

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 12/04/2024 **Weather Conditions:** Overcast, windy, low 40's, drying
Last Inspection: 06/12/2024 **Ground Conditions:** Drying field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		3 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-48). Data is from the yr-45/renewal and yr-46 annual report (approved 5/26/23). No map with yr-46 annual report. The yr-47 annual report was approved on 6/13/24. - Year 45/Renewal received 4/26/22, approval recommended on 9/14/22, approved 10/6/22 and issued 10/21/22. -420.6 acres currently permitted. Amendment A-340-1 added 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC. The transfer was approved 10/16/15 and issued 12/14/15 by the chief.-Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with the Bowser-Morner prepared hydrology model. -I heard

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

earlier in the spring of 2022 from supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I heard from Cory Kiser between 5/24/22 and 11/3/22 that the citizen's group had filed an appeal. Status of the appeal is not known at this time (12/4/24). I talked to Cory Kiser in the spring of 2024 and he told me the case(s) are still tied up in court. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also noted by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory told me that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he notified me that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who notified me that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case # 18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some parcels, that are not grandfathered in, would need conditional use or variance from the county to mine those parcels. I learned between 5/24/22 and 11/3/22 from Cory Kiser that Jurgensen had appealed the zoning ruling. Status of that appeal is unknown at this time. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020, but I was requested to continue to inspect this permit and have since April 2019. -On site for complete non-annual inspection (1:50-2:15 pm). Gate locked to MA # 1 locked today (12/4/24), on 6/12/24, 3/14/24, and during 2023 (11/20, 9/13, 5/24) inspections. Outer and inner gate to MA # 3 and # 4 open today (12/4/24) and on 6/12/24, 3/4/24, 9/13/23 and 5/24/23. Outer gate to MA # 3 and 4 locked on 11/20/23. Outer gate to MA # 3 and # 4 was locked 11/3/22, and on 5/24/22, 12/7/21 and 8/3/21. New gate was installed between 9/10/20 and 11/10/21 further to the north for MA # 3 & # 4. -No one on site today (12/4/24) or on 6/12/24. I met with Tyler Jordan at Jurgensen's headquarters in Sharonville, Ohio on 6/6/24 to get the annual reports signed. Zach Henry, with Henry Enterprises landscaping firm leasing the site in MA # 3 not on site today (12/4/24) or on 6/12/24. I did meet with Zack and 3 workers on site on 3/14/24. Dozer with bucket loader parked in MA # 3 by office/maintenance building today (12/4/24) and on 6/12/24. 2 dump trucks parked by maintenance building today (12/4/24) with 3 dump trucks and road grader on site by the maintenance building and trackhoe along the N-S haul road on 3/14/24. -No one seen on site in any of the mining areas today (12/4/24) or on 6/12/24, 11/20/23 or on 9/13/23. The building in MA # 3 is continuing to be used.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Page 2 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

One dump truck was parked by the office/garage and 4 personal vehicles parked on site on 11/20/23. Three dump trucks and one dozer with bucket loader were parked outside the building and tractor with bushhog attachment inside the building on 9/13/23. On 5/24/23, about 3 workers were on site doing trimming on the south side of the MA # 3 haul road while a tractor with bushhog attachment was mowing along MA # 3 and # 4 haul road. Talked to Joe (worker) and by phone with Joe's boss, Zach Henry on 5/24/23. No mining activity on site today (12/4/24) or on 6/12/24, 3/14/24, or during 2023 inspections. -No one with Enon Sand & Gravel on site today (12/4/24) or on 6/12/24, 3/14/24, or during 2023, 2022, or 2021 inspections. On 9/10/20, I talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp/farm lane to MA # 3 and # 4. Gates locked to MA # 1 and # 2 on 4/20/21, 11/10/20, and 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -Between 11/20/23 and 3/14/24, work had been done to fill in the eroded portion of the N-S haul road/farm lane eroded by flooding in the spring of 2023 along Mud Creek. Also at the same time, vegetation and brush was cleared along Mud Run Creek separating MA # 3 and # 4. -No new mining activity noted on site since the 6/12/24 inspection or since I took over the site in the spring of 2019 from former inspector Mike Mitchell. Zero production reported on yr-47 annual report. I talked to Cory Kiser by phone on 4/21/21 and he confirmed that operator had not mined any new area since the yr-43 annual approved. Tyler Jordan told me on 6/6/24 that there had been no mining activity in the past year either. -There was clearing under the power line along the haul road on 9/10/20 and between 9/10/20 and 11/10/20 inspections. No map was needed with the yr-47, yr-46, yr-44, yr-43, and yr-42 annual reports since taking over for Mike Mitchell. Map was needed for yr-45/renewal (no new affectment). -I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the year 40/amendment map. -No mining equipment from Enon Sand & Gravel on site today (12/4/24) or on 6/12/24, 3/14/24, or during 2023, or during 2022, 2021, and 11/10/20 inspections. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20 in MA # 3. -MA # 1: Gate locked at haul road entrance. This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since 6/12/24. -Shrubs and trees continue to grow up along the paved haul road ramp to the pit floor today (12/4/24) in the past years. There has been no clearing of the overgrowth so a vehicle could access the pit floor to either mine material or load out material. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (12/4/24), and on 6/12/24, 3/14/24, and during 2023, 2022, 2021, 2020, and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees, shrubs, and briars continue to grow up around the paved haul road. Fallen trees continue to block the haul road and road has not been cleared so one cannot drive to the bottom of the haul road today (12/4/24) or on 6/12/24, 3/14/24, or in recent years. -Stockpiles of sand and pea gravel have continued to be stored on site between the north and S/SW lake. Some concrete rubble and asphalt grindings also stored in the old plant area today (12/4/24) and in the past. -Water level in the two lakes is down today (12/4/24) from levels on 6/12/24 due to drought in summer and fall of 2024, up on 6/12/24 from 3/14/24 levels and during last half of 2023. On 3/14/24, water was coming up but was still down. Level down on 11/20/23 and 9/13/23. Water level higher on 5/24/23. Water level on 5/24/23 was up from levels on 11/3/22 but was beginning to drop. Water level was down on 11/3/22 from water level on 5/24/22 due to the dry spell in fall of 2022. Water level was up on 5/24/22 from levels on 12/7/22 due to above average rainfall in the spring and especially May 2022. Water level was down on 12/7/21 from the fall of 2021 dry spell, up some on 4/20/21 from 11/10/20 when water level was still down from July to November 2020 dry spell, still down on 11/10/21 from earlier 2020 inspections due to July to November 2020 dry spell. About 4 feet of limestone is visible today (12/4/24), 1.5 feet on 6/12/24, about 2 feet on 3/14/24 and 5/24/22, with about 3 feet visible on 11/20/23 and on 11/3/22. About 3-4 feet visible on 12/7/21 and 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months, up on 5/11/20 from levels on 12/23/19 due to above average rainfall since from late fall 2019 until around the end of June 2020.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Page 3 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

There was also a dry spell in last half of summer and first half of fall 2019, water level up on 6/25/19. -Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes were greater than 3 to 1 on backfilled area and on the north and west inslopes as noted in the past. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1.-The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake. The SW lake is partially frozen today (12/4/24) from recent cold weather. -No new affectment in MA # 1 or the other mining areas since taking over the permit in the spring of 2019. -MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map showed MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans, grown during summer of 2024 harvested since 6/12/24. Soybeans were grown in 2023, corn in the summer of 2022, soybeans in the summers of 2021 and 2020. MA # 2 field not planted in 2019. MA # 2 field farmed in the past as reported by former inspector Mike Mitchell. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report was correct and the yr-45 annual report was correct when approved. -MA # 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20 but appear to have been removed between 3/14/24 and 6/12/24. Gate was open on 3/14/24, 9/13/23, 5/24/23, 4/20/21, and 9/10/20. Gate was locked on 11/20/23. The landscaping company continues to use the site. Employees were on site on 3/14/24 and 5/24/23. Gate was locked on 11/3/22, 5/24/22, 12/7/21, 8/4/21, 11/10/20, and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Landscaping company has a small pile of fill dirt, gravel, topsoil, and mulch on the pit floor today (12/4/24). -Between 9/10/20 and 11/10/20, operator tore down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (12/4/24). -No new affectment or reclamation in MA # 3 since the 6/12/24 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment from Enon Sand & Gravel LLC on site in the office area. Dozer with bucket loader parked by the office building today (12/4/24) and on (6/12/24). Two dump trucks today (12/4/24) and three dump trucks and a road grader were parked by the maintenance building/office on 3/14/24. Trackhoe was parked along the N-S haul road/farm lane on 3/14/24. Erosion caused by spring 2023 flooding has been repaired and work was on-going to clear vegetation along Mud Run Creek. Vegetation cleared between 3/14/24 and 6/12/24. One dump truck by the pole building on 11/20/23. There were three dump trucks, a dozer with bucket, and tractor with bushhog attachment on site on 9/13/23. Some old concrete pipes are stored near the office. Some concrete rubble is stored on site on the east side of the dry cut area at base of the south highwall. Some wood mulch in pile near the office. - Small piles of sand and gravel on site in MA # 3. Two small piles of fill dirt dumped S/SE of pole building. -The inslopes on the east and west affected areas on this permit are greater that 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over.- Soybean, grown during the summer of 2024, harvested since 6/12/24. Soybeans grown in 2023 in the unaffected MA # 3 fields. Soybeans were grown in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haul road with corn growing futher to the north, east of the haul road. Soybeans were grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (6/12/24) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said

Inspector: _____ Personnel Contacted No one
Rich Pennington

Page 4 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (12/4/24) or on 6/12/24, 3/14/24, or during 2023, 2022, 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (12/4/24) on 6/12/24, 3/14/24, and during 2023, 2022, 2021, 2020, and 2019 inspections. A little bit of material was used to fill in erosion on the farm lane/haul road between 11/20/23 and 3/14/24, and between 5/11/20 and 9/10/20. Concrete pipes are continuing to be stored on the pit floor today (12/4/24), during earlier 2024 inspections, and during 2023 inspections and back in the spring of 2019. Plastic pipes removed and/or used between 3/14/24 and 6/12/24. -Between 11/3/22 and 5/24/23 (most likely earlier in 2023), heavy rain and flooding on Mud Run Creek caused the N-S haul road/farm lane to be partially washed out. Damaged area was repaired by 3/14/24. -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane was repaired after 5/24/22 before being eroded again before 5/24/23. Some water was standing in low area on portion of MA # 3 on 5/24/23 and 11/3/22. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is about normal in Mud Run Creek today (6/12/24), and on 3/14/24, down on 11/20/23, and on 9/13/23, 5/24/23 and 11/3/22. Water level in the creek was about normal to up on 5/24/22. -Soybeans, grown in unaffected portions of MA # 4 during summer 2024, harvested since 6/12/24. Soybeans were grown in 2023. Corn was grown north of the creek in 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with no crops planted in 2019. Cory Kiser told me on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports.-Cory Kiser told me on 6/25/19 that former owner Dan Demmy passed away in early 2019. -Photos taken of the permit. -No new mining activity or affected area on site since taking over the permit in the spring of 2019. -At this point, unless there is new area affected in the next 4.5 months, no map will be needed with the yr-48 annual report due by 5/25/25.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 06/12/2024 **Weather Conditions:** Sunny, windy, low 80's, dry
Last Inspection: 03/14/2024 **Ground Conditions:** Dry field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-48). Data is from the yr-45/renewal and yr-46 annual report (approved 5/26/23). No map with yr-46 annual report. The yr-47 annual report received 6/6/24 and approved on 6/13/24. - Year 45/Renewal received 4/26/22, recommended for approval on 9/14/22, approved 10/6/22 and issued 10/21/22. -420.6 acres currently permitted. Amendment A-340-1 added 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC. The transfer was approved 10/16/15 and issued 12/14/15 by the chief.-Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with the Bowser-Morner prepared hydrology

