



NORTH CAROLINA
Environmental Quality

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRIAN WRENN

Director

July 26, 2021

Certified Mail
Return Receipt Requested
7016 2140 0000 4368 3438

Mr. Sam Bratton
Wake Stone Corporation
P O Box 190
Knightdale, NC 27545

Subject: Mine Name: Cary (Triangle) Quarry
Mining Permit No. 92-10
Wake County
Neuse River Basin

Dear Mr. Bratton:

We have reviewed the modification request your company submitted for the referenced mine site. In order for this office to complete its review of the referenced project in accordance with G.S. §74-50 and §74-51 of the Mining Act of 1971, please provide the additional or revised information in accordance with the following comments:

1. In a March 7, 2011 email, Wake Stone Corporation requested modification of the "Donation to State" condition 5.B. of the Reclamation Conditions in Permit No. 92-10. The request, which was not approved, was to change the underlined language below to "later."

If all quarryable stone is not removed, the right of the State to acquire the quarry site shall accrue at the end of 50 years from the date quarrying commences or 10 years after quarrying operations have ceased without having been resumed, whichever is sooner, and notices shall be exchanged at that time in the same manner and with the same time limitations as set forth in Paragraph A above.

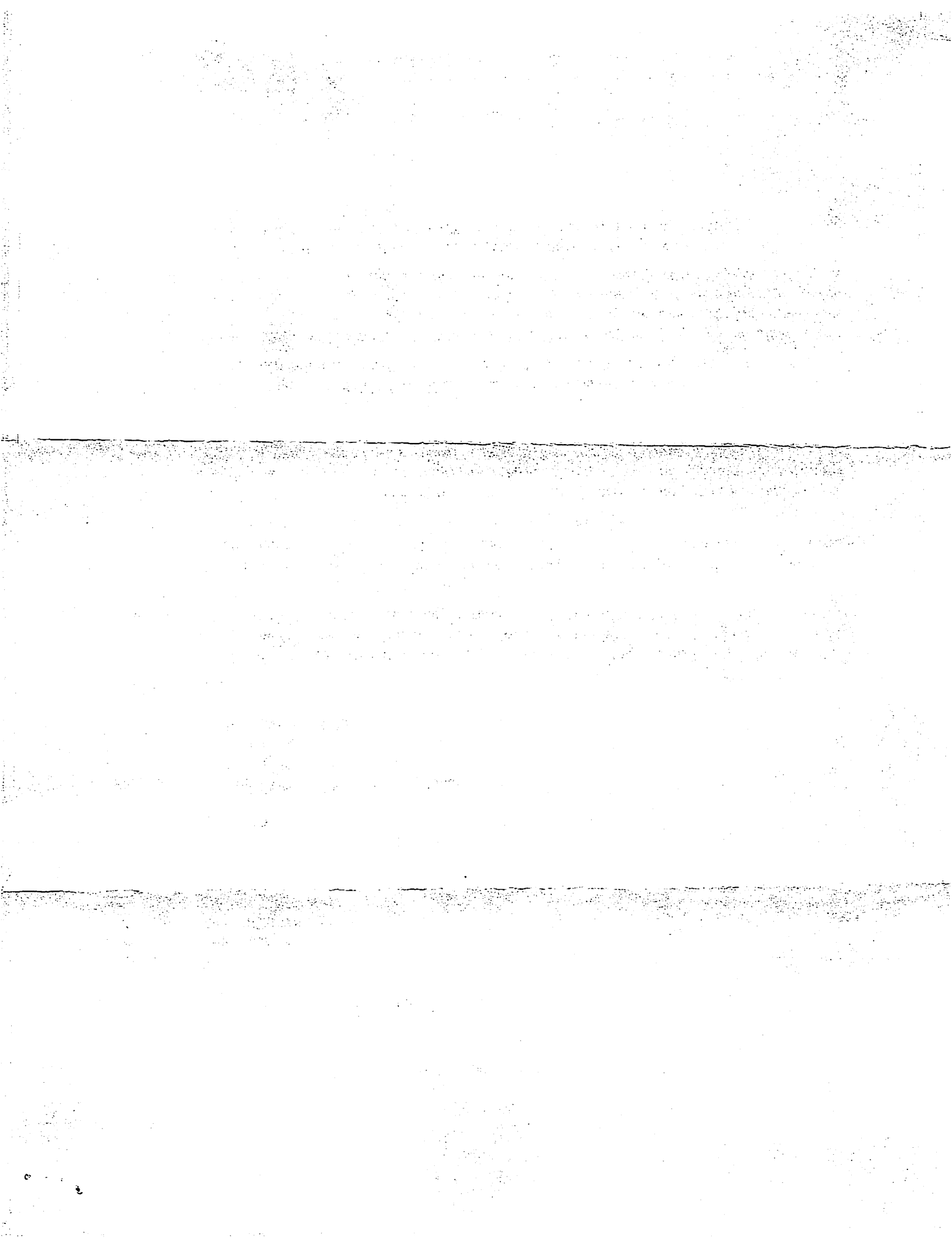
In a March 16, 2018 email, Wake Stone Corporation requested the same modification of the "Donation to State" condition 5.B. of the Reclamation Conditions in Permit No. 92-10. This requested modification was made on March 28, 2018. Condition 5.B. now reads as follows:

If all quarryable stone is not removed, the right of the State to acquire the quarry site shall accrue at the end of 50 years from the date quarrying commences or 10 years after quarrying operations have ceased without having been resumed, whichever is later, and notices shall be exchanged at that time in the same manner and with the same time limitations as set forth in Paragraph A above.

Please provide all documentation (emails, electronic documents, hardcopy documents) in your possession related to the 2011 and 2018 requests for modification of Condition 5.B. and the subsequent permit modifications.



North Carolina Department of Environmental Quality | Division of Energy, Mineral and Land Resources
512 North Salisbury Street | 1612 Mail Service Center | Raleigh, North Carolina 27699-1612
919.707.9200



2. Please provide an explanation of how the modification requests described in item 1. relate to the current quarry expansion modification request for Permit No. 92-10. Specifically, how does the modification of Condition 5.B. effect the viability and long-term operation of the proposed quarry expansion?
3. Please describe any discussions or correspondence between Wake Stone and state officials (other than the DEQ mining program) about the modification of Condition 5.B. Please provide copies of any documents or other records of such discussions or correspondence.
4. What is the expected timeline for ceasing quarrying operations at the existing site?

Please note, this office may request additional information, not included in this letter, as the mining application review progresses. Be advised that our review cannot be completed until all of the items listed above have been fully addressed.

In order to complete the processing of your application, please forward two (2) copies of the requested information to my attention at the following address:

Division of Energy, Mineral, and Land Resources
Department of Environmental Quality
1612 Mail Service Center
Raleigh, NC 27699-1612

As required by 15A NCAC 5B.0113, you are hereby advised that you have 180 days from the date of your receipt of this letter to submit all of the requested information. If you are unable to meet this deadline and wish to request additional time, you must submit information, in writing, to the Director clearly indicating why the deadline cannot be met and request that an extension of time be granted. If an extension of time is not granted, a decision will be made to grant or deny the mining permit based upon the information currently in the Department's files at the end of the 180-day period.

Though the preceding statement cites the maximum time limit for your response, we encourage you to provide the additional information requested by this letter as soon as possible. Your prompt response will help us to complete processing your application sooner. Please contact me at (919) 707-9228 if you have any questions.

Sincerely,



David Miller
State Mining Engineer

cc: Bill Denton, PE, Raleigh Regional Engineer