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VIA EMAIL AND OVERNIGHT DELIVERY

Scott Swarm
Pennsylvania Department of Environmental Protection
Southwest Regional Office, Waste Management
400 Waterfront Drive
Pittsburgh, PA 15222

Re: Former Tub Mill Farms, Inc. Site
Tax Parcel ID No. S14-01-009-00
Elk Lick Township, Somerset County, Pennsylvania

Dear Mr. Swarm:

I write on behalf of Verizon Pennsylvania LLC ("Verizon")¹ to respond to the Pennsylvania Department of Environmental Protection's ("PADEP's") November 30, 2017 Information Request ("Information Request") requesting information related to the disposal of utility poles at the above-captioned site ("Site"). After receiving the Information Request, Verizon requested additional time to respond. PADEP consented, and Verizon hereby provides the following response.

GENERAL OBJECTIONS

1. Based upon its review of the Information Request, Verizon regards individual components of the Information Request as vague or ambiguous. By way of example only, the Information Request is vague or ambiguous to the extent that the Information Request does not define various terms or purports to define terms other than by their commonly understood meaning. Verizon specifically states that it has provided responses to the Information Request based upon Verizon's understanding of the requests and the common usage of specific terms not otherwise defined.
2. Verizon construes its obligation to respond to the Information Request as coextensive with the scope of PADEP's authority pursuant to Section 503 of the Hazardous Sites Cleanup Act, 35 P.S. § 6020.503, and has interpreted such requests on the premise that the Information Request is reasonably related to information relevant to PADEP's lawful objectives pursuant to that section.

¹ The Information Request is addressed to Verizon Communications Inc. That entity is a parent company and is not involved in the installation or disposal of utility poles. In Pennsylvania, Verizon Pennsylvania manages the installation and maintenance of utility poles. The utility poles are disposed of pursuant to a contract between Verizon Corporate Services Group Inc. and Bridgwell Resources LLC.

3. The Information Request is overly broad and unduly burdensome. By way of example only, the Information Request is unduly burdensome to the extent it seeks records, such as invoices and other shipping records, from Verizon that PADEP can more easily obtain from other sources.

4. Verizon specifically reserves all rights to assert legally recognized privileges to protect against the disclosure of information, including without limitation the attorney-client privilege and the protection from disclosure pursuant to the attorney work product doctrine. Verizon does not waive any such right or privilege by its response to the Information Request, and hereby specifically asserts such privileges and protections as may be applicable.

4. In responding to the Information Request, Verizon has attempted to review documents and other information currently and reasonably available to Verizon and relevant to the Information Request. Verizon expressly states that its response to the Information Request is limited by the current availability of information. Verizon has undertaken a reasonable investigation designed to identify available existing documents or other information in its possession, custody or control. Such available information forms the basis for Verizon's response. Verizon reserves the right to modify or supplement its response if it becomes aware of additional information or documents.

5. The documents Verizon is providing in response to the Information Request include documents that contain material Verizon considers to be confidential. In accordance with 35 P.S. § 6020.503(h)(2), Verizon has applied "CONFIDENTIAL" stamps to the bottom of any such documents and requests that the documents not be disclosed to third parties, and that Verizon have the opportunity to object in the event PADEP receives a request for the disclosure of the documents.

Verizon incorporates the foregoing general objections into each of its responses to individual information requests, as well as the general response below, and will therefore not restate such objections within its responses. Subject to, and without waiving or limiting the foregoing objections, Verizon responds to the Information Request as follows:

GENERAL RESPONSE

We undertook a reasonable search of Verizon's records to respond to your Information Request. According to the records in Verizon's possession, Verizon's poles were not disposed of at the Site. Since at least 2004, the disposal of all of Verizon's poles has been coordinated by Bridgewell Resources LLC and its predecessor, North Pacific Group, Inc. (collectively "Bridgewell"). The contracts require Bridgewell to use specific, Verizon-approved disposal facilities, which do not include the Site. Excerpts from the contracts, including the list of approved facilities, are enclosed as Attachments A and B.

Our records indicate that Verizon's poles were only sent to Verizon-approved facilities. Each month, Bridgewell provides Verizon spreadsheets identifying the disposal facility for all Verizon poles. Verizon then stores the information from the spreadsheets in an internal database. Although Verizon was only able to locate Bridgewell spreadsheets dating to 2009, the database contains information derived from the spreadsheets

dating to 2004. The Site is not identified as the disposal facility for any shipment in the database.

Attachment C contains the spreadsheets provided by Bridgewell for 2009 through October 2017.² Enclosed as Attachment D is a spreadsheet containing all disposal data available in the database for shipments from Pennsylvania, Maryland, Delaware, Virginia, and Washington, D.C.

