

Certification

Name of Requestor: Paul Cohen – Clean Air Council
Records Requested: January 17, 2002 WRT Meeting Minutes
Documents related to operations of Naceville Quarry

I, Karen Landis, hereby declare under the penalty of perjury, pursuant to 18 Pa.C.S. § 4904, that the following statements are true and correct based upon my personal knowledge and belief:

1. I serve as the Open Records Officer for Salford Township.
2. I am responsible for searching Township files in response to requests filed with the Township pursuant to the Right-to-Know Law.
3. In my capacity as Open Records Officer, I am familiar with the records of the Township.
4. Upon receipt of the request, I conducted a thorough examination of files in the possession, custody and control of the Township for records responsive to the request underlying this appeal.
5. After conducting a good faith search of the Agency's files, I identified all records within the Township's possession, custody or control that are responsive to the request.
6. The responsive records are attached to this certification.
7. I certify that the attached documents are a complete and true copy of the original responsive records.

Signature: Karen Landis
Karen Landis
Open Records Officer
Salford Township
(SEAL)

Date: 7/1/2022

I certify, under seal that the above signer has the Officer's official capacity to attest to the information set forth above, and the signature is genuine.

Signature: James D. Myers Date: July 2022
James Myers, Vice Chairman
Salford Township



SALFORD TOWNSHIP

MINUTES OF MEETING AT WRT REGARDING WELL QUESTIONS

DATE: January 17, 2002

Present were:

**Bob Rohland - Salford Township Supervisor
Bob Bricker - Township Solicitor
Keith Laslow - DEP
Sharon Hill - DEP
Neleon Hoffentrager - WRT
John Haines - Haines & Kibblehouse
Bob Miller - Haines & Kibblehouse
John Ross - Haines & Kibblehouse
Tony Jeremias - Haines & Kibblehouse**

The quarry has a valid mining permit and is permitted to pump water. The original Consent Decree provided that the Operator was responsible for replacing all failed wells within a 1,000-foot radius within Salford Township and a 1,500-foot radius within West Rockhill Township whether or not it can be established that the quarry is responsible. State law requires operators to replace failed wells regardless of their distance from the site if the State's investigation indicates that the quarry is responsible based upon reasonable scientific evidence.

The Operator has been monitoring wells in the vicinity of the quarry since 1991 and has good data on water wells. Under Consent Decree, eighteen (18) wells have been replaced. Recently, complaints of wells being affected, particularly in Salford Township have been received by the Operator, the Township, and DEP.

The Position of the Operator is summarized as follows:

The well data establishes the level of the water table over the past several years starting about 1998. The quarry is presently 110 feet deep in a small area and has only recently become deep enough to penetrate the water table. Therefore, until recently, the water being

discharged from the quarry has been surface water or precipitation. (The average discharge is 65,000 gallons per day. In 2001, 41 million gallons were discharged.) The quarry estimates that approximately 40% of the discharge is from precipitation. If the quarry were lowering the water table, which is about 150 deep in the area, there would be an obvious effect in the well data (which there is not).

The wells about which recent complaints have been filed are located primarily in Tylersport and west, as far away as the other side of the turnpike. They are all shallow wells. The replacement wells that have been drilled have all been 250 feet or more.

The operator has concluded that its operations are not responsible for the failure of the wells in the Tylersport area and beyond for the following reasons.

1. Drought conditions which have existed since 1998 and have become severe in the past six months.
2. The soils and rock strata along the Ridge result in poor recharge conditions; i.e., surface water runs off rather than penetrates into the aquifers.
3. The water table on the Ridge is gradually declining from increased development in the area, drought conditions and poor recharge; and at least some blame can be attributed to the Telford Borough well which is 600 feet deep and pumps about 500 gallons per minute and several NPWA wells in Franconia Township which are downhill from the top of the Ridge. Downhill pumping will tend to flatten out the water table in areas which are uphill from wells.

The position of the State is summarized as follows:

1. The State's well data closely agrees with the Operator's.

2. The State has seen a dramatic increase in well complaints in recent months due to drought conditions.

3. The State is of the opinion that the data supports a position that the quarry is not influencing the water table beyond a 1,500-foot radius at the present time.

4. As the quarry gets deeper there may be an eventual influence along Allentown Road in Tylersport, but at the present time the wells which are experiencing problems in that area are more likely affected by neighboring wells and drought conditions.

