



December 20, 2023

The Honorable Jessica Shirley
Interim Acting Secretary
Pennsylvania Department of Environmental Protection
400 Market Street
Harrisburg, PA 17101

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

Dear Interim Acting Secretary Shirley,

We were thankful for the opportunity to join all of you last Tuesday afternoon, and grateful for your attention to this serious matter regarding any activity taking place at the Rockhill Quarry.

Based on our discussion it appears that many of those in the meeting from DEP were unaware of some of the serious and impactful issues discussed at length in Dr. Bradley Erskine's reports, for example - the use of proprietary test methods that have not been validated and are contrary to the requirement specified in any test method, including the ISO 10312 method. Dr. Erskine is a renowned geologist that specializes in investigating NOA throughout the world for governmental bodies and independent organizations. Dr Erskine has investigated the NOA at the Rockhill Quarry since 2019 and has issued nineteen reports addressing the NOA at Rockhill Quarry. Since Dr. Erskine's reports form the basis for REPA's opposition to any and all activity at the Rockhill Quarry as it relates to NOA, we strongly urge everyone to closely review all of his reports and be sure that DEP has addressed all of the issues raised before making a final decision. All of Dr. Erskine's reports can be found here: <https://rockhillpa.org/asbestos-update/>.

We appreciated the follow up email from DEP last week in response to our concerns that RJLG's testing mechanisms are not being disclosed and are proprietary, which is claimed to be the "*standard in the industry*". RJLG uses their "proprietary" test method to identify fibers that they feel were not intended to be regulated (those that they claim are not "asbestiform") and then identify them as non-asbestos particles. There are several problems with this.

First, there is no consensus regarding the definition of "asbestiform". It is more a concept than a clearly defined physical property. It is well known that it is not possible to differentiate between "asbestiform" and non-asbestiform morphologies in air samples.

Second, it is well known that there are no test methods that can differentiate these fibers, even if the difference between asbestiform and non-asbestiform morphologies were to be clearly defined. NIOSH has clearly stated this, and the ISO 10312 method itself, which RJLG claims to adhere to, clearly states that the method does not allow a distinction to be made.

RJLG's use of their methodology to modify the ISO results invalidates the results. It is alarming that a regulatory agency like DEP allows self-monitoring and self-testing using undisclosed methods, then makes decisions that could adversely affect the health of a community based on results from secret methods. How is this acceptable in the scientific and regulatory world? For a regulatory agency to say you don't have to tell us how you did it leaves us perplexed as we feel you are simply taking RJLG's word for it. Asbestos is a deadly carcinogen and something of this magnitude requires transparency and full understanding of how conclusions are reached.

In early 2020 REPA asked the PA Department of Health as to the safety of NOA for nearby residents and students in close proximity to the Rockhill Quarry. The DOH responded with a September 16, 2020 letter (Department of Health letter attached). Mr. Stefanko said DEP believes the letter assumes a full asbestos mining operation. The letter from the DOH does not assume a full asbestos mining operation. We urge everyone to read the DOH's letter and draw their own conclusions. Mr. Stefanko's understanding of the level of activity assumed by DOH is erroneous since the letter clearly states that Naturally Occurring Asbestos at the Rockhill Quarry site, "[if] possible, should be avoided and left alone." Previously REPA has asked, what level of airborne asbestos is acceptable to DEP? DEP has never answered that question. Mr. Stefanko stressed that no airborne asbestos has left the quarry property. Until monitors were placed along the perimeter there was no way of knowing the amount of airborne asbestos that has migrated off of the property. There is a video showing a large dust plume above the quarry when Pierson was blasting. That video is available here: <https://drive.google.com/file/d/15s2J67SG-dvaGuZNAyjJ-FASD67mgP-P/view>. Should Heidelberg be allowed to remove 500 tons per year, what protections will be in place to protect the nearby residents and students, recipients of the material, the employees removing the material and the residents and students along the travel corridor of the trucks hauling the material?

Lastly, Ms. Shirley, you mentioned in the meeting that you were not briefed on this issue prior to the meeting. We are asking that you, along with the Governor's office, take a deeper look into this and make use of the data and discussions available in Dr. Erskine's technical reports (<https://rockhillpa.org/asbestos-update/>) prior to any decision being made regarding the future of the Rockhill Quarry.

REPA urges DEP to permanently close the Rockhill Quarry and develop a safe reclamation plan to protect the air we all breathe.

Respectfully yours,

Rockhill Environmental Preservation Alliance, Inc. (REPA)

cc: The Honorable Josh Shapiro, Governor of Pennsylvania
The Honorable Steven Santarsiero, 10th Senatorial District
The Honorable Jarrett Coleman, 16th Senatorial District
Deputy Secretary Greg Kauffman, Governor's Office of
Legislative Affairs
Deputy Secretary John Stefanko, PA-DEP Office of
Active and Abandoned Mine Operations

Dust appears to rise from the Rockhill Quarry in February, 2018 (since under 'temporary' CESSATION ORDER due to the presence of ASBESTOS). The quarry is located within 5 miles of 24 local schools (public and private) within an increasingly residential area of East Rockhill Township, PA. We understand that DEP has NEVER BEFORE permitted a quarry that has TESTED POSITIVE FOR ASBESTOS in a residential area to proceed.