Inspector: _____ Personnel Contacted Tyler Jordan (6/6/24 meet)
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

model. -I heard earlier in the spring of 2022 from supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I heard from Cory Kiser between 5/24/22 and 11/3/22 that the citizen's group had filed an appeal. Status of the appeal is not known at this time (6/12/24). I talked to Cory Kiser in the past several months and he told me the case(s) are still tied up in court. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also noted by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory told me that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he notified me that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who notified me that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case # 18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some parcels, that are not grandfathered in, would need conditional use or variance from the county to mine those parcels. I learned between 5/24/22 and 11/3/22 from Cory Kiser that Jurgensen had appealed the zoning ruling. Status of that appeal is unknown at this time. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I was requested to continue to inspect this permit. -On site for complete yr-47 annual inspection (2:15-2:50 pm). Gate locked to MA # 1 locked today (6/12/24), on 3/14/24, and during 2023 (11/20, 9/13, 5/24) inspections. Outer and inner gate to MA # 3 and # 4 open today (6/12/24), on 3/4/24, 9/13/23 and 5/24/23. Outer gate to MA # 3 and 4 locked on 11/20/23. Outer gate to MA # 3 and # 4 was locked 11/3/22, and on 5/24/22, 12/7/21 and 8/3/21. New gate was installed between 9/10/20 and 11/10/21 further to the north for MA # 3 & # 4. -No one on site today (6/12/24). I met with Tyler Jordan at Jurgensen's headquarters in Sharonville, Ohio on 6/6/24 to get the annual reports signed. Zach Henry, with landscaping firm leasing the site in MA # 3 not on site today (6/12/24). I did meet with Zack and 3 workers on site on 3/14/24. Dozer with bucket loader parked in MA # 3 by office/maintenance building today (6/12/24). 3 dump trucks and road grader on site by the maintenance building and trackhoe along the N-S haul road on 3/14/24. -No one seen on site in any of the mining areas today (6/12/24) or on 11/20/23 or on 9/13/23. The building in MA # 3 is continuing to be used. One dump truck was parked by the office/garage and 4 personal vehicles parked on site on 11/20/23. Three dump trucks and one dozer with bucket loader were parked outside the

Inspector: _____ Personnel Contacted: Tyler Jordan (6/6/24 meet)
 Rich Pennington

Page 2 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

the past. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1.-The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake.-No new affectment in MA # 1 or the other mining areas since taking over the permit in the spring of 2019. -MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map showed MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans are growing in the field today (6/12/24), and in 2023, corn in the summer of 2022, soybeans in the summers of 2021 and 2020. MA # 2 field not planted in 2019. MA # 2 field farmed in the past as reported by former inspector Mike Mitchell. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report was correct and the yr-45 annual report was correct when approved. -MA # 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20 but appear to have been removed since 3/14/24. Gate was open on 3/14/24, 9/13/23, 5/24/23, 4/20/21, and 9/10/20. Gate was locked on 11/20/23. The landscaping company continues to use the site. Employees were on site on 3/14/24 and 5/24/23. Gate was locked on 11/3/22, 5/24/22, 12/7/21, 8/4/21, 11/10/20, and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Landscaping company has a small pile of fill dirt, gravel, topsoil, and mulch on the pit floor today (6/12/24). -Between 9/10/20 and 11/10/20, operator tore down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (6/12/24). -No new affectment or reclamation in MA # 3 since the 3/14/24 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment from Enon Sand & Gravel LLC on site in the office area. Dozer with bucket loader parked by the office building today (6/12/24). Three dump trucks and a road grader were parked by the maintenance building/office on 3/14/24. Trackhoe was parked along the N-S haul road/farm lane on 3/14/24. Erosion caused by spring 2023 flooding has been repaired and work was on-going to clear vegetation along Mud Run Creek. Vegetation cleared since 3/14/24. One dump truck by the pole building on 11/20/23. There were three dump trucks, a dozer with bucket, and tractor with bushhog attachment on site on 9/13/23. Some old concrete pipes are stored near the office. Some concrete rubble is stored on site on the east side of the dry cut area at base of the south highwall. Some wood mulch in pile near the office. - Small piles of sand and gravel on site in MA # 3. Two small piles of fill dirt dumped S/SE of pole building. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over.- Soybean are growing today (6/12/24) and in 2023 in the unaffected MA # 3 fields. Soybeans were grown in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haul road with corn growing further to the north, east of the haul road. Soybeans were grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (3/14/24) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (6/12/24), or on 3/14/24, or during 2023, 2022, 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (6/12/24), on 3/14/24, and during 2023, 2022,

Inspector: _____ Personnel Contacted: Tyler Jordan (6/6/24 meet)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

2021, 2020, and 2019 inspections. A little bit of material was used to fill in erosion on the farm lane/haul road between 11/20/23 and 3/14/24, and between 5/11/20 and 9/10/20. Concrete pipe are continuing to be stored on the pit floor today (6/12/24), and during 2023 inspections and back in the spring of 2019. Plastic pipes removed and/or used since 3/14/24. - Between 11/3/22 and 5/24/23 (most likely earlier in 2023), heavy rain and flooding on Mud Run Creek caused the N-S haul road/farm lane to be partially washed out. Damaged area was repaired by 3/14/24. -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane was repaired after 5/24/22 before being eroded again before 5/24/23. Some water was standing in low area on portion of MA # 3 on 5/24/23 and 11/3/22. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is about normal in Mud Run Creek today (6/12/24), and on 3/14/24, down on 11/20/23, and on 9/13/23, 5/24/23 and 11/3/22. Water level in the creek was about normal to up on 5/24/22. -Soybeans are growing unaffected portions of MA # 4 today (6/12/24), and in 2023. Corn was grown north of the creek in 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with no crops planted in 2019. Cory Kiser told me on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports.-Cory Kiser told me on 6/25/19 that former owner Dan Demmy passed away in early 2019. -Photos taken of the permit. -No new mining activity or affected area on site since taking over the permit in the spring of 2019. -The yr-47 annual report was recommended for approval on 6/13/24.

Inspector: _____ Personnel Contacted: Tyler Jordan (6/6/24 meet)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 03/14/2024 **Weather Conditions:** Cloudy, windy, low 70's, drying
Last Inspection: 11/20/2023 **Ground Conditions:** Drying field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-47). Data is from the yr-45/renewal and yr-46 annual report approved 5/26/23. No map with yr-46 annual report. The yr-47 annual report is due by 5/25/24. - Year 45/Renewal received 4/26/22, recommended for approval on 9/14/22, approved 10/6/22 and issued 10/21/22. -420.6 acres currently permitted. Amendment A-340-1 added 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC. The transfer was approved 10/16/15 and issued 12/14/15 by the chief.-Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with the Bowser-Morner prepared hydrology model. -I heard earlier in the

Inspector: _____ Personnel Contacted Zack Henry (landscaping c
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

spring of 2022 from supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I heard from Cory Kiser between 5/24/22 and 11/3/22 that the citizen's group had filed an appeal. Status of the appeal is not known at this time (3/14/24). -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also noted by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory told me that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he notified me that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who notified me that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case # 18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some parcels, that are not grandfathered in, would need conditional use or variance from the county to mine those parcels. I learned between 5/24/22 and 11/3/22 from Cory Kiser that Jurgensen had appealed the zoning ruling. Status of that appeal is unknown at this time.-Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I was requested to continue to inspect this permit. -On site for complete yr-47 annual pre-submittal inspection (12:05-12:45 pm). Gate locked to MA # 1 locked today (3/14/24), and during 2023 (11/20, 9/13, 5/24) inspections. Outer and inner gate to MA # 3 and # 4 open today (3/4/24) and on 9/13/23 and 5/24/23. Outer gate to MA # 3 and 4 locked on 11/20/23. Outer gate to MA # 3 and # 4 was locked 11/3/22, and on 5/24/22, 12/7/21 and 8/3/21. New gate was installed between 9/10/20 and 11/10/21 further to the north for MA # 3 & # 4. Met with Zach Henry with landscaping firm leasing portion of MA # 3 for landscaping business. Zach and 3 workers on site. 3 dump trucks and road grader on site by maintenance building and trackhoe along the N-S haul road. -No one seen on site in any of the mining areas on 11/20/23 or on 9/13/23. The building in MA # 3 is continuing to be used. One dump truck was parked by the office/garage and 4 personal vehicles parked on site on 11/20/23. Three dump trucks and one dozer with bucket loader were parked outside the building and tractor with bushhog attachment inside the building on 9/13/23. On 5/24/23, about 3 workers were on site doing trimming on the south side of the MA # 3 haul road while a tractor with bushhog attachment was mowing along MA # 3 and # 4 haul road. Talked to Joe (worker) and by phone with Joe's boss, Zach Henry on 5/24/23. No mining activity on site today (3/14/24), or on 11/20/23,

Inspector: _____ Personnel Contacted: Zack Henry (landscaping c)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

9/13/23 or 5/24/23. -No one with Enon Sand & Gravel on site today (3/14/24) or during 2023, 2022, or 2021 inspections. On 9/10/20, I talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4. Gates locked to MA # 1 and # 2 on 4/20/21, 11/10/20, and 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -Since the 11/20/23 and recently, work has been done to fill in the eroded portion of the N-S haul road/farm lane eroded by flooding in the spring of 2023 along Mud Creek. Also recently, vegetation and brush has been cleared along Mud Run Creek separating MA # 3 and # 4. -No new mining activity noted on site since the 11/20/23 inspection or since I took over the site in the spring of 2019 from former inspector Mike Mitchell. Zero production reported on yr-46 annual report. I talked to Cory Kiser by phone on 4/21/21 and he confirmed that operator had not mined any new area since the yr-43 annual approved. -Between the 8/3/21 and 12/7/21, a pad was prepared, and a cloth/canvas pole building built on the pad on the Beach Manufacturing Co, Inc. property next to MA # 3 & # 4 N-S haul road. A blown-up shed/pole building was built on the pad. The canvans or plastic covering had been ripped to shreads earlier but has been repaired and/or plastic tarp added since 9/13/23. There was clearing under the power line along the haul road on 9/10/20 and between 9/10/20 and 11/10/20 inspections. No map was needed with the yr-46, and yr-44, yr-43, and yr-42 annual reports since taking over for Mike Mitchell. Map was needed for yr-45/renewal (no new affectment). -I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the year 40/amendment map. -No mining equipment from Enon Sand & Gravel on site today (3/14/24), or during 2023, or during 2022 (11/3, 5/24), 2021 (12/7, 8/3, 4/20) and 11/10/20 inspections. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20 in MA # 3. -MA # 1: Gate locked at haul road entrance. This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since 11/20/23. -Shrubs and trees continue to grow up along the paved haul road ramp to the pit floor today (3/14/24) in the past years. There has been no clearing of the overgrowth so a vehicle could access the pit floor to either mine material or load out material. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (3/14/24) and during 2023, 2022, 2021, 2020, and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees, shrubs, and briars continue to grow up around the paved haul road. Fallen trees continue to block the haul road and road has not been cleared so one cannot drive to the bottom of the haul road today (3/14/24), during 2023, or in the recent past. -Stockpiles of sand and pea gravel have continued to be stored on site between the north and S/SW lake. Some concrete rubble and asphalt grindings also stored in the old plant area today (3/14/24) and in the past. -Water level in the two lakes is still down today (3/14/24) but is coming up from levels during 11/20/23 and on 9/13/23. Water level higher on 5/24/23. Water level on 5/24/23 was up from levels on 11/3/22 but was beginning to drop. Water level was down on 11/3/22 from water level on 5/24/22 due to the dry spell in fall of 2022. Water level was up on 5/24/22 from levels on 12/7/22 due to above average rainfall in the spring and especially May 2022. Water level was down on 12/7/21 from the fall of 2021 dry spell, up some on 4/20/21 from 11/10/20 when water level was still down from July to November 2020 dry spell, still down on 11/10/21 from earlier 2020 inspections due to July to November 2020 dry spell. About 2 feet of limestone is visible today (3/14/24) and 5/24/22, with about 3 feet visible on 11/20/23 and on 11/3/22. About 3-4 feet visible on 12/7/21 and 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months, up on 5/11/20 from levels on 12/23/19 due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019, up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. - Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes were greater than 3 to 1 on backfilled area and on the north and west inslopes as noted in the past. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1.-The map shows there has been some reclamation release in the past on the north berm and

