

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRIAN WRENN
Acting Director



NORTH CAROLINA
Environmental Quality

August 7, 2020

Certified Mail
Return Receipt Requested
706 2140 0000 4367 6805

Mr. Chad M. Threatt
Alamance Aggregates LLC
PO Box 552
Snow Camp, North Carolina 27349

RE: Proposed Alamance Quarry and Construction Materials Quarry
Alamance County
Cape Fear River Basin

Dear Mr. Threatt:

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

We have received recommendations from Colonial Pipeline regarding blasting operations at the Alamance Aggregate Quarry. Colonial Pipeline has indicated that they have reached an agreement with Alamance Aggregates on blasting requirements and technical conditions. Please provide any signed agreements that Alamance Aggregates has entered into with Colonial Pipeline regarding blasting requirements and technical conditions.

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

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



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

Certified Mail

Mr. Threatt

Page Two

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) 707-9220 if you have any questions.

Sincerely,

for


David Miller
State Mining Engineer

Enclosures

cc: Ms. Tamera Eplin, PE

Wehner, Judy

From: Piazza, Mark <mpiazza@colpipe.com>
Sent: Thursday, August 06, 2020 12:18 PM
To: Wrenn, Brian L; Wehner, Judy
Cc: Vinson, Toby; Miller, David; Parr, Adam; Langley, Denise; Little, Chip; West, Tom; Smith, Brian L.
Subject: RE: [External] RE: Alamance Aggregates DEQ Permit and Colonial Pipeline
Attachments: CPC Supplemental Comments - AA Mining Permit Application FINAL NCDEQ 08.06.2020.pdf

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Brian and Judy,

Attached to this message is a file that presents recommended Terms and Conditions that Colonial Pipeline Company has prepared for NCDEQ consideration regarding the Alamance Aggregates LLC draft permit to operate a crushed stone mining operation near Clark Road in Snow Camp, Alamance County, North Carolina. The attached file includes a cover letter and an attachment with the specific terms and conditions.

In a discussion with Judy yesterday, she indicated that NCDEQ does not intend to include any conditions related to blasting for scaled distance in the Terms and Conditions included as part of the draft permit. Colonial believes that a specific reference scaled distance is a key component to ensuring the integrity of Colonial's pipelines in the vicinity of the proposed mining operation. If not a specific condition of the draft permit, Colonial supports specifically requiring that the Blasting Plans prepared under any permit issued to Alamance Aggregates would need to specify the scaled distance for each blast.

Thank you for considering Colonial's recommendations. Please contact me with any questions.



Mark Piazza | Manager, Pipeline Compliance and R&D
Colonial Pipeline Company
o. 678.762.2531 | m. 678.763 5911 | www.colpipe.com



From: Piazza, Mark
Sent: Wednesday, August 5, 2020 3:00 PM
To: Wrenn, Brian L <brian.wrenn@ncdenr.gov>
Cc: Wehner, Judy <judy.wehner@ncdenr.gov>; Vinson, Toby <toby.vinson@ncdenr.gov>; Miller, David <david.miller@ncdenr.gov>; Parr, Adam <adam.parr@ncdenr.gov>
Subject: RE: [External] RE: Alamance Aggregates DEQ Permit and Colonial Pipeline

Thanks Brian. Colonial will provide the information to NCDEQ by noon tomorrow (eastern) as requested.



Mark Piazza | Manager, Pipeline Compliance and R&D
Colonial Pipeline Company
o. 678.762.2531 | m. 678.763 5911 | www.colpipe.com



From: Wrenn, Brian L <brian.wrenn@ncdenr.gov>
Sent: Wednesday, August 5, 2020 2:57 PM
To: Piazza, Mark <mpiazza@colpipe.com>
Cc: Wehner, Judy <judy.wehner@ncdenr.gov>; Vinson, Toby <toby.vinson@ncdenr.gov>; Miller, David <david.miller@ncdenr.gov>; Parr, Adam <adam.parr@ncdenr.gov>
Subject: [External Message] RE: [External] RE: Alamance Aggregates DEQ Permit and Colonial Pipeline

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Mark,
Thanks for copying us on this email. I'm sure Judy informed you of this, but our decision date to approve, deny, or request additional information is this Friday, August 7th. Please send any additional language you have by noon tomorrow. We'd like to have some time to review the language prior to our decision date. If you have any questions on this, please feel free to contact Judy or me.

