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**Via Electronic Mail**

Richard E. Tallman, P.E.  
Environmental Engineer  
Pottsville District Mining Office  
Pennsylvania Department of Environmental Protection  
5 West Laurel Boulevard  
Pottsville, PA 17901  
rtallman@pa.gov

**RE: Rock Hill Quarry**

Dear Mr. Tallman:

On behalf of East Rockhill Township (the "Township"), please accept the following comments regarding submissions made by Heidelberg Materials Northeast LLC ("Heidelberg") to the Pennsylvania Department of Environmental Protection (the "Department") in connection with the Rock Hill Quarry (the "Quarry") located in East Rockhill Township.

On December 5, 2018, the Department ordered Heidelberg to cease all mining and related activity at the Quarry due to the presence of asbestos. The Department thereafter issued a technical deficiency letter to Heidelberg, dated November 18, 2020, requesting that Heidelberg update several of its surface mining permit modules. In response, Heidelberg sent a letter dated January 15, 2021, providing updates to certain permit modules and stating that it intends to conduct "only limited site activities once the Department lifts the cessation order. Those activities are: 1) removal of the requisite 500 tons annually from the site to maintain Large Noncoal Surface Mine Permit active status; 2) monthly collection of NPDES water discharge samples; 3) routine site inspection and security detail; 4) non-scheduled site maintenance; and 5) potential background air monitoring events" (herein referred to as the "Limited Site Activities"). Heidelberg further stated: "At some point in the future when [Heidelberg] desires to resume production of crushed aggregate at the Rock Hill Quarry, a minor amendment application will be submitted to the Department that details methods and type of mining, engineering techniques, major equipment to be used and anticipated sequencing. Currently, it is premature to attempt to describe in detail the future mining practices at the site."

In response to the information provided by Heidelberg, the Department issued another technical deficiency letter, dated April 12, 2021. Heidelberg responded by letter dated June 14, 2021, stating its opinion that the information requested by the Department went beyond the Limited Site Activities that Heidelberg intends to conduct and that, as a result of that opinion, even though it was not Heidelberg's intent to conduct activities beyond the Limited Site Activities, Heidelberg was going to provide information to "address activities associated with both a limited 500 ton aggregate removal scenario and full quarry operations under its mining permit," including

“stripping overburden from areas within the permitted mining boundary, drilling, blasting, hauling, crushing, stockpiling, and loading out crushed aggregate to our customers.”

Since that time, Heidelberg has made several submissions to the Department that reiterate Heidelberg’s intent to conduct only the Limited Site Activities but that also include language identifying certain potential future activities that would go beyond the Limited Site Activities. In addition, in September 2023, Heidelberg submitted an application to renew and modify its NPDES permit. The application proposes to increase Heidelberg’s discharge to an Exceptional Value waterbody to allow dewatering of the quarry pit in anticipation of potential future full operations, even though Heidelberg is not seeking authorization to engage in those operations at this time.

The Department’s Noncoal Mining regulations require that information contained in a permit application “shall be current” and that a permit application cannot be approved unless the application is “accurate and complete.” 25 Pa. Code §§ 77.104(c); 77.126(a). The proposed surface mining permit modules and NPDES permit application materials should be revised to reflect that only the Limited Site Activities will be conducted, and any references to activities or conditions that go beyond the Limited Site Activities should be removed from these documents. The proposed permit modules and NPDES permit application materials should not contain information relating to potential future activities that would require separate authorizations from the Department or any hypothetical conditions that might be proposed for those potential future activities.

The Township requests that these issues be resolved before the Department takes any final action. The Township has raised this issue with the Department on several monthly conference calls that the Department held in the past, and the Department responded each time that the only activities being reviewed and considered by the Department are the Limited Site Activities. Heidelberg’s proposed permit modules and NPDES permit application materials, however, continue to include information regarding potential additional activities that Heidelberg might propose to the Department in the future.

Most recently, the Department issued two technical deficiency letters to Heidelberg, both dated April 1, 2025. One letter relates to Heidelberg’s surface mining permit modules, and the other letter relates to Heidelberg’s NPDES permit application. In response, Heidelberg provided two letters dated May 1, 2025, each of which included a number of attachments. In those letters and attachments, Heidelberg continues to reiterate that it is seeking approval only for the Limited Site Activities, yet the attachments continue to contain information relating to potential future activities and conditions that Heidelberg acknowledges would require separate authorizations from the Department. In fact, in one of the technical deficiency letters dated April 1, 2025, the Department asked Heidelberg to “[u]pdate the Module 12.2.4 narrative to reflect the limited scope of operations expressed in the January 15, 2021 response to deficiencies,” (i.e., the Limited Site Activities). In its response dated May 1, 2025, however, Heidelberg did not update the Module 12.2.4 narrative to reflect the Limited Site Activities and instead expanded the narrative to include a new subsection on “Quarry Pit Expansion,” which goes beyond the Limited Site Activities.

