cannot be issued until this is done. The removal of materials includes the following:
 - a. All large tires over the 40 used with the crushing operation, that are included as a part of the bond calculations, will be removed from the site.
 - b. Inoperable equipment consisting of the crushing equipment that caught fire in December of 2020 will be removed from the site.
 - c. Scrap material on the existing site, including the materials on the overlapping Hawkins permit, will be removed.
 - d. Refuse present within the proposed permit area will be removed.

Module 13

10. The following changes have been made within Module 13.
 - a. The map included on page 13-28 should remain in the submission as it is defined as part of an email exchange with Daniel Ryan on March 28, 2023. For this submission we have added a footer to the page that shows it being part of the exchange at that time. The map is not accurate with regard to the floc use at this time. It does show what Daniel Ryan was reviewing to make his evaluation, and the email exchanges show that the amount of the floc usage was projected to be greater in March 2023 than it is planned for currently.
 - b. The revision of bullet 5 on page 13-29 has been altered to show an injection rate of 1 ml per 16.7 gallons. This is consistent with the calculation.

Module 15

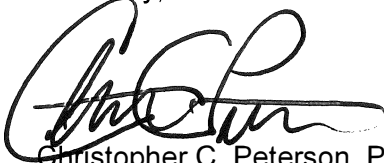
11. It is acknowledged that the signed form 15.12 submitted to DEP on December 29, 2021 will be inserted as page 15-22b in our files and that of the Department.

Module 17

12. An Air Quality Monitoring Plan has been prepared and is included with this submission. A copy will be kept at the Maggie Lynn mining site. The plan has been added to module 17, as pages 17-19 to 17-27.

Should you have any questions or require any additional information, please do not hesitate to contact us at our Morrisdale office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chris Peterson', written over a horizontal line.

Christopher C. Peterson, PE
Mining Engineer