Thanks,

Brian Wrenn, Director
Division of Energy, Mineral, and Land Resources

919-707-9222 (O)
919-218-7536 (M)

From: Piazza, Mark <mpiazza@colpipe.com>
Sent: Wednesday, August 5, 2020 2:39 PM
To: Rep. Dennis Riddell <Dennis.Riddell@ncleg.net>
Cc: Gary Ulicny <gruhealthcare@gmail.com>; Wehner, Judy <judy.wehner@ncdenr.gov>; Wrenn, Brian L <brian.wrenn@ncdenr.gov>; Buff, Arthur (PHMSA) <Arthur.Buff@dot.gov>; Rep. Dennis Riddell <Dennis.Riddell@ncleg.net>; chwinfree@adamswinfreelaw.com; Jane Lea Hicks <janeleahicks@gmail.com>; Donna Poe <donnalpoel1@gmail.com>; Little, Chip <clittle@colpipe.com>; Smith, Brian L. <BSmith@colpipe.com>; West, Tom <twest@colpipe.com>
Subject: [External] RE: Alamance Aggregates DEQ Permit and Colonial Pipeline

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Dear Representative Riddell,

Thank you for reaching out to us to check in on the status of Colonial Pipeline's ongoing communications with representatives of Alamance Aggregates. Colonial and Alamance Aggregates have been working on finalizing the terms and conditions that need to be addressed as they relate to blasting activities at the proposed Alamance Aggregates quarry operation in Snow Camp. Colonial is also continuing to maintain communication with the North Carolina Department of Environmental Quality (NCDEQ) to ensure that similar terms and conditions are included in any mining permit that the NCDEQ would issue for the proposed quarry operation.

I am providing an update to each of the topics that were included in our prior email exchanges.

1. **Relocation of Emergency Access Roadway** – Colonial requested and Alamance Aggregates has indicated that they will agree to provide an alternative location for the currently situated emergency access roadway north of the site that crosses the Colonial’s pipelines and easement. Through its response to NCDEQ information requests to support the mining permit application process, Alamance Aggregates has submitted a revised site plan to the NCDEQ as part of its permit application that includes an alternate Emergency Access roadway that does not cross Colonial’s pipelines.

See attached file labelled “C201-Mine-Map.” With this drawing now included in the permit application, ***approval of the permit would require that Alamance Aggregates construct the alternate Emergency Access roadway at the location shown on the attached drawing and no longer use the current field road that is marked on prior site plans as the emergency access location.***

2. **Detailed Third-Party Analysis of Potential Impacts to Colonial’s Pipelines due to Surface Loading by Drilling Rig** – As previously indicated in our discussion with you and the other representatives of the local community, Colonial engaged an independent engineering consulting firm to conduct an initial assessment of the potential impacts on Colonial’s pipelines due to the surface loads from the heavy drilling equipment that crossed our easement. ***The results of that initial analysis indicated that there are no concerns with the integrity of Colonial’s pipelines due to the limited occurrence of vehicles crossing Colonial’s easement.***

A more detailed analysis is being addressed by Colonial. I am coordinating with internal staff to obtain the necessary data required to complete the additional assessment, and confirm the initial evaluation completed by the independent engineering contractor.

3. **Colonial Representative on-site During Blasting** – ***Alamance Aggregates has indicated that they will agree to provide advanced notice to Colonial of any blasting at least two days prior to blasting occurring, including a Blasting Plan for review by Colonial’s representatives.*** Based on Colonial’s analysis on the location of where the blasting will occur relative to Colonial’s pipelines and the blast charge, an evaluation will be performed to determine whether a Colonial representative will need to be on-site to observe and monitor the drilling of the borings for the blast charge and the blasting activity. Colonial has an established procedure that determines the level of oversight needed based on the specific details of the proposed blast, and will make its determination based on this procedure.

4. **Web-based Data Room** – Alamance Aggregates has indicated that they will agree to provide access to a web-based data room for all seismograph monitoring data recorded during blasting events. This website will be password protected and access will only be provided to Colonial’s designated representatives and Alamance Aggregates and its affiliates. Alamance Aggregates also indicated that they will agree to input all blast data within 24 hours of the event occurring. ***The web-based data room is being created to provide Colonial with confirmation that the blasting activities (as monitored by the seismographs) have not affected Colonial’s system and that the work was conducted in accordance with the Blasting Plan.***

NCDEQ can request data from Alamance Aggregates at any time, whether stored in the web-based data room or otherwise, to assess compliance with any permit that may be issued. Colonial previously provided a copy of an email sent to Colonial by Alamance Aggregates confirming the establishment of the web-based data room.

