



EAST ROCKHILL TOWNSHIP

BOARD OF SUPERVISORS

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April 8, 2020

Via Electronic Mail

Gary A. Latsha
District Mining Manager
Commonwealth of Pennsylvania
Department of Environmental Protection
Pottsville District Mining Office
5 West Laurel Boulevard
Pottsville, PA 17901

Re: East Rockhill Township's Comments on Hanson Aggregates Pennsylvania, LLC's Request for Extension to Respond to Department's Comments on Qualitative Geologic Survey Report

Dear Mr. Latsha:

On behalf of East Rockhill Township (the "Township"), please accept the following comments on Hanson Aggregates Pennsylvania, LLC's ("Hanson") letter, dated April 2, 2020, which requests a nine-month extension to respond to the Department's letter, dated March 2, 2020, relating to Hanson's Qualitative Geologic Survey Report ("QGSR") for the Rock Hill Quarry (the "Site"), dated November 15, 2019. The Township opposes Hanson's request.

As you are aware, residents of East Rockhill Township are deeply concerned about the presence of naturally occurring asbestos at the Site. On December 5, 2018, upon the Department's discovery of a positive asbestos sampling result, the Department issued an order to Hanson to cease all mining and rock crushing activity at the Site. On September 20, 2019, the Department sent a letter to Hanson requesting that Hanson conduct Transmission Electron Microscopy ("TEM") on all rock samples that Hanson previously collected at the Site; prepare samples for petrographic analysis; and resample at all of the water sampling locations. Hanson responded by letter, dated October 3, 2019, arguing that they should not have to comply with the Department's requests. On December 18, 2019, the Department sent a second letter directing Hanson to comply with the Department's requests by no later than January 20, 2020. The Township has been informed that, given that the Department intended to issue comments on the QGSR and intended to give Hanson 30 days to respond to those comments, the Department agreed to extend Hanson's deadline to respond to the Department's requests set forth in its September 20, 2019 to align with the deadline to respond to the Department's comments on the QGSR. On March 2, 2020, the Department issued its comments on the QGSR and provided a response deadline of April 6, 2020.

On April 2, 2020, Hanson sent a letter to the Department requesting a nine-month extension to respond to the Department's comments and the requests set forth in the Department's letter of September 20, 2019. Hanson alleges that COVID-19 has presented logistical issues and that Hanson's lead project manager left on or before March 4, 2020. On April 3, 2020, the Rockhill Environmental Preservation Alliance submitted a letter to the Department providing compelling reasons for why an extension is not necessary. The Township agrees that an extension is not necessary. Hanson has already had more than six months to comply with the Department's requests set forth in its letter dated September 20, 2019, and the

work required by those requests is not complicated or time-consuming. As Hanson set forth in its letter dated October 3, 2019, Hanson simply does not want to comply with those requests. Furthermore, the Department's comments set forth in its letter dated March 2, 2020 only require written responses, and many of those responses merely require Hanson to provide the bases for various technical positions it has taken in the QGSR.

Notwithstanding that an extension is not necessary, the Township and its residents need clarity regarding whether the Department intends to allow mining operations to recommence at the Site. The Township has limited resources and, for planning purposes, develops prospective budgets that allocate those resources, including those pertaining to emergency services and infrastructure improvements. The allocation of those resources will vary dramatically depending on whether operations at the Site will recommence or remain ceased. Delaying Hanson's response to the Department's comments will continue to restrict the Township's ability to plan for the safety of its residents and is therefore unacceptable.

While the Township believes that Hanson has already had more time than necessary to respond to the Department's comments and comply with the Department's requests, and that Hanson's request for an extension is not necessary, the Township understands that every person in the Commonwealth is dealing with issues relating to the COVID-19 pandemic and therefore believes that, at most, a 30-day extension may be warranted. Thank you for your consideration of the foregoing comments.

Respectfully submitted,

EAST ROCKHILL TOWNSHIP



Marianne Morano
Township Manager

cc: Thomas M. Duncan (via email)
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