

2022 News

**Paradise
Watchdogs**
Ban the Quarry

P.O. Box 115, Frederick, PA 19435
www.banthequarry.org

August 2022

Gibraltar Rock - Penna. Supreme Court Hoff VC HSCA site N.H. Village Center Bridges update

***Paradise Watchdogs** is a not-for-profit, environmental preservation community group in New Hanover Twp, established in 1987. The Watchdogs worked hard for over 10 years to prevent a trash landfill along Big Road, Church Road, Hoffmansville and Layfield Roads in the mid-1980s. A hospital-waste incinerator was approved at that site and continued operation until the land was sold to **Gibraltar Rock and Sahara Sand**, of Fairless Hills, Bucks County, PA.*

History:

2000: Gibraltar Rock applied to construct a hard-rock quarry, concrete plant, and asphalt plant, on approximately 240 acres. A group of residents formed **Ban-the-Quarry** to oppose the application. A few years later, the Paradise Watchdogs & Ban-the-Quarry joined together to educate residents & work with the township on environmental impacts to the community.

2010: The court issued an **Injunction**, preventing any quarry activity on their land until they had all the necessary permits and an approved final land development plan. **Currently**, Gibraltar Rock has neither the permits nor an approved final plan.

2011: The Penna. Dept. of Environmental Protection identified the former Good Oil Company as a hazardous waste site. (Hoff VC HSCA site) Gibraltar Rock has since purchased approx. 18 acres of the adjacent hazardous site.

2020: The PA Environmental Hearing Board (EHB) rescinded Gibraltar Rock's permits and Authorization to Mine.

2021: The Commonwealth Court of PA reversed the EHB order and remanded the matter to the PA-DEP to direct Gibraltar Rock on how to obtain renewal of their mining permits pursuant to the Non-Coal Act of Dec. 1984.

2021: The Paradise Watchdogs, New Hanover Township, and the PA Dept. of Environmental Protection (Harrisburg) filed an appeal with the PA Supreme Court for the above Commonwealth Court opinion.

2022: On May 17, 2022, our appeal to the PA Supreme Court was heard in Philadelphia, PA.

Latest News . . . Gibraltar Rock proposed quarry

2021-2022 - After 21 years, the PA Dept. of Environmental Protection is working with us! They have stated that their agency should not issue any permits unless / until the Hoff VC Site is totally remediated. We had always hoped that the DEP would do what is required to protect us and are now gratified to have their support.

Jan 2022 - Our appeal of the 2021 Commonwealth Court decision was filed with the PA Supreme Court. The township solicitor and our attorney joined together to submit a brief and records exceeding 6,000 pages. The PA-DEP in Harrisburg also submitted a brief to the Supreme Court.

May 2022 - The Supreme Court hearing was held in Philadelphia, in the courtroom at Old City Hall, at Independence National Historical Park, on May 17, 2022. We watched the hearing through 'live streaming'. Our attorney and the township solicitor were present at the hearing. Counsel from the PA-DEP Harrisburg also argued in our favor.

Update . . . Hoff VC HSCA site remediation:

July 2022 - Gibraltar Rock property

We received a copy of the report from the Environmental Protection Specialist at the DEP – Southeast Regional Office in Norristown. This report was addressed to Gibraltar Rock's Vice President of Environmental & Public Affairs. This report states that in April 2022, the DEP collected water samples from three monitoring wells and four observation wells on the Gibraltar Rock property. The samples were analyzed by the SGS North America, Inc. for volatile organic compounds, semi-volatile organic compounds, 1,4-dioxane, pesticides, sulfate, and total and dissolved metals.

The April 2022 results show there are three substances related to the Hoff VC HSCA Site that are present in the wells on Gibraltar Rock property and they exceed the *Medium Specific Concentrations* for used, residential aquifers established by the state environmental standards act. The substances are: **1,1-Dichloroethene - Trichloroethene - and 1,4-Dioxane.** (*Search online to learn what these chemicals can do to humans and animals.*)

Dec 2021 - Gibraltar Rock property

Water samples from the same 7 wells noted above, contained the same three volatile organic compounds that were in exceedance of the Standards, with little change in 2022.

Sept 2021 - Good Oil property

DEP office began the second phase of the Pilot Study of the remediation of groundwater at the Hoff HSCA Site. Very slow progress in two years.

Nov 2020 - Good Oil property

The DEP Southeast Regional Office (SERO) in Norristown, initiated a *Pilot Study* of the remediation of groundwater at the Hoff HSCA Site.

CURRENT STATUS *New Hanover Village Center* (formerly the Town Center)

Litigation between developer R.P. Wynstone and New Hanover Township has been ongoing for many years. Recently, the court ordered both sides to work together on a “resolution plan” that would be acceptable to both parties.

On August 4, 2022, Ben Goldthorp representing Wynstone, presented a “resolution plan” to the Supervisors. At this meeting, the Supervisors were advised to table a “motion regarding a preliminary plan proposal” for this recent version of the plan.

Wynstone is now asking for 774 housing units. The new addition to the plan – an apartment building with 100 units, exiting onto North Charlotte St. This latest plan offers more “green space” than previous plans, although the total green space would be 1.5 acres. There would also be 1,059 parking spaces at the grocery store, and 23 work/live units where the second floor would offer apartment rentals. The previous plan called for 13 work/live units.

The township made it clear at this meeting on Aug 4 that the meeting was held “just for feedback”. **The next meeting with the NH Village Center (town center) will be held on Monday, Sept. 26.** We assume this meeting will be for the same purpose – for feedback and discussion. The township also made it clear that “feedback does not equal approval”. The Township would appreciate the input of the community as these meetings.

BRIDGE DETOURS - Update

- 1) New Hanover Square Rd, between Big Rd (Rt 73) and Swamp Pk - **re-opened on Aug. 5.** The line-painting and landscaping are now complete. PennDOT project.
- 2) Lutheran Rd bridge . . . re-opened on **Monday, Aug. 22.** County project.
- 3) North Charlotte St at Swamp Pk . . . re-opening date of **Aug. 26.** PennDOT project.
- 4) Swamp Pk bridge replacement . . . expects to be re-opened at the **end of October.** County project.

***HOW CAN YOU HELP?** Make a donation to help with legal and consultant fees.
Most operating expenses are paid by our committee.
ANY AMOUNT would be greatly appreciated.
(envelope enclosed)*

*Please make checks payable to:
Paradise Watchdogs **OR** Ban the Quarry*

Mailing address:
PWD – BTQ
P.O. Box 115
Frederick PA 19435

THANK YOU