5. **Permit Conditions Requested by Colonial** – Colonial previously submitted a list of conditions that we believe need to be included in any permit that may be issued by NCDEQ to Alamance Aggregates to operate the mine. More recently, Alamance Aggregates submitted the terms and conditions that they believed would be appropriate to have written into the permit. Colonial has reviewed those conditions and generally agrees with what has been presented by Alamance Aggregates. ***However, Colonial is also planning to send a separate***

communication to NCDEQ with our final list of terms and conditions to be included in the permit that provides for protection to Colonial's pipeline assets and safe operation of our system. Colonial contacted NCDEQ earlier today and confirmed our intent to submit a final set of terms and conditions to be included in any permit issued.

In summary, we are nearing completion on addressing the terms and conditions with Alamance Aggregates and expect to have all matters addressed soon.

Best Regards,



Mark Piazza | Manager, Pipeline Compliance and R&D
Colonial Pipeline Company
o. 678.762.2531 | m. 678.763.5911 | www.colpipe.com



From: Rep. Dennis Riddell <Dennis.Riddell@ncleg.net>
Sent: Thursday, July 23, 2020 8:44 AM
To: Piazza, Mark <mpiazza@colpipe.com>; Little, Chip <clittle@colpipe.com>
Subject: [External Message] Alamance Aggregates DEQ Permit and Colonial Pipeline

WARNING: This email originated outside of Colonial Pipeline.
DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Good Morning Mark and Chip,

I hope this finds everyone well and staying safe.

As the Alamance Aggregates permit process continues to unfold with DEQ I would like to get an update regarding the action items we discussed during our meeting at my home earlier this year.

During that interim we have all had to adjust and rework our lives and livelihoods around the Covid 19 impact. I understand Colonial Pipeline was not immune to the disruption caused by the virus. However, since a good amount of time has passed since that meeting and the permit process is likely not to continue on indefinitely can you tell me if subsequent meetings between Colonial and Alamance Aggregates have led to some agreements being reached regarding the items below?

- 1. Relocation of Emergency Access Roadway** - Colonial requested and Alamance Aggregates agreed to provide an alternative location for the currently situated emergency access north of the site that crosses the Colonial's pipelines and easement. The alternative location would be curved eastward to intersect with Quakenbush Road south of the pipeline. Alamance Aggregates representatives will work with the local Duke Energy representative to confirm that relocating this road within Duke ROW poses no problem, with Colonial providing support as needed through its contacts at Duke Energy. Alamance Aggregates will also approach NCDOT about a driveway permit for the new entrance and access to Quakenbush Road. A revision to the NCDEQ permit application has been submitted by Alamance Aggregates, and Colonial spoke with NCDEQ today about the necessary steps to have the alternate Emergency Access defined in the permit and one of the conditions that would need to be met prior to issuing the permit. Colonial will keep your group informed on progress with regard to this item.
- 2. Detailed Analysis of Potential Impacts to Colonial's Pipelines due to Surface Loading by Drilling Rig** – Colonial is continuing to compile the data required to complete the detailed surface loading analysis related to the well drilling rig crossing over the pipelines located beneath the Emergency Access field roadway. To ensure a

comprehensive analysis, Colonial is extracting specific data on pipeline operations on the days that the drilling work was being performed at the site by Alamance Aggregates' representatives (October 22 & 26 and November 8 & 16, 2019). Colonial expects to have the information compiled by next week and the analysis completed shortly after confirming we have the files required to support the evaluation.

