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Congress of the United States
House of Representatives
Washington, DC 20515

February 20, 2020

Andrew Wheeler
Environmental Protection Agency
1200 Pennsylvania Ave
Washington, DC 20004

Re: Rockhill Quarry, East Rockhill Township, PA

Dear Administrator Wheeler,

I write today with a profound level of concern regarding the Rockhill Quarry, in East Rockhill Township, Pennsylvania. As you may be aware, the Pennsylvania Department of Environmental Protection (PADEP) ordered mining operations at the Rockhill Quarry to be ceased on December 5, 2018. As a member of the United States Congress and the representative of the constituents within the impacted area, I respectfully request direct intervention from the Environmental Protection Agency (EPA) and ask for a rigorous independent geologic investigation conducted by an experienced professional geologist followed by an activity-based airborne asbestos investigation, baseline and perimeter air monitoring program designed, conducted and implemented by experienced and qualified professionals. This would ensure that our children and the surrounding environment will be safe from the dangers of asbestos.

As you are aware, the Clean Air Act (CAA) requires the EPA to develop and enforce regulations to protect the public from exposure to airborne contaminants that are known to be hazardous to human health. In accordance with Section 112 of the CAA, the EPA established National Emission Standards for Hazardous Air Pollutants (NESHAP). As asbestos was one of the first hazardous air pollutants regulated under the air toxics program, air toxics regulations under the CAA specify work practices for asbestos to be followed during demolitions and renovation of all facilities, including but not limited to structures and installations. While I understand that NESHAP does not apply directly to quarries, however, in the case of asbestos in the air and water supplies, and asbestos being a known carcinogen, the Rockhill Quarry presents a unique situation as the impacted zone contains elements of every variable covered in the CAA.

Prior to shutting its gates, the quarry was emitting asbestos into the air and ground through the means of blasting, crushing, and sorting operations. Aside from airborne travel, asbestos was tracked off site in many other facets often traveling miles away from where it originated. The most important variable that is consistently omitted from the PADEP reports to the EPA is the fact that the Rockhill Quarry is located within a residential area where over 11,000 students attend schools within 5 miles of its gates. As stated in a letter from Pennsylvania Department of Health (PADOH) dated February 7, 2020, there must be comprehensive health-based environmental sampling for

onsite, source, property/fence line, and offsite locations due to the inability to suppress asbestos dust and travel.

As noted in the PADOH letter, *“to produce sample data most applicable to human health... sampling methods should be employed over several weeks, including summer and winter seasons covering various weather conditions.”* The PADOH concludes that to determine the risk of exposure to vulnerable populations, a thorough environmental asbestos sampling plan should also include schools, daycares, and hospitals.

Additionally, it is my understanding that the testing laboratory, R.J. Lee Group is currently using modified testing procedures that have been deemed unacceptable by EPA and the United States Geological Survey (USGS) standards on multiple Superfund sites because it removes asbestos fibers from samples. The EPA has established a step-by-step procedure on sites where the potential risk is significant. A comparable example is the El Dorado Hills site where a thorough investigation led to California’s Naturally Occurring Asbestos (NOA) regulations, which as a result, are the most developed in the country. Considering in the case of the Rockhill Quarry that both the geologic investigation and asbestos testing were not conducted in accordance with standards of practice for geologists and laboratory testing, I request and urge the agency to commit to the following:

1. Conduct an unbiased NOA geologic investigation that meets the standards and protocols that would be acceptable by the USGS.
2. Following and relying on the geologic data, perform on-site Activity-Based Sampling (ABS) of air that targets the activities that will be conducted during quarrying operations, including drilling, excavation, loading, crushing and sorting, vehicular traffic, and other rock-disturbing activities.
3. During ABS sampling, perform construction area and site perimeter air monitoring. The Occupational Safety and Health Administration (OSHA) should be consulted for the appropriate worker protection.
4. After all data has been received and analyzed, perform a Baseline Survey to assess the existing conditions offsite.
5. Using all the data collected above, design and implement a risk-based perimeter and ambient (offsite) air monitoring program for the duration of the project following sampling, testing, and risk assessment procedures within EPA protocol.
6. Prepare and implement a rigorous dust control and track-out plan to minimize dust emissions and prevent the track-out of asbestos onto public roads.

Given the impact asbestos has on the health of the residents of East Rockhill Township, I urge full and fair consideration of this request. If you have any follow up questions, please contact me or a member of my staff at 215-579-8102.

Sincerely,



Brian Fitzpatrick
Member of Congress