5. The State does feel that there is a possible influence on the Alderfer and Landis wells along Ridge Road and wants the operator to replace these wells. John Haines indicated that they would do so even though he feels that the data does not demonstrate that the quarry is at fault.

The State's procedure with respect to well complaints is as follows:

1. DEP will always respond to well complaints within 48 hours.

2. If the state concludes the well is being affected by the quarry, it will consult with the Operator in an effort to resolve the complaint. If the complaint is not resolved, the State will write a formal report finding the operator responsible and will ask the operator to supply the owner with a temporary water supply. Further, the Operator will be asked to voluntarily replace the well.

3. If the Operator refuses to replace the well, a formal order requiring replacement will be issued. The Operator may appeal such an order to the Environmental Hearing Board, but must replace the well or provide water in the meantime.

4. There is no process by which the operator is found partially responsible and thus liable for some part of the costs of a replacement well. Nevertheless, there are often times where

the owner and Operator work out some cost-sharing arrangement and DEP encourages this in cases where it cannot find the Operator responsible.

The advice we received from DEP is that property owners who believe their wells are being damaged by the quarry should call DEP and register their complaint.



SCHETTER ENVIRONMENTAL

260 Thousand Acre Road
Sellersville, PA 18960
Phone / Fax: (215) 257-5776

June 12, 2017

Karen Landis, Business Office Manager
Salford Township
139 Ridge Road
P.O. Box 54
Tylersport, PA 18971

SALFORD TOWNSHIP
BOARD OF SUPERVISORS

JUN 14 2017

RECEIVED

Re: Naceville Materials/H&K Group
Application for Amendment to Zoning Map & Comprehensive Plan
TMP 52-003-046-001
TMP 52-003-036

Dear Township Manager:

Naceville Materials/H&K Group submitted an application to West Rockhill Township to amend the Zoning Map and Comprehensive Plan to change the designation of TMP 52-003-046-001 and TMP 52-003-036 from Residential Conservation (RC) to Extraction so they can expand quarry operations onto these lots. It is our understanding neighboring municipalities were to receive the application for review and possible comment. Since residents of neighboring municipalities have potential to be affected by the proposed expansion, the following information is hereby provided to you. Kindly circulate this information in an upcoming town meeting.

Schetter Environmental reviewed the 180-page application as well. Our office is located adjacent to one of the lots subject to the application. We have been at this location adjacent to the quarry property for 12 years. As addressed below, there are numerous reasons why the application should be denied. The proposed expansion area lies within an environmentally sensitive area and the proposed development will result in adverse environmental impacts. Most importantly, the proposed quarry expansion would result in adverse impacts to the potable well water supply used by the residents in the communities in the vicinity of the quarry.

The West Rockhill Township Board of Supervisors held a public meeting regarding the proposed expansion application on December 5, 2016. When asked what benefit the quarry expansion would have to the local residents, the quarry representatives were silent.

The West Rockhill Township Zoning Ordinance is enacted in accordance with the Pennsylvania Municipalities Planning Code, for the following purpose under Section B: To promote, protect and facilitate a safe, adequate water supply for domestic and agricultural use. The Naceville Materials quarry has already been documented to have adversely impacted residential wells nearby and Naceville Materials acknowledges that continued quarry operations along with an expansion will continue to adversely impact nearby residential wells. The drawdown impact resulting in the residential wells going dry could not be any more contrary to the purpose of the Ordinance. Quarry operations have resulted and will continue to result in the loss of the basic right of the nearby residents to a safe and adequate water supply. The

quarry acknowledged that they had to replace approximately 12 wells last year alone as a result of drawdown to those residential wells due to their operations. Water drawdown impacts are not limited by municipal boundaries.

Their studies fail to mention groundwater quality and analytical analysis yet they are playing with residential drinking water. Many residents complain they cannot drink the well water due to a foul odor and discoloration. The USEPA recommends that private water supplies be tested annually for metals, pH and corrosion if there are mining operations nearby. For those in the well protection area, it is recommended that a full analytical analysis, including that for heavy metals, be conducted annually on the potable well water supply and this should not be at the expense of homeowners.