- 3. Colonial Representative on-site During Blasting** – Alamance Aggregates has agreed to provide advanced notice to Colonial of any blasting at least two days prior to blasting occurring. Based on Colonial's analysis on the location of where the blasting will occur relative to Colonial's pipelines and the blast charge, an evaluation will be performed to determine whether a Colonial representative will need to be on-site to observe and monitor the drilling of the borings for the blast charge and the blasting activity. Colonial has an established procedure that determines the level of oversight needed based on the specific details of the proposed blast, and will make its determination based on this procedure.
- 4. Web-based Data Room** – Alamance Aggregates has agreed to provide access to a web-based data room for all seismograph monitoring data recorded during blasting events. This website will be password protected and access will only be provided to Colonial's designated representatives and Alamance Aggregates and its affiliates. Alamance Aggregates has agreed to input all blast data within 24 hours of the event occurring. For a number of reasons, the web-based data room will not be accessible by the public. Any public requests for data and information will need to be made through NCDEQ. A copy of the email sent to Colonial confirming the establishment of the web-based data room is attached to this message.
- 5. Permit Conditions Requested by Colonial** – Colonial previously submitted a list of conditions that we believe need to be included in any permit that may be issued by NCDEQ to Alamance Aggregates to operate the mine. In addition, we have met directly with Alamance Aggregates and NCDEQ representatives to provide the technical basis and justification for the suggested conditions to be included in a permit. Since the submittal of the original permit application by Alamance Aggregates, supplemental information has been provided to NCDEQ regarding the Emergency Access roadway. Colonial is reviewing the additional information and preparing final recommendations for the permit conditions that NCDEQ should consider in issuing the final permit. While we are confident that those conditions will be included, NCDEQ has the final authority on the permit terms and conditions when issued. Colonial is continuing its discussions with Alamance Aggregates and NCDEQ to ensure that permit conditions are included that provide for protection to Colonial's pipeline assets and safe operation of our system.

Best regards,

Dennis

Rep. Dennis Riddell

Rm 416A, Legislative Office Building
Raleigh, NC 27603
(919) 733-5905



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Colonial Pipeline Company

Mark Piazza

Manager, Pipeline Compliance and R&D
Operations Services

Telephone: 678-762-2531

mpiazza@colpipe.com

By Electronic Mail

August 6, 2020

Ms. Judy Wehner
Assistant State Mining Specialist
Division of Energy, Mineral and Land Resources
Department of Environmental Quality
1612 Mail Service Center
Raleigh, NC 27699-1612

RE: Supplemental Comments and Permit Terms & Conditions - Mining Permit Application
Alamance Aggregates, LLC
Snow Camp, NC

Dear Ms. Wehner:

Colonial Pipeline Company (Colonial) previously submitted comments regarding the Mining Permit Application that has been submitted to the North Carolina Department of Environmental Quality (NCDEQ) by Alamance Aggregates, LLC (Alamance Aggregates) to operate a crushed stone mining operation near Clark Road in Snow Camp, Alamance County, North Carolina. This letter is a supplement to the prior letters (dated December 17, 2018 and May 16, 2019) submitted by Colonial to NCDEQ regarding this matter, and presents recommended specifications and requirements that Colonial believes should be included as terms and conditions in any operating permit, if issued to Alamance Aggregates, to operate the proposed mine and quarry operation in a manner that will help ensure the protection of Colonial's nearby refined petroleum products transport pipelines. This additional clarification and the specifications for terms and conditions are based on Colonial's further discussion with representatives of Alamance Aggregates and NCDEQ.

As indicated in Colonial's prior letters to NCDEQ on the Mining Permit Application, Colonial operates an underground refined petroleum products pipeline that is located in the immediate vicinity of the proposed crushed stone mine site and is on the property owned by Alamance Aggregates. The blasting activity that will be performed as part of the mining and quarrying operations could represent a threat to the integrity of Colonial's pipeline if institutional and engineering controls are not included in any operating permit issued. These controls are designed to ensure that a "blasting encroachment" condition does not exist relative to the pipeline. Colonial believes it is necessary that the NCDEQ approve the conditions recommended by Colonial in order to protect the integrity of the pipeline.



Based on Colonial's review of the available information in the NCDEQ administrative record, including documents, maps, and diagrams prepared by Alamance Aggregates as part of the permit application process, Colonial is recommending and respectfully requesting that the items listed in Attachment 1 to this letter be included as terms and conditions in any operating permit issued by NCDEQ for the crushed stone mine. Colonial is recommending and requesting that the NCDEQ include the terms and conditions shown in Attachment 1 to provide the institutional and engineering controls necessary to mitigate any potential adverse effects to Colonial's pipeline system. Colonial has developed the terms and conditions that, to the best of our ability considering the circumstances posed by the mine, protect the integrity of the pipeline.

Please contact me at (678) 762-2531 with any questions regarding these comments.