Verizon's hardcopy records are consistent. Enclosed as Attachment E are manifests and associated shipping records for Verizon poles disposed of at landfills from Pennsylvania, Delaware, and Virginia from 2012 to early 2014. None of the records show disposal at the Site.

Based on your requests and our prior conversations, I understand that you are specifically interested in poles that were hauled by Terry Brenneman, L&K Industries, Inc. ("L&K"), or Tub Mill Farms, Inc. Within the manifests enclosed as Attachment E, there are approximately 75 recorded shipments in which L&K was involved as a hauler. All of those shipments were delivered to Piney Creek landfill in Clarion, Pennsylvania. Another 25 manifests record shipments in which Tub Mill Farms, Inc., was involved as a hauler. All of those were delivered to American Landfill in Waynesburg, Ohio.

Note that it is possible there are other shipping records at the many garages and other locations across the Verizon footprint. But, even if such records exist, we have no reason to believe they would contain information that is different from the records included here.

RESPONSE TO INFORMATION REQUESTS

Primary Information Request:

Furnish all the information and documents in your possession, custody or control, or in the possession, custody or control of the officers, employees, agents, subsidiaries, affiliates, and predecessors of Verizon Communications, Inc. ("Verizon"), which concerns, refer to or relate to hazardous substances, as that term is defined by Section 103 of HSCA, 35 P.S. § 6020.103, which were generated, treated, stored, disposed of, transported to, or released from the Site into the environment.

Response:

See the above General Response. After conducting a reasonable search for documents and information, Verizon identified no information or documentation that concerns, refers to or relates to hazardous substances, as that term is defined by Section 103 of HSCA, 35 P.S. § 6020.103, which were generated, treated, stored, disposed of, transported to, or released from the Site into the environment.

² We have removed columns containing price information from the spreadsheets. Otherwise, the documents we are producing here are identical to the spreadsheets received from Bridgewell.

Specific Information Requests:

1. Narrative information and/or documentation regarding the types and quantities of hazardous substances, or materials containing hazardous substances, which were disposed of, stored, treated, ground, cut, mulched, altered, or released into the soil, groundwater or surface water at or near the Site or to the Transferees. Please use specific chemical names or product names for products used in Verizon utility poles transferred to Transferees, rather than generic terms, such as "preservatives" or "wood wastes". Please also describe the manner and the location in which any of the above materials were disposed of, stored, treated, ground, cut, altered, mulched, or released into the soil, groundwater or surface water at or near the Site or transferred to the Transferees.

Response:

Subject to and without waiving the foregoing General Objections, Verizon responds that its poles are typically treated with pentachlorophenol or creosote. They are not hazardous waste. After Verizon takes a pole out of service, Verizon employees typically bring it back to the nearest Verizon garage, where the pole is stored until it is picked up for disposal by a hauler engaged by Bridgewell. Verizon does not grind, cut, alter, or mulch the poles before they are picked up by the hauler.

For additional information responsive to this request, see the above General Response.

2. Narrative information and/or documentation regarding the approximate dates such hazardous substances or materials containing hazardous substances, were disposed of, stored, treated, ground, cut, altered, mulched, or released at or near the Site or transferred to the Transferees.

Response:

Subject to and without waiving the foregoing General Objections, see the above General Response and response to Specific Request No. 1.

3. Narrative information and/or documentation concerning how such hazardous substances or materials containing hazardous substances were treated, ground, cut, altered, mulched, stored, disposed of, or released at or near the Site or transferred to the Transferees.

Response:

Subject to and without waiving the foregoing General Objections, see the above General Response and response to Specific Request No. 1.

4. Narrative information and/or documentation regarding the identity and address of any other persons or companies which generated, treated, ground, cut, altered, mulched, stored, disposed of, or released hazardous substances or materials containing hazardous substances at or near the Site or transferred to the Transferees.

Response:

Verizon specifically objects to this request on the grounds that it is overly broad and unduly burdensome, and that it exceeds the scope of information PADEP is permitted to request under 35 P.S. § 6020.503. Subject to and without waiving this and the foregoing objections, Verizon states that it did not identify any information responsive to this request during its review of its records related to pole disposal and interviews with employees responsible for overseeing disposal of Verizon's poles.

* * *

Please feel free to contact me at alex.iliff@verizon.com or (908) 559-6265 if you have any questions regarding this response.

Sincerely,

A handwritten signature in blue ink, appearing to read 'H. Alex Iliff', is written over a light blue horizontal line.

H. Alex Iliff

Enclosures (electronic only)