Inspector: _____ Personnel Contacted Zack Henry (landscaping c
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

some water release on the SW lake.-No new affectment in MA # 1 or the other mining areas since taking over the permit in the spring of 2019. -MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map showed MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans were grown in the field during summer of 2023, corn grown in the summer of 2022, soybeans in the summers of 2021 and 2020. MA # 2 field not planted in 2019. Former inspector Mike Mitchell reports indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report was correct and the yr-45 annual report was correct when approved. -MA # 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20. Gate is open today (3/14/24) and on 9/13/23, 5/24/23, 4/20/21, and 9/10/20. Gate was locked on 11/20/23. The landscaping company on site today (3/14/24) was also on site on 5/24/23. Prairie Creek Landscaping was clearing brush along the east side of the haul road ramp on 9/10/20. Gate was locked on 11/3/22, 5/24/22, 12/7/21, 8/4/21, 11/10/20, and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator tore down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (3/14/24). -No new affectment or reclamation in MA # 3 since the 11/20/23 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment from Enon Sand & Gravel LLC on site in the office area. Three dump trucks and a road grader are parked by the maintenance building/office today (3/14/24). Trackhoe is parked along the N-S haul road/farm lane. Erosion caused by spring 2023 flooding has been repaired and work is on-going to clear vegetation along Mud Run Creek. There was one dump truck parked by the pole building on 11/20/23. There were three dump trucks, a dozer with bucket, and tractor with bushhog attachment on site on 9/13/23. Some old concrete pipes are stored near the office. Some concrete rubble is stored on site on the east side of the dry cut area at base of the south highwall. Some wood mulch in pile near the office. -Small piles of sand and gravel on site in MA # 3. Two small piles of fill dirt dumped S/SE of pole building. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over.- Soybean were grown in the unaffected fields in MA # 3 during summer of 2023. Soybeans were grown in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haul road with corn growing further to the north, east of the haul road. Soybeans were grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (3/14/24) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (3/14/24), or during 2023, 2022, 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (3/14/24), or during 2023, 2022, 2021, 2020, and 2019 inspections. A little bit of material was used to fill in erosion on the farm lane/haul road since 11/20/24, and between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (3/14/24), and during 2023 inspections and back in the spring of 2019. -Between 11/3/22 and 5/24/23 (most likely

Inspector: _____ Personnel Contacted: Zack Henry (landscaping c)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

earlier in 2023), heavy rain and flooding on Mud Run Creek caused the N-S haul road/farm lane to be partially washed out. Damaged area has now (3/14/24) been repaired. -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane was repaired after 5/24/22 before being eroded again before 5/24/23. Some water was standing in low area on portion of MA # 3 on 5/24/23 and 11/3/22. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is about normal in Mud Run Creek today (3/14/24), down on 11/20/23, and on 9/13/23, 5/24/23 and 11/3/22. Water level in the creek was about normal to up on 5/24/22. -Soybeans were grown in the unaffected portions of MA # 4 during the summer of 2023. Corn was grown north of the creek in 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with no crops planted in 2019. -Cory Kiser told me on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports.-Cory Kiser told me on 6/25/19 that former owner Dan Demmy passed away in early 2019. -Photos taken of the permit. -No new mining activity or affected area on site since taking over the permit in the spring of 2019. -Unless there is new affected area in the next 5 weeks, I will recommend approval of the yr-47 annual report when received if accurate and complete.

Inspector: _____ Personnel Contacted: Zack Henry (landscaping c
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 11/20/2023 **Weather Conditions:** Overcast, very windy, mid-40's, drying
Last Inspection: 09/13/2023 **Ground Conditions:** Drying field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-47). Data is from the yr-45/renewal and yr-46 annual report approved 5/26/23. No map with yr-46 annual report. - Year 45/Renewal received 4/26/22, recommended for approval on 9/14/22, approved 10/6/22 and issued 10/21/22. -420.6 acres currently permitted. Amendment A-340-1 added 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC. The transfer was approved 10/16/15 and issued 12/14/15 by the chief. -Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with the Bowser-Morner prepared hydrology model. -I heard earlier in the spring of 2022 from

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I heard from Cory Kiser between 5/24/22 and 11/3/22 that the citizen's group had filed an appeal. Status of the appeal is not known. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory told me that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case # 18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some parcels, that are not grandfathered in, would need conditional use or variance from the county to mine those parcels. I learned between 5/24/22 and 11/3/22 from Cory Kiser that Jurgensen had appealed the zoning ruling. Status of that appeal is unknown. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I have been requested to continue to inspect this permit. -On site for complete non-annual inspection (10:50-11:40 pm). Gate locked to MA # 1 locked today (11/20/23), and on 9/13/23 and 5/24/23 and outer gate to MA # 3 and 4 also locked. Outer gate to MA # 3 and # 4 was unlocked on 9/13/23 and 5/24/23. Outer gate to MA # 3 and # 4 was locked 11/3/22, and on 5/24/22, 12/7/21 and 8/3/21. New gate was installed between 9/10/20 and 11/10/21 further to the north for MA # 3 & # 4. No one seen on site in any of the mining areas today (11/20/23) or on 9/13/23. The building in MA # 3 is continuing to be used. One dump truck is parked by the office/garage and 4 personal vehicles parked on site. Three dump trucks and one dozer with bucket loader were parked outside the building and tractor with bushhog attachment inside the building on 9/13/23. On 5/24/23, about 3 workers were on site doing trimming on the south side of the MA # 3 haul road while a tractor with bushhog attachment was mowing along MA # 3 and # 4 haul road. Talked to Joe (worker) and by phone with Joe's boss, Zach Henry on 5/24/23. No mining activity on site today (11/20/23), or on 9/13/23 or 5/24/23. -No one with Enon Sand & Gravel on site today (11/20/23), or on 9/13/23 or 5/24/23. No one was on site on 11/3/22, 5/24/22, 12/7/21, and 8/3/21 when a semi-truck and grain hauling trailer were seen leaving the site. On 9/10/20, I talked to Glen Coleman, who was supervising several workers from Prairie Creek

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Page 2 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4. Gates locked to MA # 1 and # 2 on 4/20/21, 11/10/20, and 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -No new mining activity noted on site since the 9/13/23 inspection or since I took over the site in the spring of 2019 from former inspector Mike Mitchell. Zero production reported on yr-46 annual report. I talked to Cory Kiser by phone on 4/21/21 and he confirmed that operator had not mined any new area since the yr-43 annual approved. -Between the 8/3/21 and 12/7/21, a pad was prepared, and a cloth/canvas pole building built on the pad on the Beach Manufacturing Co, Inc. property next to MA # 3 & # 4 N-S haul road. A blown-up shed/pole building was built on the pad. The canvans or plastic covering had been ripped to shreads earlier but has been repaired and/or plastic tarp added since 9/13/23. There was clearing under the power line along the haul road on 9/10/20 and between 9/10/20 and 11/10/20 inspections. No map was needed with the yr-46, and yr-44, yr-43, and yr-42 annual reports since taking over for Mike Mitchell. Map was needed for yr-45/renewal (no new affectment). -I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the year 40/amendment map. -No mining equipment from Enon Sand & Gravel on site today (11/20/23), or on 9/13/23, 5/24/23, or during 2022 (11/3, 5/24/), 2021 (12/7, 8/3, 4/20) and 11/10/20 inspections. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20 in MA # 3. -MA # 1: Gate locked at haul road entrance. This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since 9/13/23. -Shrubs and trees continue to grow up along the paved haul road ramp to the pit floor today (11/20/23) in the past years. There has been no clearing of the overgrowth so a vehicle could access the pit floor to either mine material or load out material. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (11/20/23), on 9/13/23, 5/24/23, and during 2022, 2021, 2020, and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees, shrubs, and briars continue to grow up around the paved haul road. Fallen trees continue to block the haul road and road has not been cleared so one cannot drive to the bottom of the haul road today (11/20/23) or on 9/13/23, 5/24/23 and recent past. -Stockpiles of sand and pea gravel have continued to be stored on site between the north and S/SW lake. Some concrete rubble and asphalt grindings also stored in the old plant area today (11/20/23) and in the past. -Water level in the two lakes is still down today (11/20/23) and on 9/13/23 from levels on 5/24/23. Water level on 5/24/23 were up from levels on 11/3/22 but was beginning to drop. Water level was down on 11/3/22 from water level on 5/24/22 due to current dry spell in fall of 2022. Water level was up on 5/24/22 from levels on 12/7/22 due to above average rainfall in the spring and especially May 2022. Water level was down on 12/7/21 from the fall of 2021 dry spell, up some on 4/20/21 from 11/10/20 when water level was still down from July to November 2020 dry spell, still down on 11/10/21 from earlier 2020 inspections due to July to November 2020 dry spell. About 3 feet of limestone is visible today (11/20/23) and on 11/3/22 above the water level with only several feet visible on 5/24/22. About 3-4 feet visible on 12/7/21 and 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months, up on 5/11/20 from levels on 12/23/19 due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019, up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. -Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes were greater than 3 to 1 on backfilled area and on the north and west inslopes as noted in the past. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1.-The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake.-No new affectment in MA # 1 or the other mining areas since taking over the permit in the spring of 2019. -MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map showed MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans, grown in the field during summer of 2023, harvested since 9/13/23. Corn grown in the summer of 2022, soybeans in the summers of 2021 and

Inspector: _____ Personnel Contacted No one
Rich Pennington

Page 3 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

2020. MA # 2 field not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report was correct and the yr-45 annual report was correct when approved. -MA # 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20. Gate is locked today (11/20/23), open on 9/13/23, 5/24/23, 4/20/21 and 9/10/20. I am not sure which company the landscapers were with that I met on 5/24/25. It appears that the site is still being used today by the landscapers. Prairie Creek Landscaping was clearing brush along the east side of the haul road ramp on 9/10/20. Gate was locked on 11/3/22, 5/24/22, 12/7/21, 8/4/21, 11/10/20, and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator tore down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (9/13/23). -No new affectment or reclamation in MA # 3 since the 9/13/23 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment from Enon Sand & Gravel LLC on site in the office area. There is one dump truck parked by the pole building today (11/20/23). There were three dump trucks, a dozer with bucket, and tractor with bushhog attachment on site today (9/13/23). Some old concrete pipes are stored near the office. Some concrete rubble is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site in MA # 3. Two small piles of fill dirt dumped S/SE of pole building. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over.- Soybeans, grown in the unaffected fields in MA # 3 during summer of 2023, harvested since 9/13/23. Soybeans were grown in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haulroad with corner growing further to the north, east of the haul road. Soybeans was grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (9/13/23) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (11/20/23), or on 9/13/23, 5/24/23, or during 2022, 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (11/20/23), on 9/13/23, 5/24/23, and during 2022, 2021, 2020, and 2019 inspections. A little bit of material was used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (11/20/23), and on 9/13/23, 5/24/23, and since taking over the site back in the spring of 2019. -Between 11/3/22 and 5/24/23 (most likely earlier in 2023), heavy rain and flooding on Mud Run Creek caused the N-S haul road/farm lane to be partially washed out. Damaged area not repaired as of today (11/20/23). -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane had been repaired after 5/24/22 before being eroded again before 5/24/23. Some water was standing in low area on portion of MA # 3 on 5/24/23 and 11/3/22. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Page 4 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is down in Mud Run Creek today (11/20/23), and on 9/13/23, 5/24/23 and 11/3/22. Water level in the creek was about normal to up on 5/24/22. -Soybeans, grown in the unaffected portions of MA # 4 during the summer of 2023, harvested since 9/13/23. Corn was grown north of the creek in 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with no crops planted in 2019. -Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports.-Cory Kiser told me on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -No new mining activity or affected area on site since taking over the permit in the spring of 2019.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 09/13/2023 **Weather Conditions:** Sunny, windy, low 70's, dry
Last Inspection: 05/24/2023 **Ground Conditions:** Dry field conditions
Type of Inspection: Partial