Sincerely,

Mark Piazza
Manager, Pipeline Compliance and R&D

attachment

cc: Denise Langley, Colonial Pipeline Company
Chip Little, Colonial Pipeline Company
Brian Smith, Colonial Pipeline Company
Tom West, Colonial Pipeline Company

ATTACHMENT 1

Colonial Pipeline Company (Colonial)

Recommended Permit Terms and Conditions

Alamance Aggregates LLC Permit to Operate

Snow Camp, NC

I.

BLASTING REQUIREMENTS AND TECHNICAL CONDITIONS

- A. **Notice of Blasting Related Activities.** Alamance Aggregates shall provide Colonial with written notice of anticipated blasting, and with a Blasting Plan for review to verify that the technical conditions in this Permit are being adhered to, no less than two full (2) business days prior to a blast. Such written notice shall include the criteria listed in Section I.B. of this Attachment 1 (see below). The two full business days shall not include the day that the blasting activities are to occur. If any of the information required in Section B. below changes after the initial notification is made, Alamance Aggregates shall provide notification to Colonial of the changes via electronic mail at least two (2) hours before the blast is conducted. Alamance Aggregates agrees that once notice of the blasting activities is provided to Colonial, the initiation and continuation of the blasting activities are also subject to the provisions of Section I.M. of this Attachment 1. For purposes of this Attachment 1, the term "Business Day" means any weekday (i.e., Monday through Friday) between the hours of 8 a.m. and 5 p.m. Eastern Standard Time, excluding any day observed as a federal legal holiday in the United States,
- B. **Information to be Provided in Blasting Plans.** Notice of Alamance Aggregates intent to conduct blasting activities and a copy of the Blasting Plan shall be provided by electronic mail to Colonial.
1. The information provided by Alamance Aggregates in each Blasting Plan submitted to Colonial and NCDEQ shall include all of the following:
 - a. Date and time of the proposed blast.
 - b. GPS coordinates for the closest hole to Colonial's closest pipeline.
 - c. The minimum distance from the closest hole to Colonial's closest pipeline.
 - d. The maximum explosive weight per delay.
 - e. The specific type of detonator(s) that will be used (e.g., electronic, electric, non-electric, etc.).
 - f. The minimum time delay between separate charges.
 - g. The Scaled Distance, in units of feet/pounds^{1/2}, using Colonial's closest pipeline at the closest point to the blast as the reference point for the calculations.
 - h. The presence of an open face (or not) at the initiation point of the blast.
 - i. The type of seismograph (portable or permanent) that will be used to monitor the vibration level at the Pipelines, as well as the technical basis for the selection.
 - j. GPS coordinates for each seismograph that is used to monitor the vibration level at the Pipelines.

2. If the maximum explosive weight per delay will vary during the shot, the items listed in Section I.B.1. of this Attachment 1 must be provided to Colonial by electronic mail for each variation.
- C. Scaled Distance. If electronic detonators are used, the Scaled Distance shall be calculated using the maximum explosive weight per delay that will be detonated within the actual minimum time delay period (e.g., 3 milliseconds, 5 milliseconds, 12 milliseconds, etc.). If any other type of detonators are to be used, the Scaled Distance shall be calculated using the maximum explosive weight that will be detonated within any eight (8) millisecond time period.
- D. Time Delay. If electronic detonators are used, the minimum time delay between separate charges shall be greater than or equal to one (1) millisecond.
- E. Scaled Distance Without an Open Face. If an open face will not be present at the initiation point of the blast (e.g., test blasts, pit development, etc.), the Scaled Distance shall be greater than eighty five (85) feet/pounds^{1/2} using Colonial's closest pipeline at the closest point to the blast point as the reference point for the calculations.
- F. Scaled Distance With an Open Face. If an open face will be present at the initiation point of the blast (e.g., production blasts that are conducted after the pit has been developed, etc.), the Scaled Distance shall be greater than fifty one (51) feet/pounds^{1/2} using the closest point of the pipeline to the blast point as the reference point for the calculations.
- G. Peak Particle Velocity. For each blast that is conducted at the Quarry, the Peak Particle Velocity (PPV) at Colonial's closest pipeline shall be less than one (1) inch per second. Colonial shall be notified via e-mail within one (1) hour if this vibration limit is exceeded.
- H. Prohibited Blasting. No blasting shall occur within one thousand, one hundred and seventy five (1,175) feet of Colonial's closest pipeline.
- I. Use of Seismograph. The vibration level associated with each blast shall be monitored at Colonial's closest pipeline via either a portable seismograph or an array of permanent seismographs. The type of seismograph that is selected, as well as the technical basis for the selection, shall be documented in the Blasting Plan and included in the notification to Colonial, as specified in Section I.B. of this Attachment 1. Alamance Aggregates shall be responsible for the financial costs and expenses associated with the use and installation of any and all seismographs, regardless of whether such are portable or permanent.
- J. Use of Portable Seismographs. If a portable seismograph will be used to monitor the vibration level at Colonial's closest pipeline, it shall be provided by an independent 3rd party company that specializes in vibration monitoring, paid for by Alamance Aggregates; such third-party contractor must first be approved by Colonial in writing prior to the seismograph being administered. The seismograph shall be installed within ten (10) feet of Colonial's closest pipeline at the closest point to the blast before each blast is conducted. The portable seismograph shall be installed by trained and experienced personnel as per the most recent guidelines published by the International Society of Explosives Engineers (ISEE). After the mine pit at the Quarry has been developed or one (1) year following the first permitted blast at the Quarry (whichever comes first), Colonial will review the vibration data that has been collected by the portable seismograph, and Colonial will determine if the use of a portable seismograph may continue or if permanent seismographs must be installed at the Quarry. If

