

STATE OF MISSOURI
DEPARTMENT OF NATURAL RESOURCES

Jeremiah W. (Jay) Nixon, Governor • Sara Parker Pauley, Director

www.dnr.mo.gov

July 7, 2016

Lyn Havin
3801 Iron Hill
Union, MO 63084

Re: Meramec Aggregates, Inc., Ten-Acres, New Site Permit Expansion Application, Jeffery Open Pit; Sections 27 & 34, Township 42N, Range 01E, Franklin County

Dear: Lyn Havin,

On April 1, 2016, the Missouri Department of Natural Resources, Land Reclamation Program received from Meramec Aggregates, Inc., a new site permit expansion application to mine sand and gravel in Franklin County, Missouri. This open pit mine site is located in the floodplain of Meramec River. As authorized by section 444.772.10(2) RSMo: "... comments may be made by any person with a direct, personal interest in one or more of the factors the director may consider in issuing a permit..." A public meeting was held on May 26, 2016, as part of the public notice process. Attachment I, which is part of this decision, is a record of public comments provided to the director as a result of the public notice permit application process. Attachment I, along with the permit certificate, can be found on the web at: <http://dnr.mo.gov/geology/lrp/homeim.htm>. A hard copy of Attachment I and permit certificate can also be requested by calling 573-751-4041.

The director may address environmental issues within the jurisdiction of the Department of Natural Resources such as air and water pollution concerns produced at the mine site. Furthermore, Franklin County is in the greater St. Louis, ozone nonattainment area, which means the area is currently not meeting the air quality standard for ozone. If a commercial heavy duty diesel engine idles more than five (5) minutes in a sixty (60) minute period, in the greater St. Louis ozone nonattainment are, the owner or operator of that commercial vehicle could be subject to penalty.

The director does not have jurisdiction to address public concerns commonly raised during the review of an application for industrial mineral mining activity such as road traffic, road conditions, emissions from heavy duty diesel, commercial vehicles traveling faster than idle speed on public roadways, overloaded trucks or concerns about property devaluation. The staff director shall consider any public comments in making a decision to issue or deny the permit as required at 444.773.1 RSMo.

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Having reviewed and considered the administrative record related to the new site permit expansion application, including public comments and compliance history, I have made a decision to **issue** the permit pursuant to Section 444.773 RSMo. of the Land Reclamation Act.

This decision can be appealed to the Administrative Hearing Commission as provided by 621.250.3 RSMo: "If you were adversely affected by this decision, you may be entitled to pursue an appeal before the administrative hearing commission. To appeal, you must file a petition with the administrative hearing commission within thirty days after the date this decision was mailed or the date it was delivered, whichever date was earlier. If any such petition is sent by registered mail or certified mail, it will be deemed filed on the date it is mailed; if it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the administrative hearing commission." The mailing address of the Administrative Hearing Commission is:

Administrative Hearing Commission
PO Box 1557
Jefferson City, MO 65102

Additional information about the Administrative Hearing Commission can be found on their web site at: <http://ahc.mo.gov/ahc/>

If you have any questions concerning the content of this letter, please contact Ashley Harrison, of my staff, by telephone at (573) 751-4041.

Sincerely,

LAND RECLAMATION PROGRAM



Carey Bridges, R.G.
Interim Staff Director

CB:bj:jc

Enclosures: Permit Certificate

c: Meramec Aggregates, Inc.
Lyn Havin Schulte
527 E. Independence
Union, MO 63084

& Laura Elsbury, AGO