

Michael Stump, Chairman of the Board, called the meeting of the Alsace Township Board of Supervisors to order at 7:00 pm. Also present was Sam Mallatratt - Vice Chairman, Member David Barth, Business Manager Kimberly Mallatratt and Solicitor Gary Swavely. The meeting was held at the Alsace Township Municipal Building. Mr. Stump led the Pledge of Allegiance.

MINUTES: Mr. Mallatratt made a motion to approve the minutes from the January 15, 2020 meeting. Mr. Barth seconded the motion, and the motion carried.

QUARRY OPERATIONS – DEP: Mr. Stump stated that present with the Board of Supervisors were representatives from the PA DEP, Highway Materials and Senator Schwenk's office to discuss the reclamation at the quarry site. Senator Schwenk then briefly discussed her office's involvement with the Township in setting up the meeting to answer questions and address public concern about the recent change in operations. The individuals present from the DEP District Mining Operations in Pottsville were Ms. Tiffany Folk, Geological Specialist for Permits and Technical Services; Mr. Gary Latsha, District Mining Manager and Mr. Michael Kutney, Environmental Group Manager for Permits and Technical Services. Also present were Alan Stotz, Operations Manager and Melissa Epps from Highway Materials as well as Tony DePaul from the DePaul Group.

Ms. Folk provided basic information on the permit. There was a corrected permit application to combine two existing NPDES permits into one. Ms. Folk explained that mine reclamation fill includes items such as soil, rocks, cement, and unpainted brick. She explained that testing needs to be done on every 1,000 cubic yards. The rock and cement do not need to be sampled. They are approved for reclamation from both large and small sources. From the large sources the samples need to be taken for every 1,000 cubic yards and small sources are not sampled as they are under 3,000 cubic yards. She explained that small sources are items like a residential swimming pool. These sources can self-certify. Large samples would come from places like major construction.

A question was asked about who tests these samples. Ms. Folk explained that the contractor for the job tests, and then the results of the tests are sent to Highway Materials and Ms. Folk.

Diane Salks – 2998 Pricetown Road – Ms. Salks asked several questions including when permits were issued and what is the procedure for notifying residents and the Township.

Mr. Kutney responded that this type of revision is a major revision and required public notice. Highway Materials published in the newspaper and the Township received correspondence that a permit revision had been received. He also stated it was posted in the PA Bulletin. He further stated that there is nothing in the regulations that states that adjacent property owners be notified. When the permit is approved, this notice is also published.

Ms. Salks discussed her concern with potential water contamination. She stated that her understanding is that the small sources can dump directly in the water and that this water source feeds an aquifer that supplies water to many properties. She is concerned that if small sources can self-certify that there may be entities that are not truthful with information.

Ms. Folk explained that there will be visual inspections and a PID that can detect vapors from the materials. If the PID detects anything concerning or through a visual inspection the trucks will be turned away. The visual inspection will look at items such as organics, garbage, etc. Mr. Kutney also stated that there is an inspector on-site and will be handling the record keeping.

Mr. Kutney further provided an example from the Mine Reclamation site in Plymouth Meeting and explained how the visual inspections are handled at that site as well as the additional procedures that are in place including cameras. He further explained that no materials will be dumped directly

into any water source without additional inspections. The material will be staged as it is brought to the site. The operators at the site will also be inspecting the material prior to moving it from the staging area. Questions were asked about whether Plymouth Meeting is a comparable site with an included waterway. Mr. Kutney asked Mr. Alan Stotz, the operator for the Plymouth Meeting site about the previous waterway. He stated that there was a waterway there previously and there have been no issues in the over 20 years that the site has been operational as a mine reclamation site and that they monitor wells continuously.

Ms. Salks asked what is the intended height of the site. Mr. Latshaw stated that it is to be put back to the original contour of the site prior to the quarry operations and would be AOC which is Approximate Original Contour. The mining regulations require that the sites to be put back to AOC and if not, an explanation by the landowner would need to be provided.

Ms. Salks asked what is the intended use after reclamation. The answer was given that there is not a specific plan at this time.

Ms. Schwenk asked if there will be any monitoring of water quality and quantity by the DEP. Ms. Folk stated that there should be no effect on water quantity. She further explained that there have been monitoring wells put on the site that will be tested so that any contamination that is detected will be seen in those on-site wells first. These wells have quarterly monitoring and reporting submissions. Six months of background data has already been taken so they have a baseline for the water quality. Ms. Folk and Mr. Kutney stated that if there are concerns about private wells and potential contamination by residents, those complaints can be brought directly to the DEP for analyses as well as any complaints regarding noise, dust, and mud. They further explained that groundwater monitoring is done as well as 3rd party sampling.

Andy Samuelson asked what the geology is like at the site? Mr. Kutney explained that the "quarry lake" represents the water table and is comprised mainly of sand and sandstone. The aquifer is connected to the sandstone and that the geology trends northeast to southwest. Wells that are to the east are hydraulically connected to the site. The gradient is to the north.

Mr. Samuelson asked how you remediate if there is a problem? Mr. Kutney explained that the DEP Environmental Cleanup Section does this frequently. Highway Materials would be responsible for the cost 100% to pump and treat, or have a treatment system, remove the offending source and any other remediation efforts required.

Mr. Samuelson asked about on-site inspectors and what "frequently" means. Melissa Epps of Highway Materials explained that before any materials are accepted they need to notify her 48 hours in advance, the sources are documented and that she often will visit the site of the source materials and will not accept any suspicious material.