Colonial determines that permanent seismographs must be installed, then Colonial will determine the appropriate number of permanent seismographs and their locations.

- K. Use of Permanent Seismographs. If permanent seismographs will be used to monitor the vibration level at Colonial's closest pipeline, at least five (5) permanent seismographs shall be installed, and their respective locations must be approved by Colonial. The permanent seismographs shall be provided by an independent 3rd party company that specializes in vibration monitoring, paid for by Alamance Aggregates; such third-party contractor must first be approved by Colonial in writing prior to the seismograph being administered. The seismographs must be installed by trained and experienced personnel as per the most recent guidelines published by the ISEE. After the mine pit at the Quarry has been developed or one (1) year following the first permitted blast at the Quarry (whichever comes first), Colonial will review the vibration data that has been collected by the permanent seismographs, and Colonial will determine if the number of permanent seismographs and/or their locations must be changed. If Colonial determines that the number of permanent seismographs and/or their locations must be changed, Colonial will determine the required number of permanent seismographs and their locations; the Parties agree to modify this Agreement accordingly. The addition of any seismographs, and the relocation of any seismographs, must be performed by an independent 3rd party company that specializes in vibration monitoring, paid for by Alamance Aggregates; such third-party contractor must first be approved by Colonial in writing.
- L. Colonial Inspector. Colonial shall be permitted to have an inspector of its choosing present at the blasting location within the Quarry.
- M. Compliance with the Blasting Plan. Colonial may object to a Blasting Plan and blasting activities that Colonial believes do not comply with the terms of this Attachment 1.
1. Within two (2) business days of Colonial's receipt of a Blasting Plan, Colonial shall inform Alamance Aggregates in writing of any noncompliant provisions of the Blasting Plan and Colonial's objections, if any. In the event that a Blasting Plan is presented to Colonial for review after 3:00 p.m. (Eastern Standard Time) on a business day, then Colonial's two business day timeframe to review and object to the Blasting Plan shall not begin until 8:00 a.m. (Eastern Standard Time) the next business day.
 2. Within two (2) hours of Colonial's receipt of notice from Alamance Aggregates of a change in information, Colonial shall inform Alamance Aggregates in writing of any noncompliance and of Colonial's objections, if any.
 - a. In the event that any of the information provided to Colonial, as required in Section B. above, changes and notification of such change is presented to Colonial for review after 3:00 p.m. (Eastern Standard Time) on a business day, then Colonial's two (2) hour timeframe to review and object to the revised information shall not begin until 8:00 a.m. (Eastern Standard Time) the next business day.
 - b. In the event that any of the information provided to Colonial, as required in Section B. above, changes and notification of such change is presented to Colonial for review before 8:00 a.m. (Eastern Standard Time) on a business day, then Colonial's two (2) hour timeframe to review and object to the revised information shall not begin until 8:00 a.m. (Eastern Standard Time) the same business day.

3. Alamance Aggregates agrees that blasting activities shall not proceed until the timelines listed above in Section I.M.1 and Section I.M.2 for Colonial to provide objections have expired.
4. In the event Colonial makes an objection to Alamance Aggregates, as stipulated for in this Section M, Alamance Aggregates agrees that blasting activities shall not proceed until both Colonial and Alamance Aggregates have agreed that the Blasting Plan, such changes to the Blasting Plan, and proposed blasting activities are compliant with this Attachment 1.

