

CASE NO: 3W0711-5-EB  
PERMITTEES: *Twin State Sand & Gravel Co., Inc.*  
*and*  
*New England Central Railroad, Inc.*

Laws/Regulations Involved  
10 V.S.A. Ch. 151 (Act 250)

The Vermont Environmental Board hereby issues Land Use Permit 3W0711-5-EB, pursuant to the authority vested in it by 10 V.S.A. §§6001-6092. This permit amendment applies to the lands identified in Book 43, Pages 121 and 214; Book 55, Page 81; and Book 77, Page 2 of the land records of the Town of Hartland, Vermont; and Book 96, Page 302; Book 63, Page 258; and Book 185, Page 261 of the land records of the Town of Hartford, Vermont, as the subject of deeds to Twin State Sand & Gravel Co., Inc., the Permittee as grantee.

This permit specifically authorizes the Permittees to construct a railroad siding to transport product from the existing sand, gravel and quarry operation (Project). The Project is located in Hartland.

The Permittees, and their assigns and successors in interest, are obligated by this permit to complete, operate, and maintain the Project in accordance with the following conditions:

1. The Project shall be completed, operated and maintained in accordance with: (a) the terms and conditions of Land Use Permit #3W0711-5 (Altered) issued by the District 3 Environmental Commission on May 27, 2004, except as amended hereby; (b) *Re: Twin State Sand & Gravel Co., Inc. and New England Central Railroad, Inc.*, Land Use Permit #3W0711-5 (Altered)-EB, Findings of Fact, Conclusions of Law, and Order, issued by the Vermont Environmental Board on even date herewith; (c) the plans and exhibits on file with the Vermont Environmental Board; and (d) the conditions of this permit.
2. Permittee Twin State Sand & Gravel Co., Inc., shall, on the date the rail siding is put into use and the first rail shipment of quarry product is made, reduce its truck traffic to an average of 169 one-way trips per day (pro-rated annually from the date the siding is put into use and the first rail shipment of quarry product is made) and 290 one-way trips on the peak day.
3. There shall be no sales directly to the public at the Twin State Sand & Gravel Co., Inc., quarry in Hartland, Vermont.

4. Permittee Twin State Sand & Gravel Co., Inc., shall, within twelve months of the date that the rail siding is put into use and annually thereafter, report to the District 3 Environmental Commission concerning:

(a) the number of rail cars that have transported quarry product from the quarry;

(b) the number of truck trips that have been decreased as a result of the use of rail cars;

(c) the amount of sand that has been transported by (i) truck, or (ii) rail car to Twin State's West Lebanon facility; and

(d) the amount of quarry product other than sand that has been transported by (i) truck, or (ii) rail car to Twin State's West Lebanon facility.

Permittee Twin State Sand & Gravel Co., Inc., shall provide this report to the Town of Hartford and to the South End Alliance at the time that it is filed with the District 3 Environmental Commission.

5. The Project completion date is extended to September 30, 2005.
6. The Permittees shall not make any changes to the Project without the written approval of the District 3 Environmental Commission.

Dated at Montpelier, Vermont this 4<sup>h</sup> day of February 2005.

ENVIRONMENTAL BOARD

*/s/Patricia Moulton Powden*\_\_\_\_  
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