It has been brought to our attention that there are an unusually high number of residents in the community in the vicinity of the quarry that have either been diagnosed with cancer, myself included, or have died from cancer. The local area is documented to have naturally-occurring elevated levels of arsenic in bedrock and soil. Activities that affect the water table in such areas have the potential to increase arsenic levels in the water supply. Arsenic is a carcinogen, meaning it is known to cause cancer. Several groundwater studies conclude that arsenic is stable under saturated conditions, however, when the water table significantly drops due to drawdown activity as is the case with quarry operations, arsenic can dissolve out and become mobile. When recharge occurs, wells tapping into this water supply with elevated levels of arsenic are used for consumptive use by the local residents. Mr. Scott Drumbore, the Applicant's environmental consultant, acknowledged at the recent Naceville Materials facility tour that a well was recently replaced by Naceville Materials due to drawdown and an arsenic filtration/removal system was also installed as the well water tested had elevated arsenic levels (according to the US Environmental Protection Agency, the permissible arsenic level in drinking water is 10 ppb). Water contamination in an aquifer does not abide by municipal boundaries.

The Residential Conservation (RC) district purpose is to promote low intensity rural development in resource protection areas where major physiographic problems restrict development and to preserve areas of unique natural value and beauty. Re-zoning to Extraction (EXT) and allowing expansion of a quarry operation could not be any more contrary to the purpose of the RC district as quarries deplete and consume land.

Lot 52-003-046-001 is comprised of 11.15 acres. The West Rockhill Township (WRT) minimum lot size requirement in an Extraction District is 25 acres, thus this lot does not meet the minimum lot size required in the WRT zoning ordinance for an Extraction District.

The results of a Pennsylvania Natural Diversity Inventory (PNDI) Search for the proposed quarry expansion on the above referenced lots (PNDI Receipt) revealed further review is required by both the PA Department of Conservation and Natural Resources and U.S. Fish and Wildlife Service as there may be potential impact to Threatened and Endangered Species and Special Concern Species if development is proposed on the site. In addition to the plant species noted, the project is within the range of Indiana bat, a federally-listed Endangered species that is impacted by tree clearing activity. This information is provided to further demonstrate that the quarry expansion is proposed in an environmentally sensitive area and the re-zoning and expansion request should be denied.

Several groundwater model reports are presented in the Naceville Materials application to WRT. Their groundwater model analysis acknowledges there will be a continued drawdown and expansion of the zone of influence due to their dewatering operations. They plan to mine down to elevation 305 ft-msl, they are currently at approximate elevation 405 msl. It appears that their studies may not have fully addressed drought conditions. Currently, there is a 1,500 feet well protection area surrounding the active quarry. This well protection area should be expanded if they mine deeper as there will be an adverse impact to neighboring wells the farther out they expand and the deeper they mine.

Web Soil Survey maps hydric Towhee silt loam (ToB and TrB) for the majority of Lot 52-003-036 and the northern portion of lot 52-003-046-001. Towhee soils are wetland soils. There are Exceptional Value freshwater wetlands within the proposed expansion area. Their plans fail to show a current valid Jurisdictional Determination issued by the U.S. Army Corps of Engineers (USCE) regarding the current location of wetlands. A Jurisdictional Determination confirms delineated wetland boundaries. Disturbance to wetlands requires a permit approval by USCE/PA Department of Environmental Protection under Section 404 of the Clean Water Act and PADEP's Chapter 105 Water Obstruction and Encroachment Permit regulations.

Web Soil Survey maps Lehigh channery silt loam (LmA and LmB) for the site remainder and these soils are prime farmland soils. The purpose of USDA designation of such soils is to conserve prime farmland resources in planning.

The entire area subject to the application is mapped as a Core Habitat of Biological Diversity Natural Heritage Area. These are the best examples of ecological resources in a county. The emphasis of the designation of such areas are the ecological values present including habitat for plants and animals of special concern, the existence of uncommon or especially important natural communities. Large areas and areas that are minimally disturbed by development provide the backbone that links habitat and allows plants and animals to shift and move across sizable portions of the landscape. Core Habitat areas are intended to identify essential habitat of the species of concern or natural community that can absorb very little activity or disturbance without substantial impact to the natural features. The subject properties contain forested communities which provides exceptional habitat for wildlife. Expanding the quarry into this area will destroy the existing wildlife habitat. Figure 1 shows the site location with reference to the Pennsylvania Natural Heritage Program mapping using the PA Conservation Explorer mapping tool.