II.

QUARRY OPERATION REQUIREMENTS AND TECHNICAL CONDITIONS

- A. Quarry Access. Alamance Aggregates shall provide points of ingress and egress into and out of the Quarry that do not cross the Colonial Right-of-Way.
- B. Relocation of Emergency Access. At Colonial's request, and after Colonial has consulted with the NCDEQ, the access route on the northern portion of the Quarry property, as identified on the attached Quarry Site Plan, which was obtained from permit application documents submitted to NCDEQ by Alamance Aggregates (included as Exhibits 1A. and 1B.) and delineated as "Emergency Access" shall be located and constructed by Alamance Aggregates by curving the access road eastward to intersect with Quakenbush Road south of, but not crossing over, traversing, or intersecting the Pipelines or Colonial's Right-Of-Way. It is the intent of the Parties that no road or other access route, temporary, permanent, or otherwise shall be established or used to cross over, traverse, or intersect the Pipelines or Colonial's existing Right-of-Ways. This condition is contingent upon approval of a driveway permit by the North Carolina Department of Transportation ("NCDOT") at the new location previously described above in this Section II.B., which driveway permit is not expected to be withheld.

EXHIBITS 1A. AND 1B.

Quarry Site Plan Identifying the Proposed Emergency Access Road

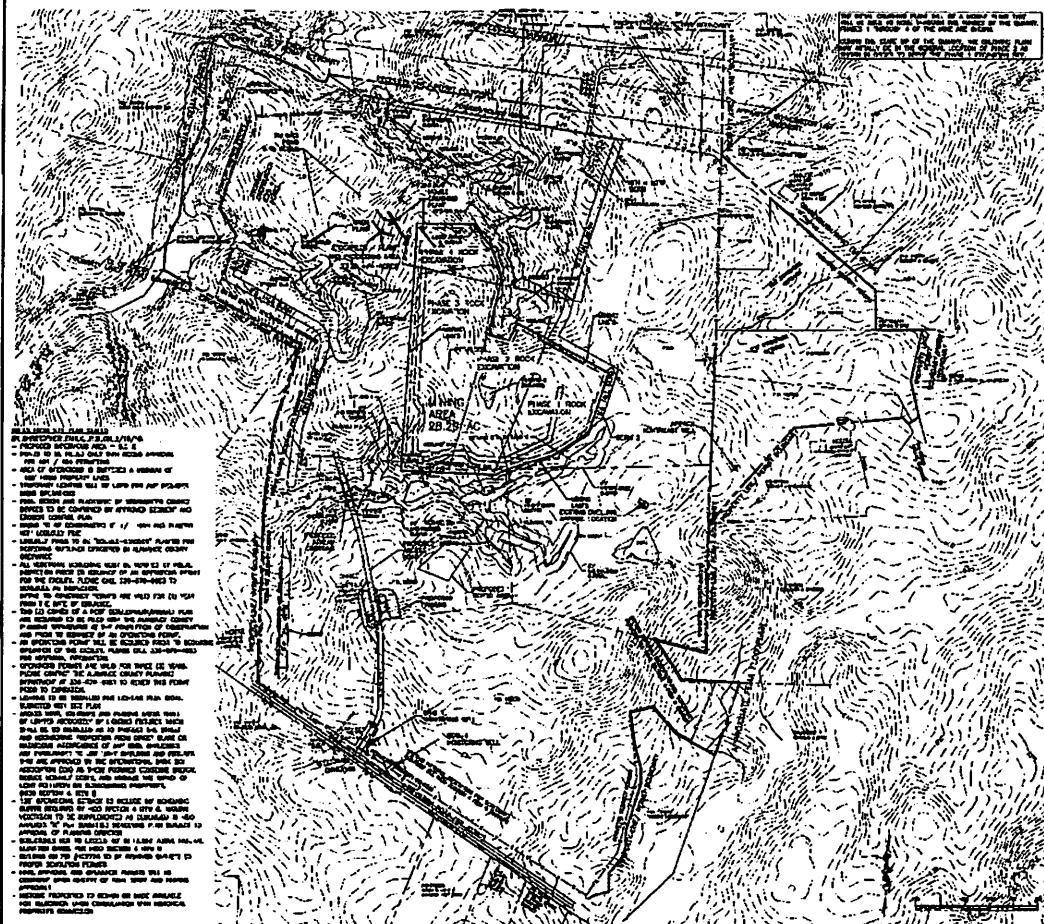


Exhibit 1A. Location of the Proposed Emergency Access Route Intersecting Quakenbush Road