Below are examples of language in Heidelberg’s submissions to the Department, dated May 1, 2025, that reference activities beyond the Limited Site Activities. The Township requests that these submissions be revised to reflect only the Limited Site Activities and to remove any references to potential future activities and conditions beyond the Limited Site Activities.

## **MODULE 2 - NPDES INFORMATION**

- **Application for Individual NPDES Permit Associated with Mining Activities:** Section 22 of this form states: “The water discharged at NPDES discharge points are runoff from precipitation at the Site along with any groundwater discharge that may occur as a result of pumping from the mine pit.” The reference to pumping from the mine pit should be removed.
- **Non-Discharge Alternatives Evaluation:** This report is based on the stated intention to dewater the quarry pit. Most of the first page of the report discusses dewatering the quarry pit and even goes as far as stating that Heidelberg “is proposing to dewater the currently filled Rock Hill Quarry Pit impoundment” and that “[t]he proposed project is an NPDES permit modification to allow dewatering of the currently filled Rock Hill quarry pit impoundment.” This document should be revised to reflect only the Limited Site Activities.
- **Attachment C-21.3 (Flow Diagram):** This attachment includes a reference to “groundwater inflow pumped from existing quarry sump.” This reference should be removed.
- **Water Quality Assessment Report:** In the Water Quality Assessment Report narrative, Heidelberg states that it is not actually proposing any discharge beyond the discharge that is currently permitted:

“The Assessment is provided in support of the Anti-degradation Supplement, Section 2A, test for non-degradation of water quality and evaluates the NPDES discharge at the current permitted limit of 0.238 million gallons per day (MGD), as well as at a potential future temporary discharge rate of 2.88 MGD (planned for future dewatering). Note, it is anticipated that any additional discharge above the current permitted limit of 0.238 MGD will require prior PA DEP authorization, and the evaluation in this report under the 2.88 MGD rate is for planning purposes only. At this time, Heidelberg Materials is not proposing any discharge beyond that which is already currently permitted.”

After evaluating several scenarios, including hypothetical discharges associated with dewatering the quarry pit, the report states: “the permitted NPDES discharge limit of 0.238 MGD for the Site will not be increased with this modification. Therefore, there are no new, additional or increased discharges to be approved and authorized with this modification.”

Any references, evaluations, and analyses pertaining to potential future discharges beyond that which is currently permitted should be removed from the Water Quality Assessment Report.

- **NPDES Discharge Modification Report:** This report focuses on dewatering the quarry pit. In particular, the second paragraph of the report discusses how the entire report is intended to evaluate potential future dewatering that would be subject to a “future DEP authorization.” The report then goes on to evaluate flows and capacity based on potential future pit dewatering. This report should be revised to address only discharges associated with the Limited Site Activities.

## **ATTACHMENT 7.6 - APPLICATION SUPPLEMENT - NATURALLY OCCURRING ASBESTOS**

- **Asbestos Monitoring and Mitigation Plan**

- Section 1 states: “The primary business of the site is to quarry a diabase rock that can then be crushed and sold as construction aggregate.” Mineral extraction and crushing are not included in the Limited Site Activities, and therefore this language should be revised.
- Section 2 states that “Heidelberg will extract diabase at the Quarry to produce crushed aggregate products for customers.” Mineral extraction and crushing are not included in the Limited Site Activities, and therefore this language should be revised.
- Section 3.3 addresses air sampling during a variety of possible activities at the quarry, including crushing and processing. Crushing and processing are not included in the Limited Site Activities, and therefore this section should be revised.
- Section 5.1 mentions shot rock associated with blasting. Blasting is not included in the Limited Site Activities, and therefore this section should be revised.
- Section 5.2 states that “Heidelberg will ensure that material being excavated, crushed, screened, loaded, transferred or conveyed does not result in visible dust emissions exceeding 40 CFR Part 60, Subpart OOO limits for applicable sources.” Excavation, crushing, and screening are not included in the Limited Site Activities, and therefore those terms should be removed from this section.
- Section 5.2 states: “Overburden will be wetted (if necessary) prior to movement or handling to minimize dust generation.” Overburden removal is not part of the Limited Site Activities, and therefore this sentence should be removed.
- Section 5.2 contains subsections on crushing and sizing equipment, drill rigs, and blasting. These activities are not included in the Limited Site Activities, and therefore these subsections should be removed.

- **Mineral Identification and Management Guide**

- The first sentence on the first page of this document states that the purpose of the document is to provide protocols and procedures “to avoid the processing of such materials in a manner that may release undesirable mineral fibers.” Processing is not included in the Limited Site Activities, and therefore this statement should be revised.
- Sections 1.3.1 and 2 discuss the inspection and testing of shot rock from blasting. Blasting is not included in the Limited Site Activities, and therefore these sections should be revised.

