

# **NOTICE OF DEPARTMENTAL RECOMMENDATION**

**This Recommendation does not constitute issuance of the permit.**

**Application # L.E.-2890 Conference # PAN 25-03-IC**

- ☒ Permit
- ☐ Revision
- ☐ Renewal
- ☐ Amendment

Concerning the application of **Ada Aggregates, LLC** Applicant, for a permit to engage in surface mining and reclamation operations in an area of 311 acres more or less, located in Sections 25, 26, and 35, Township 3 North, Range 5 East, located in Pontotoc County, State of Oklahoma. Recommendation is hereby made to the Director of the Oklahoma Department of Mines ("ODM") that said application:

- ☐ be approved
- ☒ be approved as conditioned
- ☐ be denied

The reason for approval is based on Conference No. **PAN- 25-03-IC**:

An informal conference was held on December 4<sup>th</sup>, 2025 to provide citizens with a forum to discuss their concerns with the issuance of ODM Permit #L.E. 2890. There were several concerns brought up by citizens at the informal conference. The following discusses how ODM monitors and regulates these areas of concern.

1. **Air Quality and Fugitive Dust** – ODM inspects each permitted mine site 4-6 times per year, or more as needed. A normal part of ODM inspections is to check for dust issues. ODM has the responsibility and authority to ensure permittees are not creating excessive dust issues on the permit, or excessive dust leaving the permit. If a dust issue is found, ODM will make the permittee take appropriate steps within our jurisdiction in order to reduce the dust. For any dust issues found that are outside of the jurisdiction of ODM, ODM will involve the appropriate state agency for a resolution. Some citizens voiced concerns over dust. ODM does not have any regulations specifically regarding dust exposure. However, the Mine Safety and Health Administration (MSHA) does have silica and nuisance dust exposure regulations and they routinely monitor dust levels at mine sites. In the past year, MSHA records show 16 workers at active mining operations in Pontotoc County have been sampled for respirable silica and nuisance dust. There was one utility worker overexposed to nuisance dust. That worker was resampled at a later date and was in compliance. There were no respirable silica overexposures found during MSHA's dust sampling.
2. **Noise** – Although ODM has noise regulations to help maintain safe noise levels for worker safety, there are no regulations in place for noise leaving a permit. ODM can require reduction of noise levels on the permit if deemed necessary for worker safety, which would in turn reduce noise levels leaving the permit. ODM does have equipment to check instantaneous noise levels and if a dangerous noise level is identified, ODM will use all tools available and require the permittee to reduce noise levels to levels safe for mine workers. Noise levels at this mine will also be monitored periodically by the Mine Safety and Health Administration (MSHA).
3. **Blasting** – ODM has jurisdiction over all blasting operations in the State of Oklahoma, mining and non-mining. ODM monitors and inspects blasting operations around the state. Persons may not blast in Oklahoma until they have the required experience and attended and successfully completed a 40-hour training course to obtain their Certified Blaster's license. ODM routinely inspects and monitors blasting operations around the state to ensure safe storage and transportation of explosives on site, blast site and blast area security, and the safe loading and detonation of explosives. The permittee indicated on its blasting plan they will utilize a blasting contractor at this location. Seismographs will be used to monitor

ground vibration and air blast from each shot. ODM permittees that utilize explosives are required to have a shot report for each shot and keep shot records for 3 (three) years. ODM routinely reviews shot reports from blasting operations from around the state for compliance.

4. **Road Maintenance/Truck Traffic** – ODM does not have any jurisdiction over trucks traveling to and from a mining location, nor any jurisdiction over the maintenance of any state, county, or city roadway. The roadway maintenance/truck traffic for mining operations is governed by the same state, county, and local authorities that govern these issues for truck traffic making pick-ups and deliveries at any business in Oklahoma. ODM always encourages permittees to be good neighbors and often permittees will work with state, county, and local authorities to improve and maintain roads their customers use. Permittees also do a good job of policing truck drivers that visit their site and it is common for permittees to ban a truck driver if they get reports of unsafe driving.

After reviewing the information gathered during the informal conference, it is recommended ODM Permit L.E. 2890 be issued with the following conditions:

1. Applicant shall adopt a notification method to alert nearby residences of blasting activities based on the preference of the individual requesting the notice. The method of notification shall include one of the following: telephone call, text message, and/or electronic mail. The notification of blasting shall be made at least 3 (three) hours before blasting occurs. The following residential addresses must be given prior notification of blasting if they choose. These residential owners may also opt out of receiving prior notification of blasting by providing the applicant with a signed letter stating such.

19209 OK-1 W Ada, OK 74820	11427 CR 1590 Ada, OK 74820	12375 CR 1590 Ada, OK 74820	20139 OK-1 Fitzhugh, OK 74843
20560 OK-1 W Ada, OK 74820	11861 CR 1590 Ada, OK 74820	12063 CR 1590 Ada, OK 74820	

2. Applicant shall conduct pre-blast surveys on the residential properties listed below and also the groundwater well listed below. The pre-blast surveys shall be submitted to ODM and shall become part of the permit and subject to the Open Records Act. No blasting may occur on this permit until all pre-blast surveys have been completed and submitted to ODM for review. The owners of any of the structures identified under this condition may choose to opt out of a pre-blast survey with a signed letter stating such.

19209 OK-1 W Ada, OK 74820	11427 CR 1590 Ada, OK 74820	12375 CR 1590 Ada, OK 74820	20139 OK-1 Fitzhugh, OK 74843
20560 OK-1 W Ada, OK 74820	11861 CR 1590 Ada, OK 74820	OWRB Well No. 194115 GPS Location 34.703769 -96.738153	
12063 CR 1590 Ada, OK 74820			

3. Applicant must submit a blast report for each shot conducted on the permit to the ODM office for review within 2 (two) business days of the shot.

Ada Aggregates, LLC has submitted a complete permit application that meets all requirements provided by law and therefore, ODM recommends the permit be approved as conditioned above.

This notice is provided in accordance with Title 45 Oklahoma Statutes, 2011 §724 (H)(6).

OAC 460:10-17-15 provides that within thirty (30) days of receipt of this notice, any person with an interest which is or may be adversely affected may request a formal hearing on this decision. Requests for hearing must be filed with the Department in writing. If no request is received, the decision of the Department will become final.

Done this 12th day of December, 2025.



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Travis Shore, Chief of Minerals Operations

**This Recommendation does not constitute issuance of the permit.**

## NOTICE OF MAILING

I, Andrea Adams, mailed a true and correct copy of the foregoing Notice and Order on this 15th day of December, 2025, with postage prepaid to the following:

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A handwritten signature in blue ink, consisting of stylized, overlapping loops and strokes, positioned above a horizontal line.

Andrea Adams, Paralegal