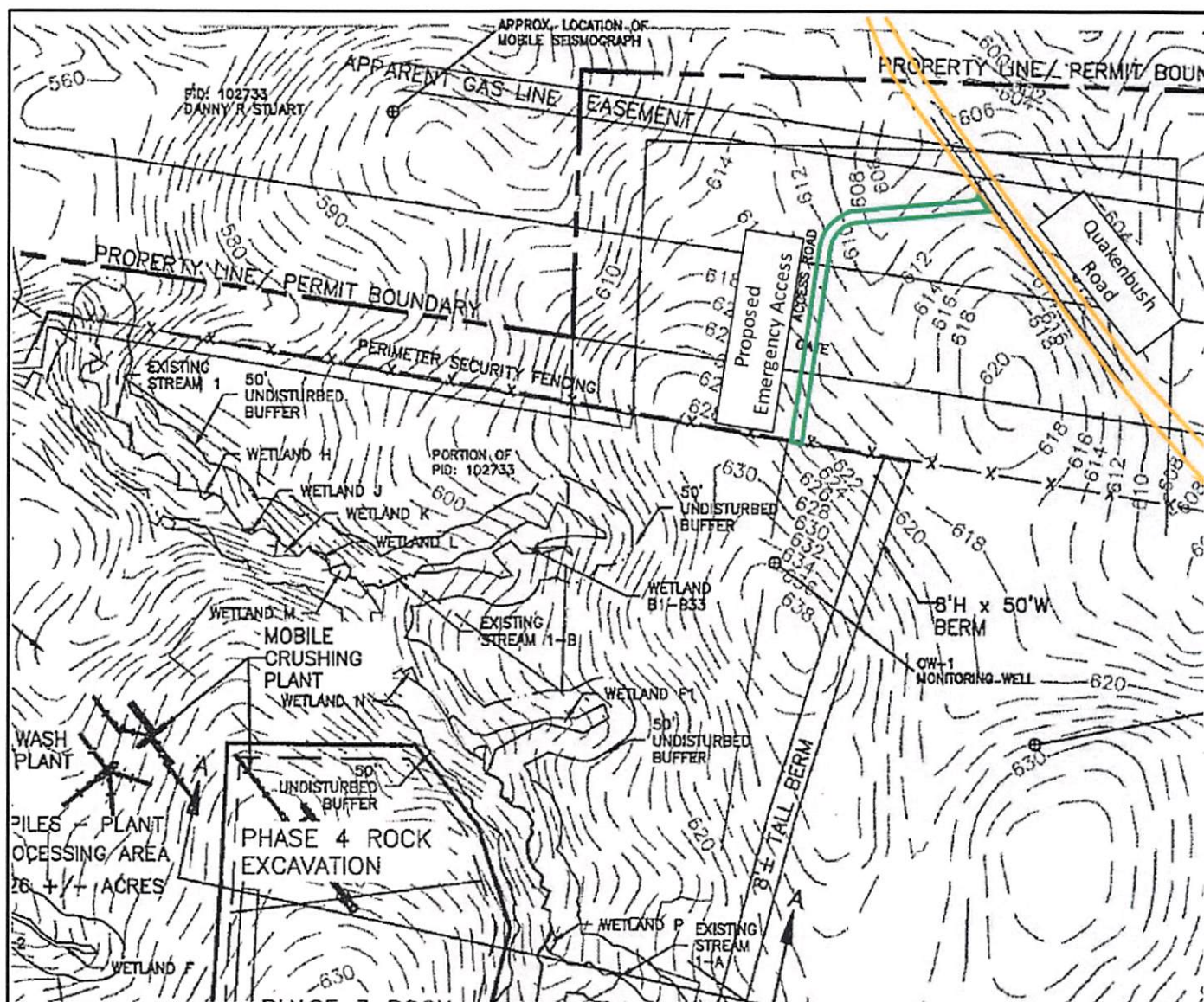


Exhibit 1B. Location of the Proposed Emergency Access Route Intersecting Quakenbush Road