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June 24, 2021

Secretary Patrick McDonnell  
Pennsylvania Department of Environmental Protection  
400 Market St.  
Harrisburg, PA 17101

**RE:** Rockhill Quarry Time Extension

Dear Secretary McDonnell,

I am writing today on behalf of the many constituents who have contacted me that reside within East Rockhill Township and the neighboring communities regarding the Department of Environmental Protection's (DEP) decision on June 21, 2021 to partially grant extensions to specific items requested by Hanson Aggregates Pennsylvania LLC (Hanson) as outlined in the DEP's letter to Hanson dated April 12, 2021. Although the DEP denied the extension request for items 1 through 10(d), it is clear that the remaining items that were granted an extension are very much relevant to, and directed toward, a request for full quarry operations at the Rockhill Quarry. If true, this move lacks any transparency from the agency and is a total a disservice to every resident that lives within the quarry's proximity. With that said, I respectfully ask for the DEP to take the concerns of the residents and health experts into consideration before making any determination regarding the future of quarry operations at the Rockhill Quarry.

As you are aware, the letter in April requested clarity and specificity of expectations by explicitly laying out parameters for the information that DEP sought. It is important to note that the DEP did not expand the project or its requirements. The agency simply requested further information relating back to a previously deficient letter sent by Hanson. To be clear, the June 16, 2021 extension request filed by Hanson is essentially an opportunity for them to provide information that is in compliance with the requirements for full quarry operations. This claim is supported in their extension request where they stated, "[I]t was Hanson's intent, at least for the short term, to limit our mining operations at this quarry...to maintain a mining license." This information was further affirmed on a recent conference call with DEP representatives stating that their interpretation of this request was to give Hanson an opportunity to apply for full quarry operations. Therefore, it is verifiable that Hanson's long-term 'intent' is to resume full mining operations.

Furthermore, the April 2021 letter outlined firm deadlines for Hanson to respond. It is clearly stated in the April letter that all items must be addressed by the deadline on July 6, 2021, otherwise any response will be deemed non-responsive. The clause states that, "If you believe the stated deficiencies are not significant, you have the option of declining and asking the

Department to decide based on the information you have already made available.” According to all the information provided by the DEP, the DEP has not expanded the scope of this project, nor its requirements; therefore, it would be disingenuous for the agency to knowingly grant this extension after setting a strict deadline while aware of Hanson’s actual intent.

It is also important to remember that the quarry in question is proven to have significant levels of Naturally Occurring Asbestos (NOA) which poses a serious health risk to the neighboring residents. As you are aware, I have written to the EPA on numerous occasions detailing the existence of NOA at the quarry and the health issues associated with NOA. The sample analyses report submitted by Hanson in August 2020, shows a significantly higher quantity of NOA than previously reported. In the letter sent by the Pennsylvania Department of Health dated February 7, 2020, it clearly outlined the potentially dangerous exposure that NOA has on the surrounding community. Contrary to earlier representations, asbestos is found present across the site and within the primary unit (diabase) that will be quarried, rather than primarily restricted to the veins. Thus, asbestos exposure cannot be reduced by avoiding certain rock units or areas.

I cannot stress this enough – the existence of NOA is proven to be at the quarry at higher levels than originally predicted and any disturbance of NOA is not safe for human health. Throughout this process, the DEP constantly probed for information and Hanson’s mockery of a formal procedure diminishes integrity of the process by deficient responses and general noncompliance. It is disheartening that another extension request was once again granted to Hanson as a denial would finally cease their antics and prevent an unnecessary delay.

Given the fact that the intent of Hanson’s request goes beyond the scope of what is required, and the public health issues related to NOA, I respectfully ask the DEP to take these concerns into consideration before making a determination on future operations at the Rockhill Quarry. Further, I ask that the DEP continue to communicate with the EPA regarding the health impacts of this quarry before making any further determinations.

I appreciate your anticipated attention to this matter. Should you have any questions or if I can provide any further information, please do not hesitate to reach out to me at 215-579-8102.

Sincerely,



Brian Fitzpatrick (PA-01)  
*Member of Congress*