



Walter Wright, Jr.
wwright@mwlaw.com
(501) 688.8839

Citizen Suit Enforcement - Pennsylvania Clean Streams Law/Non- Coal Surface Mining Act: Delaware Riverkeeper Network 60-Day Notice Addressing Quarry

11/18/2020

The Delaware Riverkeeper Network (“DRN”) sent a November 6th letter to Hercules Cement Company, LP d/b/a Buzzi Unicem USA (“Hercules”) styled:

Notice of Citizen Suit Pursuant to the Noncoal Surface Mining Conservation and Reclamation Act and the Clean Streams Law (“Notice”)

The letter is stated to serve as a pre-suit 60-day notification for a citizen suit that DRN states it intends to file against Hercules related to a quarry operated by the company.

Hercules is stated to operate a quarry in or near Stockertown, Pennsylvania.

The *Notice* alleges that because of mining activity and dewatering of the quarry sinkholes and/or swallets have been formed, along with the dewatering of the Bushkill Creek. It further alleges that the mining activities, sinkholes and/or swallets capture the surface waters eliminating the streamflow and/or water quantity to Bushkill Creek impacting water quality and the ecological and biological integrity of the Creek and aquatic life. A 2020 Tracer Study is cited as an indication of a hydrologic connection between the Bushkill Creek losses and the West Quarry Inflow Zone.

Violations of the Pennsylvania Noncoal Act and Clean Streams laws are alleged.

A copy of the *Notice* can be downloaded [here](#).