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October 13, 2021

VIA EMAIL: rtallman@pa.gov

Richard E. Tallman, PE
Environmental Engineer, Bureau of District Mining Operations
Pennsylvania Department of Environmental Protection
5 West Laurel Boulevard
Pottsville, PA 17901

Re: Rock Hill Quarry, East Rockhill Township, Bucks County, PA

Dear Mr. Tallman:

I am writing on behalf of our client, Hanson Aggregates Pennsylvania, LLC (“Hanson”), in response to the letter you received from Mark L. Freed, Esquire, dated October 4, 2021, on behalf of Rockhill Environmental Preservation Alliance (“REPA”). My comments are as follows:

First, Attorney Freed attached a memorandum from Bradley G. Erskin, dated September 28, 2021, in response to test results submitted by Hanson to the Department. Hanson disagrees with Dr. Erskin’s findings and will be submitting a response to the Department on or before October 29, 2021.

Second, Mr. Freed and Dr. Erskine continue to reference Hanson’s testing work as selective and alleging that asbestos will be unreported to the Department. Their criticism of Hanson’s testing work is not supported by the facts. Hanson has provided the data related to the testing for the Department’s review. All of this testing and laboratory work was completed by Hanson and its consultants at the Department’s direction and has been posted to the Department’s webpage for public review with full transparency.

Third, Attorney Freed ends this letter, as he does with many of his other letters, confirming that REPA remains committed to working with the Department to “permanently cease operations” at

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the Quarry. In prior letters, REPA requests that the Department “fulfill its responsibilities” and permanently cease all operations at the Quarry. This is a misrepresentation of the Department’s role in this process. Further, REPA clearly has no interest whatsoever in Hanson’s reply to the Department’s requests for additional information (including the testing results); as REPA’s sole interest is to close the Quarry no matter how Hanson responds to the Department’s requests and no matter the testing results.

In summary, Hanson timely responded to paragraphs 1 through 10(d) of the Department’s April 12th letter. Hanson intends to timely respond to the remaining paragraph in the April 12th letter now that Hanson has received additional results from testing activities at the property and additional information/documentation from the experts engaged to assist with the remaining responses; but in no event later than the Department’s deadline of October 29, 2021. Hanson remains committed to working with the Department to allow the withdrawal of the Cessation Order so that mining activities can resume at the Rock Hill Quarry in a manner that is safe for its employees and the surrounding community.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Gundlach, Jr.', with a long horizontal flourish extending to the right.

Robert W. Gundlach, Jr.

cc (via email):

- John J. Stefanko, Deputy Secretary, PADEP
- Craig S. Lambeth, Esquire, Department Counsel
- Gary Latsha, District Mining Manager, PADEP
- Mark Freed, Esq., REPA Counsel
- Catherine Stehlin, Esq., Hanson Aggregates Pennsylvania, LLC
- Andrew Gutshall, Hanson Aggregates Pennsylvania, LLC
- Robert J. Schena, Esq., Fox Rothschild LLP