The site subject to the application lies within the Ridge Valley Creek Watershed and is located in the headwaters of the watershed. According to the WRT Open Space and Park & Recreation Plan, 2010, Ridge Valley Creek is listed as Priority 1 in the Plan. These areas have statewide or countywide significance based on uniqueness or exceptionally high quality of natural features. According to the Plan, WRT is working to protect its fragile ecosystems of the northern section of the Township which contains this environmentally sensitive Ridge Valley Creek watershed, the expansion area lies within this area. According to the Natural Areas Inventory by the Bucks County Heritage Conservancy, the proposed expansion area is located within the Ridge Valley Creek Priority Inventory Site.

Outfall structure NM-001 discharges runoff from the quarry to an unnamed tributary to Ridge Valley Creek, which is a High Quality Water with Trout-Stocked Fisheries. The downstream Exceptional Value Wetlands could be impacted by pollutants and sediment that can be carried by surface water discharge.

If WRT grants the re-zoning request and the quarry expands, property values adjacent to the quarry expansion will substantially decrease. The local residents will receive no compensation for this property value decrease yet the quarry will benefit financially. The proposed soil berm will be 50 feet high and as close as 15 feet from a property line. This will be an aesthetically unsightly view from neighboring residential properties.

Noise generated by the existing quarry is an adverse impact to neighboring residences. Many homeowners already complain about the noise generated by the facility. Naceville Materials/H&K Group proposes a portable crusher within the expansion area and they also will reserve the right to operate a portable plant in the proposed expansion area. These activities have potential to generate more noise impacts to neighboring residences beyond what they are already subject to. The Maximum Permissible Sound Pressure Levels in the RC district is 60/55 dBA (daytime/nighttime).

It is stated in the application that blasting operations will be conducted in accordance with an approved blast plan, however, as a neighbor to the quarry we can tell you they have not always complied with those standards. We have personally smelled sulfur and seen a white powdery dust blow across our front yard after blasting and our home office is approximately 1,000 feet from the soil berm at the existing operation. If the expansion is granted, the operation will be closer to residences and the impacts that they experience will be far greater than that which they are already subject to. Blasting operations at the existing quarry have reportedly resulted in cracked and compromised foundations to neighboring dwellings and in-ground swimming pools. When blasting is conducted at the quarry, the ground vibration that we experience in our office feels like an earthquake and is strong enough to rattle windows.

Due to the quarry operation, there are an exceptional number of dump trucks on the local roads. Ridge Road is a main access route for dump trucks carrying materials to and from the quarry. Allentown Road also abuts the quarry facility. These same roads are used by school buses and the many inexperienced student drivers that commute to local schools, including Pennridge High school. Many of the truckers do not obey the speed limit on the local roads and this has potential to cause a traffic accident, with possible deadly consequences.

Ridge Road is in poor shape attributable to the frequent use by the heavy-weighted trucks and there are no plans in the quarry proposal to address the roadway system.

Final reclamation plans involve the creation of an unmanaged water impoundment when the pumps turn off but according to information presented in the application, it will take 30-50 years for that to occur. Many residents question what will be used to fill in the proposed reclamation area.

An Environmental Impact Statement that addresses the adverse impacts to the lots in question as well as the surrounding community should be prepared.

Naceville Materials/H&K Group cannot receive the PADEP Non-Coal Surface Mining Permit to permit mining in the proposed expansion area if they do not get WRT approval.

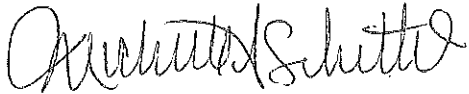
The quarry is reaching its mining limit and now this facility wants to expand into a residential area. It is our understanding the applicant has acquired additional properties and will likely propose expansion again once they deplete those land resources if they are granted this approval.

Naceville Quarry Re-Zoning and Expansion
Lots 52-003-046-001 & 52-003-036
West Rockhill Township, Bucks County, PA

Considering the severity of the potential adverse impacts to the surrounding residential community and environmentally-sensitive area that would occur as a result of an expansion at the Naceville Materials quarry, neighboring municipalities should not support the request to re-zone and expand the quarry operation.

Sincerely,

Schetter Environmental



Michelle Schetter
Environmental Scientist
260 Thousand Acre Road
Sellersville, PA 18960
(215) 257-5776
mschetter@verizon.net