## **MODULE 8 - HYDROLOGY**

- Sections 8.2(a)(5) and 8.2(b) reference “pumped discharge.” These references should be removed.
- Sections 8.2(a)(7), 8.2(b), 8.3, and 8.6 reference the Groundwater Pumping Evaluation Addendum. The Groundwater Pumping Evaluation Addendum, last revised September 30, 2024, focuses entirely on dewatering the quarry pit and therefore should be removed from the application materials or else revised to reflect only the Limited Site Activities.
- Section 8.2(b) states: “When pumping is initiated monitoring frequency will increase to bi-monthly (at least 20 days apart).” This statement should be removed.

- Section 8.3(a) focuses entirely on dewatering the quarry pit and states: “Future pit dewatering will require approval and authorization from DEP prior to being initiated.” This section should be revised to reflect only the Limited Site Activities.
- Section 8.6(a) states: “Progressive dewatering of the Quarry will result in a limited cone of depression surrounding the Quarry.” This statement and any related analysis should be removed from this section.

## **MODULE 10 - OPERATIONAL INFORMATION**

- Section 10.1 (Equipment and Operation Plan) discusses bulldozers, track loaders, excavators, removing and stockpiling topsoil and overburden from the remaining mining area, hauling overburden, drilling, blasting transporting shot rock, a portable or stationary processing plant, and crushing. Section 10.1 further states that drilling, blasting, crushing, and overburden removal can only be performed following the completion of activity-based sampling for each activity. This section should be revised to address only the Limited Site Activities, and all references to other activities should be removed from this section.

## **MODULE 12 - EROSION AND SEDIMENTATION CONTROLS**

- Section 12.2.1 references a “future processing plant.” This reference should be removed.
- Section 12.2.2 references a “pit dewatering pipe.” This reference should be removed.
- The Design Criteria section contains a subsection on the clarifying pond which states that the “pond shall be designed to provide a detention volume for groundwater diversions and quarry impoundment/sump discharge providing greater than 6 hours of detention time at the high flow design rate.” This statement should be revised to reflect only the Limited Site Activities.
- The Design Criteria section contains a subsection titled “Quarry Pit Impoundment Dewatering Pipe.” This subsection should be removed.
- Section 12.2.4 (Schedule of Implementation) contains multiple references to dewatering the quarry pit, including in the subsections titled “Northwestern Support Areas,” “Quarry Pit,” and “Quarry Pit Expansion.” The references to dewatering the quarry pit should be removed, and the Quarry Pit Expansion subsection should be removed entirely.
- Section 12.2.4 (Schedule of Implementation) contains a subsection on “Potential Processing Plant and Stockpile Area - South End” even though processing is not included in the proposed Limited Site Activities. References to a potential processing plant should be removed.
- The E&S Site Plan refers to structures that would only be required for dewatering of the quarry pit and not for maintaining the currently permitted discharge rate, and it also refers to a processing plant even though processing is not included in the Limited Site Activities. The E&S Site Plan should be revised to reflect only the Limited Site Activities.

## **MODULE 17 - AIR POLLUTION AND NOISE CONTROL PLAN**

- Section 17.1(a) checks off “Yes” boxes indicating that crushing, screening, and stockpiling will occur. This section should be revised to check off the “No” boxes for these activities.
- Section 17.1(b) states: “Following the required activity-based air sampling events, Heidelberg will utilize portable aggregate processing equipment to produce crushed aggregate.” This sentence should be revised to simply state that processing will not occur.
- Section 17.2 starts by stating that Heidelberg will meet with the Department to discuss air emissions controls before commencing crushing activities. This statement should be

August 28, 2025

removed because crushing is not included in the Limited Site Activities and more than just a meeting with the Department would be needed before commencing crushing activities.

- Sections 17.2(c), (d), (g), and (h) address drilling, overburden removal and mineral extraction, crushing and other processing equipment, and conveyors. Heidelberg has listed proposed measures to reduce dust from each of these activities. These activities, however, are not included in the Limited Site Activities, and therefore the responses to each of these subsections should be revised to reflect that these activities will not occur.
- Section 17.3(a) states: "Noise sources from equipment and mining activity include: crushing, screening and stockpiling operations." This list should be revised to reflect only the Limited Site Activities.

\* \* \*

Thank you for your consideration of the Township's comments.

Very truly yours,



Thomas M. Duncan

cc: The Honorable Jarrett Coleman, PA Senate, 16th Senatorial District  
The Honorable Craig Staats, PA House of Representatives, 145th Legislative District  
The Honorable Brian Fitzpatrick, U.S. House of Representatives, PA, 1st District  
The Honorable Steven Santarsiero, PA Senate, 10th Senatorial District  
The Honorable Robert Harvie, Jr., Chair, Bucks County Board of Commissioners  
The Honorable Diane Ellis-Marseglia, Vice Chair, Bucks County Board of Commissioners  
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David Nyman, Vice-Chairperson, East Rockhill Township Board of Supervisors  
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