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-47). Data is from the yr-45/renewal and yr-46 annual report approved 5/26/23. No map with yr-46 annual report. - Year 45/Renewal received 4/26/22, recommended for approval on 9/14/22, approved 10/6/22 and issued 10/21/22. -420.6 acres currently permitted. Amendment A-340-1 added 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC. The transfer was approved 10/16/15 and issued 12/14/15 by the chief. -Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with the Bowser-Morner prepared hydrology model. -I heard earlier in the spring of 2022 from

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I heard from Cory Kiser between 5/24/22 and 11/3/22 that the citizen's group had filed an appeal. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case # 18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some parcels, that are not grandfathered in, would need conditional use or variance from the county to mine those parcels. I learned between 5/24/22 and 11/3/22 from Cory Kiser that Jurgensen had appealed the zoning ruling. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I have been requested to continue to inspect this permit. -On site for partial inspection (2:15-2:50 pm). Gate locked to MA # 1 locked today (9/13/23) and (5/24/23) but outer gate to MA # 3 and # 4 is unlocked today (9/13/23) and on 5/24/23. Outer gate to MA # 3 and # 4 was locked 11/3/22, and on 5/24/22, 12/7/21 and 8/3/21. New gate (installed between 9/10/20 and 11/10/21 inspections) installed further to the north for MA # 3 & # 4. No one seen on site in any of the mining areas today (9/13/23) but building in MA # 3 appears to continue to be used. Three dump trucks and one dozer with bucket loader are parked outside the building and tractor with bushhog attachment inside the building. On 5/24/23, about 3 workers were on site doing trimming on the south side of the MA # 3 haul road while a tractor with bushhog attachment was mowing along MA # 3 and # 4 haul road. Talked to Joe (worker) and by phone with Joe's boss, Zach Henry on 5/24/23. No mining activity on site today (9/13/23) or on 5/24/23. -No one with Enon Sand & Gravel on site today (9/13/23) or on 5/24/23. No one was on site on 11/3/22, 5/24/22, 12/7/21, and 8/3/21 when a semi-truck and grain hauling trailer were seen leaving the site. During the 9/10/20 inspection, I talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4. Gates locked to MA # 1 and # 2 on 4/20/21, 11/10/20, and 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -No new

Inspector: _____ Personnel Contacted No one
Rich Pennington

Page 2 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

mining activity noted on site since the 5/24/23 inspection or since I took over the site in the spring of 2019 from former inspector Mike Mitchell. Zero production reported on yr-46 annual report. I talked to Cory Kiser by phone on 4/21/21 and he confirmed that operator had not mined any new area since the yr-43 annual approved. -Between the 8/3/21 and 12/7/21 inspections, a pad was prepared, and a cloth/canvas pole building built on the pad on the Beach Manufacturing Co, Inc. property next to MA # 3 & # 4 N-S haul road. A blown up shed/pole building was built on the pad. The canvans or plastic covering has been ripped to shreds. There was clearing under the power line along the haul road on 9/10/20 and between 9/10/20 and 11/10/20 inspections. No map was needed with the yr-46, and yr-44, yr-43, and yr-42 annual reports since taking over for Mike Mitchell. Map was needed for yr-45/renewal due to the renewal requirement.-I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the year 40/amendment map. -No mining equipment from Enon Sand & Gravel on site today (9/13/23), on 5/24/23, or during 2022 (11/3, 5/24/), 2021 (12/7, 8/3, 4/20) and 11/10/20 inspections. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20 in MA # 3. -MA # 1: Gate locked at haul road entrance. This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since the 11/3/22. - A portion of this area was viewed today (9/13/23) but the growth along the paved haul road ramp to the floor made it impossible to view this area. There has been no clearing of the overgrowth so a vehicle could access the pit floor to either mine material or load out material. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (9/13/23), on 5/24/23, and during 2022, 2021, 2020, and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees, shrubs, and briars continue to grow up around the paved haul road. Fallen trees continue to block the haul road and road has not been cleared so one cannot drive to the bottom of the haul road today (9/13/23) and 5/24/23. -Stockpiles of sand and pea gravel have continued to be stored on site between the north and S/SW lake. Some concrete rubble and asphalt grindings also stored in the old plant area today (9/13/23) and in the past. -Water level in the two lakes is down from levels on 5/24/23. Water level on 5/24/23 were up from levels on 11/3/22 but was beginning to drop. Water level was down on 11/3/22 from water level on 5/24/22 inspection due to current dry spell in fall of 2022. Water level was up on 5/24/22 from levels on 12/7/22 due to above average rainfall in the spring and especially May 2022. Water level was down on 12/7/21 from the fall of 2021 dry spell, up some on 4/20/21 from 11/10/20 when water level was still down from July to November 2020 dry spell, still down on 11/10/21 inspection from earlier 2020 inspections due to July to November 2020 dry spell. About 3 feet of limestone was visible above the 11/3/22 water level with only several feet visible on 5/24/22. About 3-4 feet visible on 12/7/21 and 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months, up on 5/11/20 from levels during the 12/23/19 inspection due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019, up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. -Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes were greater than 3 to 1 on backfilled area and on the north and west inslopes as noted in the past. Groundcover, trees, and shrubs continued to grow on the inslopes of MA # 1 as noted in the past. -The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake.-No new affectment in MA # 1 or the other mining areas since taking over the permit in the spring of 2019. -MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map showed MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans growing in the field today (9/13/23), corn in the summer of 2022, soybeans in the summers of 2021 and 2020. MA # 2 field not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. - There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42

Inspector: _____ Personnel Contacted: No one
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report was correct and the yr-45 annual report was correct when approved. -MA # 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20. Gate is open today (9/13/23), on 5/24/23, 4/20/21 and 9/10/20. I am not sure which company the landscapers were with on 5/24/25. It appears that the site is still being used today by the landscapers. Prairie Creek Landscaping was clearing brush along the east side of the haul road ramp on 9/10/20. Gate was locked on 11/3/22, 5/24/22, 12/7/21, 8/4/21, 11/10/20, and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator tore down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (9/13/23). -No new affectment or reclamation in MA # 3 since the 5/24/23 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment from Enon Sand & Gravel LLC on site in the office area. There are three dump trucks, a dozer with bucket, and tractor with bushhog attachment on site today (9/13/23). Some old concrete pipes are stored near the office. Some concrete rubble is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site in MA # 3. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over.- Soybeans are growing in the unaffected fields in MA # 3 today (9/13/23), in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haulroad with corner growing further to the north, east of the haul road. Soybeans were grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (5/24/23) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (9/13/23), on 5/24/23, or during 2022, 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (9/13/23), on 5/24/23, and during 2022, 2021, 2020, and 2019 inspections. A little bit of material was used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (9/13/23), on 5/24/23, and since taking over the site back in the spring of 2019. -Between 11/3/22 and 5/24/23 (most likely earlier in 2023), heavy rain and flooding on Mud Run Creek caused the N-S haul road/farm lane to be partially washed out. Damaged area not repaired as of today (9/13/23). -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane had been repaired since 5/24/22. Some water was standing in low area on portion of MA # 3 on 5/24/23 and 11/3/22. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is down in Mud Run Creek today (9/13/23), and on 5/24/23 and 11/3/22. Water level in the creek was about normal to up on 5/24/22. -Soybeans are growing in the unaffected portions of MA # 4 today (9/13/23), corn north of the creek in 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with

Inspector: _____ Personnel Contacted No one
Rich Pennington

Page 4 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

no crops planted in 2019. -Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports.-Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -No new mining activity or affected area on site since taking over the permit in the spring of 2019.

Inspector: _____ Personnel Contacted No one

Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 05/24/2023 **Weather Conditions:** Sunny, windy, low 80's, dry
Last Inspection: 11/03/2022 **Ground Conditions:** Dry field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-46). Data is from the yr-45/renewal permit approved 10/6/22 and issued 10/21/22. Permit renewal received 4/26/22 and was recommend for approval on 9/14/22. -420.6 acres currently permitted. Amendment A-340-1 to add 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief.-Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model. -I heard earlier in the spring of 2022 from supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township

Inspector: _____ Personnel Contacted Tyler Jordan (email)

Rich Pennington

Copies to: Operator Inspector

P.O. Box 158 Sabina , Oh 45169-0158

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

12/7/21, 8/4/21, 11/10/20, and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. - Between 9/10/20 and 11/10/20, operator has torn down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (5/24/22). -No new affectment or reclamation in MA # 3 since the 11/3/22 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete rubble is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over.- Fields in MA # 3 have not been plowed/planted for summer 2023 growing season. Soybeans were grown in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haul road with corn growing further to the north, east of the haul road. Soybeans were grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (5/24/22) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (5/24/23) or during 2022, 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (5/24/23) and during 2022, 2021, 2020, and 2019 inspections. A little bit of material was used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (5/24/23), and since taking over the site back in the spring of 2019. -Since 11/3/22 (most likely earlier in 2023), heavy rain and flooding caused the N-S haul road/farm lane to be partially washed out. Damaged area not repaired yet. -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane had been repaired since 5/24/22. Some water is standing in low area on portion of MA # 3 today (5/24/23) and on 11/3/22. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is currently (5/24/23) and on 11/3/22 down in Mud Run Creek. It was about normal to up a little on 5/24/22. -The MA # 4 field, north of Mud Run Creek has not been plowed or planted for 2023 growing season at this point. It appears that corn was grown north of Mud Run Creek in summer 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with no crops planted in 2019. -Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports.-Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -No new mining activity or affected area on site. No map required with the yr-46 annual report. The yr-46 annual report was approved later in the day on 5/24/23 with the original copy mailed to Columbus and operator copy back to the operator.