Mr. Samuelson asked about the potential increase in traffic. The State Police commented that they have recently learned about this issue. They are taking a look at how many trucks would be increased. They do not have anything set up in advance for traffic. Cpl. Becker stated that a traffic study would need to be petitioned through the Township if necessary, to PennDOT. A brief discussion ensued on this issue.

Heath Edwards spoke about his concern with this change and the potential for contamination. Mr. Edwards asked how blacktop can be put into the water. Mr. Edwards stated that he has watched overburden be brought in over the past few years.

Mr. Kutney explained the small source and large load monitoring. He explained that while officially every 70th truck will be pulled aside, each truck will be inspected, documented and vapor tested for fumes. He further stated that the loads are staged for further inspection.

Mr. Edwards expressed concern that if there is a heavy rain on the staged material, that this could wash into the waterway. Mr. Kutney stated that there is no regulatory requirement that covers this scenario. Mr. Kutney stated that many companies, like Highway Materials are issued permits and that it is incumbent on them to ensure that this doesn't occur and incumbent on DEP to monitor these permits.

Keith Blankenbiller also expressed his concerns about the water issues. Mr. Blankenbiller stated, and it was confirmed, that several loads have been taken at the site. Mr. Blankenbiller expressed concern that if the DEP doesn't know that the dumping has begun, how do we know what is being dumped? Mr. Blankenbiller described a recent situation with a tri-axle on Pricetown Road attempting to turn into the site and his traffic concerns. Mr. Blankenbiller expressed his desire for the Township and PennDOT to install "No Parking" signs along the side of Pricetown Road which is adding to the traffic concerns. Ms. Schwenk stated that she will assist in the follow-up of this issue.

Darlene Bartsch asked why there was no opportunity to get information in advance of this permit. Ms. Schwenk stated that this is why her office worked with the Township to get this meeting scheduled based on the questions that were being received.

Bonnie Landis stated her concerns with traffic. She asked how long will the mine reclamation site be operational in this manner? Ms. Epps responded that it is too early to state a timeframe as there is no history of volume in this area.

A representative from the DePaul Group stated that a traffic study was conducted for a traffic light when the Shoppes at Woodside was constructed. It was deemed not necessary at that time which is when the quarry was fully operational and the traffic volume didn't exceed the volume requirements. Ms. Landis asked if we could require Highway Materials to pay the cost of the traffic light.

Mr. Swavely explained that the Township cannot require an entity to install a traffic light just because they received a permit from DEP. He further explained that this situation may change if the property becomes developed, but we have no authority to do that at the present time.

Jeff Huseman asked what are the positives for this site? There was no response to the question.

Gary Latsha invited the public to call the DEP with any additional questions, concerns or dialogue. The contact information for all of the DEP representatives were provided to the public.

Gary Michalowski also expressed his concerns with the water quality and false reporting by contractors and only doing the bare minimum for testing. He is looking for more pro-active testing. Mr. Stotz explained that all of their testing is done by an independent 3rd party firm.

David Barth asked a question regarding penalties for contamination? Mr. Kutney stated that all materials would require re-testing, a violation would be issued, and they would issue a cease to bring in additional materials. He was unsure about any monetary penalties. Mr. Barth asked that in a situation where Highway Materials would cease to exist, would the Township be liable for cleanup of any contamination on the property? Mr. Kutney stated that mining operations require a reclamation bond for \$1.5 M. This money could be used for reclamation or water treatment as necessary.

Ms. Folk stated she has been on-site and performed inspections on the property. Ms. Kutney explained that the permit binds Highway Materials by law to follow the correct procedures and practices. The regulations include items such as safety, contamination, maintenance, etc.

PUBLIC COMMENTS:

Donna Quinter – McKnight's Gap Road. Ms. Quinter expressed concerns about a neighbor that is burying trash. She also asked a question regarding the new recycling center scheduled to open in Laureldale. Mr. Stump stated that he believes this center will be open in February.

SOLICITORS REPORT: Mr. Swavely had nothing to report.

ADMINISTRATION:

- Laptop – The Business Manager presented a quote from Lynx for a new DPW laptop for \$818.00. David Barth made a motion to accept and execute this quote, seconded by Sam Mallatratt, and the motion carried.
- Server Warranty – The Business Manager presented a quote from Lynx to extend the warranty on the existing server for \$649.00. David Barth made a motion to accept and execute this quote, seconded by Sam Mallatratt, and the motion carried.

CODES / ZONING:

- Dodd – Minor Subdivision Plan. Chris Snyder of Snyder Surveying made a brief presentation on the proposed subdivision plan to the Board. A request was presented to the Board for a non-building waiver. Mr. Brian Weidner, Vice Chairman of the Alsace Township Planning Commission stated that the Planning Commission is not in favor of recommend granting this waiver as the current configuration of the plan does not comply with SALDO requirements. Following a clarification discussion, the Board chose to take no action on the waiver and recommended the property owners to continue discussions with the Planning Commission.

FIRE COMPANY:

Debbi Heilman stated that the Fire Company had a meeting last evening and the Board of Supervisors should be expecting a letter from Attorney Sher addressing items of concern.

PUBLIC WORKS:

Mr. Stump stated that the DPW is working on window replacements for the Township Building.

SUPERVISORS REPORT:

Neither Mr. Mallatratt or Mr. Barth had anything further to report.

Mr. Barth made a motion to adjourn the meeting, Mr. Mallatratt seconded the motion, and the motion was approved. Adjournment was at 8:42 pm.

Respectfully Submitted,

Kimberly Mallatratt
Business Manager, Secretary/Treasurer