

Consent Order and Agreement is signed by Primrose Creek Watershed Association, PennFuture, New Hope Crushed Stone quarry and PA DEP.

Restoration and maintenance work essential to the recovery of Primrose Creek will be required under a consent order that the Primrose Creek Watershed Association (PCWA) and Citizens for Pennsylvania's Future (PennFuture) have entered into with the Pennsylvania Department of Environmental Protection (PaDEP) and New Hope Crushed Stone (NHCS). The consent order resolves an appeal filed by PCWA and PennFuture that contested PaDEP's issuance of a permit revision in 2011 allowing NHCS to dig to a deeper level at its quarry in Solebury Township. In 2010, PaDEP placed Primrose Creek on the state's official list of impaired waters, identifying the quarrying operations as one cause of some of the listed impairments.

While allowing the permit revision to remain in place, the consent order requires NHCS to perform remedial work that PCWA and PennFuture could not have obtained through their appeal. Specifically, the consent order sets deadlines for NHCS to undertake work relating to:

- **Sinkholes:** Stabilization work on sinkholes that are impacting Primrose Creek, which will limit further erosion and minimize potential health and safety risks.
- **Stream Channels:** In designated locations in the Primrose Creek stream channel upstream and downstream from the sinkholes, NHCS will perform stabilization and restoration work designed to, among other things, facilitate future restoration of stream flow when groundwater elevations have recovered after the end of active mining.
- **Cleaning and maintaining culverts:** NHCS will clean and maintain the culvert under the PECO right-of-way which presently impacts stream flow below the quarry, to keep the culvert working properly so that sediment accumulation is limited.
- **Water monitoring:** NHCS will monitor the quality of the water being discharged from the quarry into the Primrose Creek, as required to demonstrate compliance with all National Pollutant Discharge Elimination System (NPDES) permit limits, and will monitor the amount of Total Suspended Solids (TSS) in the water it discharges into the Creek no less than once a week, and within 24 hours after certain rainfall events. All the data will be shared with PCWA.

Kevin Morrissey, president of PCWA, stated: "This is a significant step for the New Hope/Solebury community toward returning a historical, cultural and environmentally significant area to natural sustainability. The health of this area is a concern to those within and beyond the borders of this watershed. We will continue efforts to seek ways to protect the natural resources of our community. None of this would have been possible without PennFuture, Pennsylvania's leading environmental advocacy organization. We are very appreciative of their support." He also noted that the obligations in the agreement are legally binding on all parties, and the terms are enforceable.

PennFuture is a statewide public interest membership organization, founded in 1998. PennFuture's activities include litigating cases before regulatory bodies and in local, state and federal courts; advocating and advancing legislative action on a state and federal level; public education and assisting citizens in public advocacy.

Primrose Creek Watershed Association is a community organization working to protect the creek and the watershed from degradation. The creek originates in the vicinity of Solebury Village and converges with the Delaware River near Phillips Mill, a site which is on the National

Register of Historic Places. In the colonial period, Primrose Creek was a vigorous stream that powered Phillips Mill. Today, 800 households in the vicinity of the Primrose Creek watershed depend on well water from the underlying aquifer as the sole source of water for their homes.

To learn more about Primrose Creek WA, the appeal, their ongoing activities and PennFuture readers may visit the organizations' websites (Primrose Creek Watershed Association: <http://primrosecreek.org> and PennFuture: <http://www.pennfuture.org> or call 215-862-5256.

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