Inspector: _____ Personnel Contacted: Tyler Jordan (email)
Rich Pennington

Page 4 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 11/03/2022 **Weather Conditions:** Sunny, windy, low 60's, drying
Last Inspection: 05/24/2022 **Ground Conditions:** Drying field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year (yr-46). Data is from the yr-45/renewal approved 10/6/22 and issued 10/21/22. Permit renewal received 4/26/22 and was recommend for approval on 9/14/22. -420.6 acres currently permitted. Amendment A-340-1 to add 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief.-Modification (# 6) was approved 6/22/22 and issued 7/7/22 to add Tyler Jordan and Nathaniel Grundy as additional persons authorized to sign paperwork (question # 4). -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model. -I heard earlier in the spring of 2022 from supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I heard from Cory Kiser since 5/24/22 inspection that the citizen's group had filed an appeal. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. The Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case # 18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some parcels, that are not grandfathered in, would need conditional use or variance from the county to mine those parcels. I learned since the 5/24/22 inspection from Cory Kiser that Jurgensen had appealed the zoning ruling. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I have been requested to continue to inspect this permit. -On site for complete non-annual inspection (2:10-3:00 pm). Gate locked to MA # 1 and outer gate to MA # 3 and # 4 are locked today (11/3/22), and on 5/24/22, 12/7/21 and 8/3/21. New gate (installed between 9/10/20 and 11/10/21 inspections) installed further to the north for MA # 3 & # 4. No one on site today (11/3/22), or on 5/24/22, 12/7/21, and 8/3/21 when a semi-truck and grain hauling trailer were seen leaving the site. During the 9/10/20 inspection, I talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4. Gates locked to MA # 1 and # 2 on 4/20/21, 11/10/20, and 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -No new mining activity noted on site since the 5/24/21 inspection or since the yr-45 annual report was received and approved. There has not been any new affectment since I took over this permit from Mike Mitchell in the spring of 2019. I talked to Cory Kiser by phone on 4/21/21 and he confirmed that operator had not mined any new area since the yr-43 annual approved. This (11/3/22) inspection revealed no new mining since taking over. -Between the 8/3/21 and 12/7/21 inspections, a pad was prepared, and a cloth/canvas pole building built on the pad on the Beach Manufacturing Co, Inc. property next to MA # 3 & # 4 N-S haul road. A blown up shed/pole building was built on the pad. There was clearing under the power line along the haul road on 9/10/20 and between 9/10/20 and 11/10/20 inspections. No map was needed with the yr-44, yr-43, and yr-42 annual

Inspector: _____ Personnel Contacted No one
Rich Pennington

Page 2 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

reports since taking over for Mike Mitchell. Map was needed for yr-45/renewal due to the renewal requirement.-I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment).-No mining equipment on site today (11/3/22), or on 5/24/22 or during 2021 (12/7, 8/3, 4/20) and 11/10/20 inspections. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20 in MA # 3. -MA # 1: Gate locked at haul road entrance. This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since the 5/24/22 inspection. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (11/3/22), and on 5/24/22 and during 2021, 2020, and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees, shrubs, and briars continue to grow up around the paved haul road. -Stockpiles of sand and pea gravel are continuing to be stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area today (11/3/22) and in the past. -Water level in the two lakes is down from levels during the 5/24/22 inspection due to current dry spell, up on 5/24/22 from levels on 12/7/22 due to above average rainfall in the spring and especially May 2022. Water level was down on 12/7/21 from the fall of 2021 dry spell, up some on 4/20/21 from 11/10/20 when water level was still down from July to November 2020 dry spell, still down on 11/10/21 inspection from earlier 2020 inspections due to July to November 2020 dry spell. About 3 feet of limestone is visible above the current (11/3/22) water level with only several feet visible on 5/24/22. About 3-4 feet visible on 12/7/21 and 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months, up on 5/11/20 from levels during the 12/23/19 inspection due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019, up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. -Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes are greater than 3 to 1 on backfilled area and on the north and west inslopes. Groundcover, trees, and shrubs continued to grow on the inslopes of MA # 1.-The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake.-MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Corn was grown in the summer of 2022 and recently harvested. Soybeans were grown in summer of 2021 and 2020. MA # 2 field not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report was correct and the yr-45 annual report was correct when approved. -MA # 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20. Gate is locked today (11/3/22), on 5/24/22, 12/7/21, 8/4/21, 11/10/20, and 5/11/20. Gate was open on 4/20/21 and on 9/10/20 as Prairie Creek Landscaping was clearing brush on the east side of the haul road ramp. Haul road gates locked on 11/10/20 and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator has torn down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (11/3/22). -No new affectment or reclamation in MA # 3 since the 5/24/22 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete rap is stored on site on the east side of the dry cut area at base of the south

Inspector: _____ Personnel Contacted No one
Rich Pennington

Page 3 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

highwall. -Small piles of sand and gravel on site. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. Old west haul road has grown over. - Soybeans were grown in 2022 to the west of the N-S MA # 3 haul road and on the south portion of the pit east of the N-S haul road with corn growing further to the north, east of the haul road. Soybeans were grown west of the N-S haul road and east of the haul road/farm lane, north of the corn grown in the field during summer of 2021. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (5/24/22) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (11/3/22) on 5/24/22, or during 2021, 2020, and 2019 inspections. The area had been stripped in the past and limestone removed to the north and west. - Unprocessed limestone is stored at the base of the highwall today (11/3/22), on 5/24/22, or during 2021, 2020, and 2019 inspections. A little bit of material used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (11/3/22), and since taking over the site back in the spring of 2019. -Between 12/7/21 and 5/24/22, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane has been repaired since 5/24/22. Some water is standing in low area on portion of MA # 3 today. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is currently (11/3/22) down in Mud Run Creek. It was about normal to up a little on 5/24/22. -The MA # 4 field, north of Mud Run Creek has not been plowed or planted for 2022 growing season at this point. It appears that corn was grown north of Mud Run Creek in summer 2022. Soybeans were grown north of the creek during summer of 2021 and 2020, with no crops planted in 2019. -Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -As noted above, there has been no new areas affected on this permit since taking over in the spring of 2019.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 05/24/2022 **Weather Conditions:** Sunny, windy, low 70's, drying field conditions
Last Inspection: 12/07/2021 **Ground Conditions:** Drying field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0acres cumulative affected (including former IM-375 affected area). 1.9acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-44report received and approved on 4/28/21. -Permitwill expire at midnight on 4/24/21. Operator sent permit expiration notice on 9/1/21. N.O.I. to Renew and renewal fee received on 2/15/22. Cory Kiser notified in the 2 weeks prior to12/7/21 of the expiring permits - Permitrenewal received 4/26/22. -420.6acres currently permitted. Amendment A-340-1 to add 398.8 acres to theexisting 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originallyDemmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. - TheIM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand &Gravel, LLC (approved

10/16/15 and issued 12/14/15 by the chief.-Modificationwas received and recommended for approval to add Tyler Jordan as an additionalperson authorized to sign paperwork. This renewal package wastaken to Brent Heavilin in the Columbus office on 5/13/22 to take to Matt Lieser in the New Philly office toreview and forward back to the Columbus office. It was determined after package was submitted that NathanielGrundy should also be listed along

Inspector: _____ Personnel Contacted Tyler Jordan (mtg on 5/2/22)
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

with Tyler Jordan as authorized to sign (question # 4) and I had Matt Lieser mail back to Lebanon (received on 5/23/22) to get revised/corrected. Voicemail message left with Cory Kiser on 5/24/22 but I have not heard back from him. -Permit IM-340 yr-30/renewal was approved and issued 2/28/08. -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model. -I heard earlier in the spring of 2022 from supervisor Matt Lieser, that the Clark County Court of Common Pleas has reviewed the appeal by Mad River Township and the landowner group, Citizens Against Mining (C.A.M.) and the court ruled that the Reclamation Commission's decision to reject the appeal of Mad River Township and the citizen's group regarding the approval of the above-listed permit modifications (# 5) were upheld by the court. I do not know if the township and/or the citizen's group plans to appeal or have appealed at this time (5/24/22). -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation

Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. The Mad River

Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. At the time of the 12/7/21 inspection, I confirmed with Cory Kiser in a phone call to him on 12/7/21 and on 4/21/21 that this appeal was still pending. Supervisor Matt Lieser also said on 12/7/21 in a phone conference and on 7/29/21 that case was still pending at that time but now the Reclamation Commission ruling has been upheld. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there were several lawsuits regarding the permit site. -After the 6/25/19 inspection, I talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case #18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to

testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case #18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. I asked Cory on 12/7/21 if the Verbillion et al. case was over and some

Inspector: _____ Personnel Contacted: Tyler Jordan (mtg on 5/2/22)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

12/7/21 inspection, there has been high water on Mud Run Creek such that it flowed out of the creek on the N-S portion and has again eroded a portion of the N-S portion of the MA # 3 and # 4 farm lane/haul road. Eroded lane has not been repaired yet. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is currently (5/24/22) about normal to up a little in Mud Run Creek. -The MA # 4 field, north of Mud Run Creek has not been plowed or planted for 2022 growing season at this point. Soybeans were grown north of Mud Run Creek during summer of 2021 and 2020, with no crops planted in 2019. -Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually in MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -The permit renewal package will need reviewed and additional items and or revisions requested in a revision letter.

Inspector: _____ Personnel Contacted: Tyler Jordan (mtg on 5/2/_____)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 12/07/2021 **Weather Conditions:** Overcast, upper 20's, frozen to muddy
Last Inspection: 08/03/2021 **Ground Conditions:** Frozen to muddy ground conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0acres cumulative affected (including former IM-375 affected area). 1.9acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-44report received and approved on 4/28/21. -Permit will expire at midnight on 4/24/21. Operator sent permit expiration notice on 9/1/21. N.O.I. to Renew and renewal fee not yet received. 90-day due date is 1/24/22. Cory Kiser notified in past 2 weeks of expiring permits.-420.6acres currently permitted. Amendment A-340-1 to add 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief.

-Modification(#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan(question # 22) to the

current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to

Inspector: _____ Personnel Contacted: Cory Kiser (by phone leave)
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

to complete and submit. This inspection (12/7/21), 8/3/21, and on 4/20/21, revealed that there has not been any new affectment in the past year as well as during 2020 inspections. There has been no new affectment since acquiring the site after former inspector Mike Mitchell retired at the end of April 2019. -Since the 8/3/21 inspection, there has been a pad built on what appears to be Beach Manufacturing Co, Inc. property next to MA # 3 & # 4 N-S haul road. A blown up shed/pole building was built on the pad. There was clearing under the power line along the haul road on 9/10/20 and between 9/10/20 and 11/10/20 inspections. No map was needed with the yr-44, yr-43, and yr-42 annual reports since taking over for Mike Mitchell. -I talked to Cory Kiser by phone on 6/26/19 and to several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment). -No mining equipment on site today (12/7/21) or on 8/3/21, 4/20/21, and 11/10/20 in none of the mining areas. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20. -MA# 1: Gate locked at haul road entrance. This area is the original IM-340 permit area. There is 19.2 acres

currently affected and active in MA #1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since the 4/20/21. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (12/7/21) and on 8/3/21, on 4/20/21, and during the 2020 and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees, shrubs, and briars continue to grow up around the paved haul road. -Stockpiles of sand and pea gravel are continuing to be stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area today (12/7/21) and in the past. -Water level in the two lakes is still down as it was on 4/20/21 from recent, fall 2021 dry spell. Water level was still down on 11/10/21 inspection from earlier 2020 inspections due to July to November 2020 dry spell. About 3-4 feet of limestone is visible above the water level today (12/7/21) and on 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months. Water level was up on 5/11/20 from levels during the 12/23/19 inspection due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019. Water level was up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. MA # 1 was not viewed on 8/3/21. -Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes are greater than 3 to 1 on backfilled area and on the north and west inslopes as noted in past inspections. Groundcover, trees, and shrubs continued to grow on the inslopes of MA # 1 as noted in past inspections. -The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake. -MA# 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans, grown during the summer of 2021, harvested since the 8/3/21 inspection. Soybeans grown in the summer of 2020. MA # 2 field not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual reports submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report is correct. -MA# 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20. Gate is locked today (12/7/21) and on 8/4/21, 11/10/20, and 5/11/20. Gate was open on 4/20/21 and on 9/10/20 as Prairie Creek Landscaping was clearing brush on the east side of the haul road ramp. Haul

Inspector: _____ Personnel Contacted: Cory Kiser (by phone leave)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

roadgates locked on 11/10/20 and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator has torn down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (12/7/21) and on 8/3/20. -No new affectment or reclamation in MA # 3 since the 8/3/21 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete rap is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site. -The slopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. -Soybeans, grown west of the N-S haul road and east of the haul road/farm lane, north of the corn growing in the field during summer of 2021, harvested since 8/3/21. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (8/3/21) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (12/7/21) or on 8/3/21, 4/20/20, or on 11/10/20, 9/10/20, 5/11/20, or on 6/25/19. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (12/7/21) or on 8/3/21, 4/20/21, and during 2020, and a little bit of material used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (12/7/21), and during earlier 2021 inspections, 2000, and back to 6/25/19. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional

erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is currently (8/3/21) and on 4/10/21 down in Mud Creek. -Soybeans, growing north of Mud Run Creek during summer of 2021 and 2020, harvested since 8/3/21. No crops were planted in 2019. Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photostaken of the permit. -Will check with Cory Kiser to make the Notice of Intent to Renew has been submitted and renewal fee is posted more than 90 days in advance.

Inspector: _____ Personnel Contacted: Cory Kiser (by phone leave)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 08/03/2021 **Weather Conditions:** Sunny, low 80's, dry
Last Inspection: 04/20/2021 **Ground Conditions:** Dry field conditions
Type of Inspection: Partial

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0acres cumulative affected (including former IM-375 affected area). 1.9acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-44report received and approved on 4/28/21. -420.6acres currently permitted. Amendment A-340-1 to add 398.8 acres to theexisting 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originallyDemmy Sand & Gravel). The

amendment was approved 2/13/17 and issued 7/13/17 by the chief. -TheIM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand &Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief. - Modification(#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan(question # 22) to the

current blast plan form with new information. Modification (# 4) wasapproved 1/3/17 and issued 7/13/17 to

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to

facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model. -Permit IM-340 year 30/renewal was approved and issued 2/28/08. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. The Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. I confirmed with Cory Kiser in a phone call to him on 4/21/21 that this appeal is still pending. Supervisor Matt Lieser said on 7/29/21 that case is still pending. -Enon Sand and Gravel had a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there were several lawsuits regarding the permit site. -Since the 6/25/19 inspection, I have talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case #18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the COVID-19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case #18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did not testify in the case. I heard earlier in 2020 but verified with Cory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the mining permit but that the operator had appealed the court ruling. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I have been requested to continue to inspect this permit. -Onsite for partial inspection (4:50-5:25 pm). MA # 1 not inspected today. Outergate to MA # 3 and # 4 is closed today (8/3/21). New gate (installed between 9/10/20 and 11/10/21 inspections) installed further to the north. Semi-truck with long bed grain hauler left MA # 3 and # 3 when I arrived. No one onsite on the permit today (8/10/21). During the 9/10/20 inspection, I talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4 on 9/10/20. Gates locked to MA # 1 and # 2 today (4/20/21), and on 11/10/20 and on 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -I did talk to Cory Kiser by phone on 4/21/21 and he confirmed that operator had not mined any new area since the yr-43 annual approved. Notified Cory that I would mail him the annual report forms to complete and fill out. This inspection (4/20/21) revealed that there has not been any new affectment in the past year as noted during the 2020 inspections. There has been no new affectment since acquiring the site after former inspector Mike Mitchell retired at the end of April 2019. The only activity has been clearing under the power line on 9/10/20

Inspector: _____ Personnel Contacted: No one
Rich Pennington

Page 2 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

and between 9/10/20 and 11/10/20 inspections. No map was needed with their-44 annual reports. No maps with the yr-43 and yr-42 annual reports since taking over for Mike Mitchell. -I talked to Cory Kiser by phone on 6/26/19 and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment).--Nominating equipment on site today (8/3/21), or on 4/20/21 and 11/10/20 in none of the mining areas. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20. -MA# 1: This area not inspected today (8/3/21). Gate locked at haul road entrance. This area is the original

IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is in MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since the 9/10/20 as Cory has said there are not mining. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (8/3/21), on 4/20/21, and during the 2020 and 2019 inspections. - Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees and shrubs continue to grow up

around the paved haul road. -The 4/20/21 inspection revealed Stockpiles of sand and pea gravel are stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area on 4/20/21. - Water level in the two lakes on 4/20/21 was down from levels in 2020 from below average rainfall this spring. Water level was still down on 11/10/21 inspection from earlier 2020 inspections due to July to November 2020 dry spell. About 3-4 feet of limestone was visible above the water level on 4/20/21. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months. Water level was up on 5/11/20 from levels during the 12/23/19 inspection due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019. Water level was up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. Since MA # 1 not viewed today (8/3/21) water level not viewed. -Some overburden backfilled in the past on the south and east slopes as noted in past inspections. Inslopes are greater than 3 to 1 on backfilled area and on the north and west inslopes as noted in past inspections. Groundcover, trees, and shrubs continued to grow on the inslopes of MA # 1 as noted in past inspections. -The map shows there has been some reclamation release in the past on the north berm and some water release on the SW lake. -MA# 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans growing in the field today (8/4/21). Soybeans grown in the summer of 2020. MA # 2 field not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was an affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. Yr-44 report is correct. -MA# 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20. Gate is locked today (8/4/21), 11/10/20, and 5/11/20. Gate was open on 4/20/21 and on 9/10/20 as Prairie Creek Landscaping was clearing brush on the east side of the haul road ramp. Haul road gates locked on 11/10/20 and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator has torn down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (8/3/20). -No new affectment or reclamation in MA # 3 since the 4/20/21 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete trap is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site. -Theinslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. -Soybeans are growing west of the N-S haul road and east of the haul road/farm lane north of the corn growing in the field. Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41

annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA# 4: No new affectment or reclamation in this area since the last inspection (4/20/21) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining

activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (8/3/21), or on 4/20/20, or on 11/10/20, 9/10/20, 5/11/20, or on 6/25/19. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (8/3/21) and on 4/20/21, and during 2020, and a little bit of material used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (8/4/21), and

during earlier 2021 inspections, 2000, and back to 6/25/19. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is currently (8/3/21) and on 4/10/21 down in Mud Creek. -Soybeans are growing north of Mud Run Creek today (8/3/21) and in 2020. No crops planted in 2019. Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on the site. -MA# 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -The yr-44 annual report was approved 4/28/21.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 04/20/2021 **Weather Conditions:** Sunny, windy, mid-50's, dry
Last Inspection: 11/10/2020 **Ground Conditions:** Dry field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0acres cumulative affected (including former IM-375 affected area). 1.9acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-43annual report approved on 5/27/20. -Year44 annual is due by 5/27/21. -420.6acres currently permitted. Amendment A-340-1 to add 398.8 acres to theexisting 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originallyDemmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. - TheIM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand &Gravel, LLC (approved

10/16/15 and issued 12/14/15 by the chief. -Modification(#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan(question # 22) to the current blast plan form with new information. Modification (# 4) wasapproved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allowpumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), andincrease mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrologymodel.-PermitIM-

Inspector: _____ Personnel Contacted: Cory Kiser (mine engineer)
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

340 year 30/renewal was approved and issued 2/28/08. -Formerinspector Mike Mitchell reported in past inspections, including on the 10/2/18inspection, that Mad River Township and the Citizen Against Mining (landowner opposition group)filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sandand Gravel, LLC and ODNR. The Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commissions finding according to MikeMitchell. I confirmed with Cory Kiser in a phone call to him on 4/21/21 that is thisappeal is still pending. -EnonSand and Gravel had a suit against Clark County Zoning Commission alsoindicated by Mike Mitchell and verified by Cory Kiser in a phone call withCory on 6/26/19. Cory indicated that there were several lawsuits regarding the permit site.

-Sincethe 6/25/19 inspection, I have talked to Cory Kiser in 2019, and again on1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuitagainst the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen’s group(C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over theterms of the settlement. -Iwas contacted in February 2020 by the Assistant Attorney General Brian Ball whoindicated that the chief had been contacted for a deposition for case #18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of CommonPleas. Meeting held at Lebanon officewith Attorney Paul Kavanagh with the law firm representing Verbillion, BrianBall and Kelly Woods of the Attorney General’s office, and Rich to answer questions regarding the IM-340 miningpermit. A subpoena was received on2/27/20 requiring me to testify on 3/17/20 for a trial scheduled tostart on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contactedme and said that after one day of testimony, the trial had been continued until sometime in June 2020, dueto the covid 19 virus. - Ireceived a subpoena on 7/13/20 as the lawsuit Michale E. Verbillion et al.verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case #18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case. I heard earlier in 2020 but verified withCory Kiser on 4/21/21 that the judge did overturn zoning approval for a portion of the miningpermit but that the operator had appealed the court ruling. -Formerinspector Mike Mitchell retired at the end of April 2019. I was assignedthis permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hiredand started on April 13, 2020 but I have been requested to continue to inspect thispermit. -Onsite for complete yr-44 annual pre-submittal inspection (12:30-1:05 pm). Outergate to MA # 3 and # 4 open and new gate (installed between 9/10/20 and11/10/21 inspections) installed further north is also open today (4/20/21) as well as on 9/10/20. Semi-truck with long bed grain hauler left MA# 3 and # 3 when I arrived. No

one on site on the entire mined site whileon site today or on 11/10/20. I talkedto Cory Kiser by phone on 4/21/21. During the 9/10/20 inspection, I talked to Glen Coleman, who wassupervising several workers from Prairie Creek Landscaping as they clearedbrush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4 on 9/10/20. Gates locked to MA # 1 and # 2 today (4/20/21),and on 11/10/20 and on 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -Idid talk to Cory Kiser by phone on 4/21/21 and he confirmed that operator hadnot mined any new area since the yr-43 annual approved. Notified Cory that I would mail him theannual report forms to complete and fill out. This inspection (4/20/21) revealed thatthere has not been any new affectment in the past year as noted during the 2020inspections. There has been no newaffectment since acquiring the site after former inspector Mike Mitchell retired at the end of April2019. The only activity has beenclearing under the power line on 9/10/20 and between 9/10/20 and 11/10/20inspections. No map will be needed withthe yr-44 annual reports. No maps with the yr-43 and yr-42 annual reportssince taking over for Mike Mitchell. - Italked to Cory Kiser by phone on 6/26/19 to and several minor revisions weremade the yr-42 annual report

Inspector: _____ Personnel Contacted Cory Kiser (mine engineer)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment). -No mining equipment on site today (4/20/21) and on 11/10/20 in none of the mining areas. No equipment was present during the 9/10/20 inspection in MA# 1, # 2, and # 4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20. -MA# 1: This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since the 9/10/20. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (4/20/21), and during the 2020 and 2019 inspections. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees and shrubs continue to grow up around the paved haul road. -Stockpiles of sand and pea gravel are stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area. -Water level in the two lakes today is down from levels earlier in 2020 from below average rainfall this spring. Water level was still down on 11/10/21 inspection from earlier 2020 inspections due to July to November 2020 dry spell. About 3-4 feet of limestone is visible above the water level. Water level on 9/10/20 was down from

levels during the 5/11/20 inspection due to the dry spell in the past 4 months. Water level was up on 5/11/20 from levels during the 12/23/19 inspection due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019. Water level was up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. -Some overburden backfilled in the past on the south and east slopes. Inslopes are greater than 3 to 1 on backfilled area and on the north and west inslopes. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1. -There has been some reclamation release in the past on the north berm and some water release on the SW lake. -MA# 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south off Fairfield Pike from MA # 3. Field not plowed yet for 2021 growing season. Soybeans, grown in the summer of 2020, have been harvested since the 9/10/20 inspection. The field was not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. -MA# 3: New gate near base of the haul road was installed between 9/10/20 and 11/10/20 inspections. Gate is open today (4/20/21) and on 9/10/20 as Prairie Creek Landscaping was clearing brush on the east side of the haul road ramp. Haul road gates locked on 11/10/20 and 5/11/20. Upper gate at top of haul road was open on 11/10/20 and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. I talked to Glen Coleman with Melvin Stone on 9/10/20. -Between 9/10/20 and 11/10/20, operator has torn down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (4/20/20). -No new affectment or reclamation in MA # 3 since the 11/10/20 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 4/21/21 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete rap is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and

Inspector: _____ Personnel Contacted: Cory Kiser (mine engineer)
 Rich Pennington

Page 3 Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. -Soybeans were grown in the unaffected areas of MA # 3 south of Mud Run Creek in summer 2020. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA# 4: No new affectment or reclamation in this area since the last inspection (11/10/20) and in the past year. This mining area was not inspected on 12/23/19. Cory Kiser said on 4/20/21 that there has been no new mining activity on site since I took over in the spring of 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (4/20/20), or on 11/10/20, 9/10/20, 5/11/20, or on 6/25/19. The area had been stripped in the past and limestone removed to the north and west. - Unprocessed limestone is stored at the base of the highwall today (4/20/21) and on 11/9/20, 9/10/20, 5/11/20, and on 6/25/19. A little bit of material used to fill in erosion on the farm lane/haul road between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (4/20/21), and on 11/10/20, 9/10/20, 5/11/20 and on 6/25/19. -Between 5/11/20 and 9/10/20, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. Water level is currently (4/10/21) down in Mud Creek. -Soybeans, growing north of Mud Run Creek harvested since 11/10/20 inspection. No crops planted in 2019. Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on the site. -MA# 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -Annual reports to be mailed to Cory Kiser to complete, add a zero production letter, and submit before 5/27/21.

Inspector: _____ Personnel Contacted: Cory Kiser (mine engineer)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 11/10/2020 **Weather Conditions:** Sunny, windy, mid-70's, dry
Last Inspection: 09/10/2020 **Ground Conditions:** Dry field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0acres cumulative affected (including former IM-375 affected area). 1.9acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-43annual report approved on 5/27/20. -420.6acres currently permitted. Amendment A-340-1 to add 398.8 acres to theexisting 21.8 acres for a new total

of 420.6 acres. The 398.8 acres included former permit IM-375 (originallyDemmy Sand & Gravel). The

amendment was approved 2/13/17 and issued 7/13/17 by the chief. -TheIM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand &Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief. - Modification(#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan(question # 22) to the

current blast plan form with new information. Modification (# 4) wasapproved 1/3/17 and issued 7/13/17 to

Inspector: _____ Personnel Contacted No one
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to

facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model. -Permit IM-340 year 30/renewal was approved and issued 2/28/08. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18 inspection, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. The Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. Enon Sand and Gravel had a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there were several lawsuits regarding the permit site.

-Since the 6/25/19 inspection, I have talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) had filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case #18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the COVID-19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case #18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case but when I talked to Cory Kiser in the past few weeks prior to the 9/10/20 inspection, he had not heard if there was a ruling in the case. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector was hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I have been requested to continue to inspect this permit. -Onsite for complete non-annual inspection (12:40-1:45 pm). Outer gate to MA # 3 and # 4 open but new gate installed further north near base of the ramp since 9/10/20. Gate was open to MA # 3 and # 4 on 9/10/20. No one on site today (11/10/20). Talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4 on 9/10/20. Gates locked to MA # 1 and # 2 today (11/10/20) and on 9/10/20. Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -I did talk to Cory Kiser on 1/2/20 by phone regarding the site. Cory confirmed on 1/2/20 that Enon Sand & Gravel had not mined any new area since the 6/25/19 inspection and in 2019. This inspection (11/10/20) revealed that there has been no new mining activity since the 9/10/20 inspection. 9/10/20 inspection revealed that there was no new affectment since the 5/11/20 inspection other than clearing under the power line on 9/10/20 and since 9/10/20 and in the past year. No new map will be needed with the yr-43 annual report. -No mining equipment on site today (11/10/20)

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

in none of the mining areas. No equipment was present during the 9/10/20 inspection in MA # 1, # 2, and #4. There was a skid-steer loader working on clearing the brush along the haul road ramp on 9/10/20. There was no mining on site from 5/25/19 to 5/25/20 based on the zero production of sand and gravel reported on the yr-43 annual report as well as between 5/25/18 to 5/25/19 based on the zero production letter submitted with the yr-42 annual report. - I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made to the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment).- MA# 1: This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1.

The 1.9 acres previously released is MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. No new affectment since the 9/10/20. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (11/10/20) and on 9/10/20, 5/11/20, 12/23/19, and 6/25/19. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees and shrubs continue to grow up around the paved haul road. -Stockpiles of sand and pea gravel are stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area. -Water level in the two lakes today is still down today from the levels during the 9/10/20 inspection due to dry spell in the past 4 months. About 3-4 feet of limestone is visible above the water level. Water level on 9/10/20 was down from levels during the 5/11/20 inspection due to the dry spell in the past 4 months. Water level was up on 5/11/20 from levels during the 12/23/19 inspection due to above average rainfall since from late fall 2019 until around the end of June 2020. There was also a dry spell in last half of summer and first half of fall 2019. Water level was up during the 6/25/19 inspection from the above average rainfall in first half of 2019 (and 2020.) in the two lakes in MA # 1. -Some overburden backfilled in the past on the south and east slopes. In slopes are greater than 3 to 1 on backfilled area and on the north and west inslopes. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1. -There has been some reclamation release in the past on the north berm and some water release on the SW lake. -MA# 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans, grown in the summer of 2020, have been harvested since the 9/10/20 inspection. The field was not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. - There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports. -MA# 3: New gate near base of the haul road installed since 9/10/20 inspection. Gate locked today (11/10/20). The gate was open on 9/10/20 as contractor (Prairie Creek Landscaping) was clearing brush on east side of the haul road ramp. Gate was locked on 5/11/20 but upper gate near the top of the haul road is open today (11/10/20) and on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. Talked to Glen Coleman with Melvin Stone on 9/10/20. -Since the 9/10/20 inspection, operator has torn down the office to MA # 3 and buried the material in a pit. The maintenance shed/pole building is still present today (11/10/20). -No new affectment or reclamation in MA # 3 since the 9/10/20 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 1/2/20 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete rap is stored on site on the east side of the dry cut area at base of the south highwall. -Small piles of sand and gravel on site. -The inslopes on the east and west affected areas on this permit are

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. - Soybeans, grown in the unaffected areas of MA # 3 south of Mud Run Creek, have been harvested since 9/10/20. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area since the last inspection (9/10/20) and in the past year (since 6/25/19). This mining area was not inspected on 12/23/19. Cory Kiser said on 1/2/20 that there has been no new mining activity on site in 2019.

-Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (11/10/20), and on 9/10/20, 5/11/20, or on 6/25/19. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (11/9/20), and on 9/10/20, 5/11/20, and on 6/25/19. A little bit of material used to fill in erosion on the farm lane/haulroad between 5/11/20 and 9/10/20. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (11/10/20), and on 9/10/20, 5/11/20 and on 6/25/19. -Between the 5/11/20 and 9/10/20 inspections, operator came in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haul road can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. -Soybeans are growing north of Mud Run Creek (and have not been harvested as of today (11/20/20). No crops planted in 2019. Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on the site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. - Will continue to check the site.

Inspector: _____ Personnel Contacted: No one
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 09/10/2020 **Weather Conditions:** Hazy, hot, humid, mid-80's, dry
Last Inspection: 05/11/2020 **Ground Conditions:** Dry field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		3 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		3 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0acres cumulative affected (including former IM-375 affected area). 1.9acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-43annual report received on 5/26/20 and

approved on 5/27/20. -420.6acres currently permitted. Amendment A-340-1 to add 398.8 acres to theexisting 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originallyDemmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -TheIM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand &Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief. -Modification(#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan(question # 22) to the current blast plan form with new information. Modification (# 4) wasapproved 1/3/17 and issued 7/13/17 to

update the mailing address to Sabina, Ohio office (question # 1), to allowpumping and discharging water to

Inspector: _____ Personnel Contacted: Glen Coleman (worker)
Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model. -Permit IM-340 year 30/renewal was approved and issued 2/28/08. -Former inspector Mike Mitchell reported in past inspections, including on the 10/2/18 inspection, that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of Enon Sand and Gravel, LLC and ODNR. The Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commission's finding according to Mike Mitchell. Enon Sand and Gravel has a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there are several lawsuits regarding the permit site.

-Since the 6/25/19 inspection, I have talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) has filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case #18CV0519, Michael E. Verbillion et al. versus Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the COVID-19 virus. -I received a subpoena on 7/13/20 as the lawsuit Michael E. Verbillion et al. versus Enon Sand & Gravel, LLC (Clark County Court of Common Pleas case #18CV0519) to appear on 7/27/20 to testify in the case as it resumed. I did testify in the case but when I talked to Cory Kiser in the past few weeks, he had not heard if there was a ruling in the case. -Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector is hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020 but I have been

requested to continue to inspect this permit. -Onsite for complete non-annual inspection (12:15-1:00 pm). Gate open to MA # 3 and # 4. Talked to Glen Coleman, who was supervising several workers from Prairie Creek Landscaping as they cleared brush and small trees below an electrical line down the east side of the HR ramp to MA # 3 and # 4.

Gates locked to MA # 1 and # 2 today (9/10/20). Gates to MA # 1, # 2, # 3, and # 4 were locked on 5/11/20. -I did talk to Cory Kiser on 1/2/20 by phone regarding the site. Cory confirmed on 1/2/20 that Enon Sand & Gravel had not mined any new area since the 6/25/19 inspection and in 2019. This inspection (9/10/20) revealed there has been no new mining activity since the 5/11/20 inspection other than clearing under the power line today. and in the past year. No new map will be needed with the yr-43 annual report. -No mining equipment on site today (9/10/20) in MA # 1, # 2, and # 4. There is a skid loader working on clearing the brush along the haul road ramp. There was no mining on site from 5/25/19 to 5/25/20 based on the zero production of sand and gravel reported on the yr-43 annual report as well as between 5/25/18 to 5/25/19 based on the zero production letter submitted with the yr-42 annual report. -I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made to the yr-42 annual report

Inspector: _____ Personnel Contacted: Glen Coleman (worker)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment).- MA# 1: This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1.

The 1.9 acres previously released is MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (9/10/20) and on 5/11/20, 12/23/19, and 6/25/19. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees and shrubs continue to grow up around the paved haulroad. -Stockpiles of sand and pea gravel are stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area. -Water level in the two lakes today is down from levels during the 5/11/20 inspection due to the dry spell in the past several months. Water level was up on 5/11/20 from levels during the 12/23/19 inspection due to above

average rainfall since from late fall 2019 until around the end of June 2020. There was a dry spell in last half of summer and first half of fall 2019. Water level was up during the 6/25/19 inspection from the above average rainfall in 2019. -Some overburden backfilled in the past on the south and east slopes. In slopes are greater than 3 to 1 on

backfilled area and on the north and west inslopes. Groundcover, trees, and shrubs continue to grow on the

inslopes of MA # 1. -There has been some reclamation release in the past on the north berm and some water release on the SW lake. -MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. Soybeans planted and growing since the 5/11/20 inspection. The field was not planted in 2019. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual report submitted in 2019 as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser in 2019 after the yr-42 reports were received and the yr-42 report was revised to remove affected acreage listed in MA # 2. This affected area is actually located in MA # 3. The yr-42 report was revised to show the affected area is in MA # 3. The yr-43 report was submitted with the mistake corrected from the yr-40 and yr-41 annual reports.

-MA # 3: Gate open near the base of the haulroad to MA # 3 today (9/10/20) as contractor (Prairie Creek Landscaping) is clearing brush on east side of the haul road ramp. Gate was locked on 5/11/20 but upper gate near the top of the haulroad was open on 5/11/20. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. Talked to Glen Coleman with Melvin Stone. No new affectment or reclamation in MA # 3 since the 5/11/20 inspection and since taking over from former inspector Mike Mitchell at the end of April 2019. Cory Kiser said on 1/2/20 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No one in the old office. No mining equipment on site in the office area. Some old concrete pipes are stored near the office. Some concrete rap is stored onsite. Small piles of sand and gravel on site.

-The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs

Inspector: _____ Personnel Contacted: Glen Coleman (worker)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

are growing on the hillsides of the east and west affected area. -Soybeans area growing in the unaffected areas of MA # 3. No crops were planted in the low area south of Mud Run Creek in 2019. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report (revised) and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA# 4: No new affectment or reclamation in this area in the past year (since 6/25/19). This mining area was not inspected on 12/23/19. Cory Kiser said on 1/2/20 that there has been no new mining activity on site in 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19. There is no mining activity while on site today (9/10/20), 5/11/20, or on 6/25/19. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (9/10/20), on 5/11/20 and on 6/25/19. A little bit of material used to fill in erosion on the farm lane/haulroad recently. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (9/10/20), and on 5/11/20 and on 6/25/19. -Since the 5/11/20 inspection, operator has come in and repaired the erosion in the farm lane/haul road adjacent to Mud Run Creek to the point that the haulroad can be driven. The 5/11/20 inspection revealed additional erosion north of Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. -Soybeans are growing north of Mud Run Creek. No crops planted in 2019. Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on the site. -MA# 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019).

-Photostaken of the permit.

Inspector: _____ Personnel Contacted: Glen Coleman (worker)
Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Inspection Date: 05/11/2020 **Weather Conditions:** Overcast, windy, mid-40's, wet-muddy
Last Inspection: 12/23/2019 **Ground Conditions:** Muddy field conditions
Type of Inspection: Complete

Acres

	Pre SB-83	Post SB-83
Permitted: 420.60	Cumulative Affected:	Cumulative Affected
	Active Pre SB-83	Active Post SB-83
	IM6 Pre SB-83: 1.90	IM6 Post SB-83:
	IM7 Pre SB-83: 1.90	IM7 Post SB-83:

Performance Standards

	1 - In Compliance	2 - Non Compliance	3 - Not Applicable	4- Compliant with Exception
1 1. Permit Boundary		3 9. Acid / toxic materials		1 17. Erosion / sedimentation
1 2. Limits of affected a		1 10. Drilled holes		1 18. Topsoil handling
1 3. Liability Insurance		1 11. Use of explosives		1 19. Revegetation
1 4. Bond / Fees		1 12. Overburden		1 20. Haul / access roads
3 5. Drainage controls		1 13. Highwalls		3 21. Underground mining protectection
1 6. Ponds		3 14. Slides and other damage		3 22. Offsite Impacts
3 7. Effluent limits		1 15. Stability		23.
1 8. Stream buffer zones		1 16. Backfilling and grading		24.

Commentary

-41.0 acres cumulative affected (including former IM-375 affected area). 1.9 acres totally released. 39.1 acres active and estimated to be affected next year. Data is from the yr-42 annual report approved on 6/26/19. The yr-43 annual is due by 5/25/20. -420.6 acres currently permitted. Amendment A-340-1 to add 398.8 acres to the existing 21.8 acres for a new total of 420.6 acres. The 398.8 acres included former permit IM-375 (originally Demmy Sand & Gravel). The amendment was approved 2/13/17 and issued 7/13/17 by the chief. -The IM-340 permit was transferred from Demmy Construction, Inc. to Enon Sand & Gravel, LLC (approved 10/16/15 and issued 12/14/15 by the chief. -Modification (#5) was approved 7/12/17 and issued 7/13/17 to update the blasting plan (question # 22) to the current blast plan form with new information. Modification (# 4) was approved 1/3/17 and issued 7/13/17 to update the mailing address to Sabina, Ohio office (question # 1), to allow pumping and discharging water to facilitate mining with groundwater modeling attachments (question # 25), and increase mining depth (question # 28) and update cross-sections. Modification (# 3) was approved and issued 7/30/09 to increase depth of permanent impoundment (question # 22) with Bowser-Morner prepared hydrology model.-Permit IM-340 year 30/renewal was approved and issued 2/28/08. -Former inspector Mike Mitchell has reported in past inspections including on the 10/2/18 inspection that Mad River Township and the Citizen Against Mining (landowner opposition group) filed an appeal with the ODNR Reclamation Commission. The Reclamation Commission ruled in favor of

Inspector: _____ Personnel Contacted: Cory Kiser (email on 5/12)

Rich Pennington

Copies to: Operator Inspector

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

Enon Sand and Gravel, LLC and ODNR. The Mad River Township and the Citizen Against Mining group then filed an appeal with Clark County Common Plea Court to overrule the Commissions finding according the Mike Mitchell. Enon Sand and Gravel has a suit against Clark County Zoning Commission also indicated by Mike Mitchell and verified by Cory Kiser in a phone call with Cory on 6/26/19. Cory indicated that there are a number of lawsuits regarding the permit site. - Since the 6/25/19 inspection, I have talked to Cory Kiser in 2019, and again on 1/2/20 and he indicated that Enon Sand & Gravel had settled their lawsuit against the Clark County Zoning Commission and/or the Clark County Commissioners but the citizen's group (C.A.M.) has filed suit against the Clark County Zoning Commission and/or the Clark County Commissioners over the terms of the settlement. -I was contacted in February 2020 by the Assistant Attorney General Brian Ball who indicated that the chief had been contacted for a deposition for case # 18CV0519, Michael E. Verbillion et al. verses Enon Sand & Gravel, LLC filed in Clark County Court of Common Pleas. Meeting held at Lebanon office with Attorney Paul Kavanagh with the law firm representing Verbillion, Brian Ball and Kelly Woods of the Attorney General's office, and Rich to answer questions regarding the IM-340 mining permit. A subpoena was received on 2/27/20 requiring me to testify on 3/17/20 for a trial scheduled to start on 3/16/20 in Clark County Court of Common Pleas. At the end of the day on 3/16/20, Paul Kavanagh contacted me and said that after one day of testimony, the trial had been continued until sometime in June 2020, due to the covid 19 virus. As of 5/11/20, I have not been contacted by Attorney Paul Kavanagh and notified when the trial will resume.-Former inspector Mike Mitchell retired at the end of April 2019. I was assigned this permit from Mike until a new inspector is hired. The new inspector, Jamilyn Moore, was hired and started on April 13, 2020. -On site for complete yr-43 pre-submittal inspection (1:35-2:40 pm). Accompanied by new inspector Jami Moore. Gates locked to MA # 1, # 2, # 3, and # 4. No one on site. Cory Kiser was emailed on 5/12/20 to notify him to submit the yr-43 annual report by 5/25/20. I did talk to Cory Kiser on 1/2/20 by phone regarding the site. Cory confirmed on 1/2/20 that Enon Sand & Gravel had not mined any new area since the 6/25/19 inspection and in 2019. This inspection (5/11/20) revealed there has been no new mining activity since the 12/23/19 inspection and in the past year. No new map will be needed with the yr-43 annual report.-No mining equipment on site. There was no mining on site from 5/25/18 to 5/25/19 based on the zero production letter submitted with the yr-42 annual report approved on 6/26/19. -I talked to Cory Kiser by phone on 6/26/19 to and several minor revisions were made the yr-42 annual report including cumulative acres affected and relabel MA # 2 on the annual report forms to MA # 3 and to relabel MA # 3 to MA # 4. There is no affected area in the MA # 2 area as shown on the most recent map (year 40/amendment).-MA # 1: This area is the original IM-340 permit area. There is 19.2 acres currently affected and active in MA # 1. The 1.9 acres previously released is MA # 1. Cory Kiser said on 1/2/20 that there was no mining activity in this area or the other areas on site. -A new gate was installed at main entrance off S. Tecumseh Road. The gate is locked today (5/11/20) and on 12/23/19, and 6/25/19. -Ramp to the pit floor along the west side of MA # 1 was paved in the past. Trees and shrubs continue to grow up around the paved haulroad. - Stockpiles of sand and pea gravel are stored on site between the north and S/SW lake. Some concrete and asphalt rap also stored in the old plant area. -Water level in the two lakes today is up from levels during the 12/23/19 inspection due to above average rainfall since late fall 2019 and to date in 2020. There was a dry spell in last half of summer and first half of fall 2019. Water level was up during the 6/25/19 inspection from the above average rainfall in 2019. -Some overburden backfilled in the past on the south and east slopes. Inslopes are greater than 3 to 1 on backfilled area and on the north and west inslopes. Groundcover, trees, and shrubs continue to grow on the inslopes of MA # 1.-There has been some reclamation release in the past on the north berm and some water release on the SW lake.-MA # 2: There has been no affectment in MA # 2. The amendment A-340-1 map shows MA # 2 to the west of MA # 1 across S. Tecumseh Road and south of Fairfield Pike from MA # 3. The field was not planted in 2019 and has not yet been plowed for the spring/summer 2020 growing season. Former inspector Mike Mitchell indicated that this area had been farmed in the past. -There was affected area shown on the initial submittal of the yr-42 annual report as well as shown on the approved yr-40 and yr-41 annual reports. I talked to Cory Kiser and the yr-42 report was revised to remove affected area in MA # 2. The affected area is actually located in MA # 3. The yr-42 report was revised to shown the affected area is in MA # 3. -MA # 3: Gate

Inspector: _____ Personnel Contacted Cory Kiser (email on 5/12)
 Rich Pennington

State of Ohio
Department of Natural Resources
Division of Mineral Resources Management
Industrial Minerals Inspection Report

Permit Information

Permit: IM-0340	Company: ENON SAND AND GRAVEL LLC	Permit Issued: 04/25/1977
Status: Active	County: CLARK	Final Report:
Wet/dry designation:	Operation Type: IM	BFO Issued:

locked near the base of the haulroad to MA # 3 today (5/11/20) but upper near the top of the haulroad was open today. The upper and lower gates were locked on 12/23/19 but were open on 6/25/19. No one on site. No new affectment or reclamation in MA # 3 since the 12/23/19 and 6/25/19 inspections. Cory Kiser said on 1/2/20 that there was no mining activity in this or the other mining areas. This mining area is on the former Demmy Sand & Gravel IM-375 permit. No one in the old office. No mining equipment on site. Some old concrete pipes are stored near the office. Some concrete rap is stored on site. Small piles of sand and gravel on site. -The inslopes on the east and west affected areas on this permit are greater than 3:1. Groundcover, trees, and shrubs are growing in this area. The floor of the east and west affected areas continue to revegetate. Tree and shrubs are growing on the hillsides of the east and west affected area. -No crops were planted in the low area south of Mud Run Creek at the time of the 6/25/19 inspection. The field has not been plowed yet for the spring/summer 2020 growing season. -Data for MA # 3 was shown as in MA # 4 on the initial yr-42 annual report and on the yr-40 and yr-41 annual reports. The mining acre was corrected on the approved yr-42 report after revision call with Cory Kiser back on 6/26/19. -MA # 4: No new affectment or reclamation in this area in the past year (since 6/25/19). This mining area was not inspected on 12/23/19. Cory Kiser said on 1/2/20 that there has been no new mining activity on site in 2019. -Based on the yr-42 annual report, approved on 6/26/19, there was no new affectment from 5/25/18 to 5/25/19.

There is no mining activity while on site today (5/11/20) or on 6/25/19. The area had been stripped in the past and limestone removed to the north and west. -Unprocessed limestone is stored at the base of the highwall today (5/11/20) and on 6/25/19. A little bit of material used to fill in erosion on the farm lane/haulroad recently. Concrete pipe and plastic pipe are continuing to be stored on the pit floor today (5/11/20) and on 6/25/19. -Today's (5/11/20) inspection revealed additional erosion on Mud Run Creek caused by flooding earlier in 2020. The 6/25/19 inspection also revealed that flooding in creek prior to 6/25/19 had also caused the N-S farm lane/access road to be eroded north of the creek. -No crops were planted in the low area north of Mud Run Creek in 2019 and field not plowed yet for 2020 growing season. Cory Kiser indicated on 1/2/20 that Amy Demmy was in charge of planting crops on the site. -MA # 4 was not shown on the initial yr-42 annual report. As noted earlier, I discussed with Cory Kiser and data listed for MA # 3 was actually MA # 4. The yr-42 annual report forms were corrected. The yr-40 and yr-41 annual reports were left showing the incorrect mining areas. A note was included on the yr-42 annual reports. -Cory Kiser indicated on 6/25/19 that former owner Dan Demmy passed away about 6 months ago (early 2019). -Photos taken of the permit. -No new map is required with the yr-43 annual report. As noted above, Cory Kiser was sent an email on 5/12/20 that no map would be required with the yr-43 annual report and to submit the 3 report forms by 5/25/20.

Inspector: _____ Personnel Contacted: Cory Kiser (email on 5/12)

Rich Pennington