Message

From: Swetland-Johnson, Karen [Swetland-Johnson.Karen@epa.gov]
Sent: 2/25/2019 4:43:46 PM
To: Johnson, Barnes [Johnson.Barnes@epa.gov]; Sasseville, Sonya [Sasseville.Sonya@epa.gov]; Guernica, Mimi [Guernica.Mimi@epa.gov]; Kohler, Amanda [Kohler.Amanda@epa.gov]; Mooney, Charlotte [Mooney.Charlotte@epa.gov]
CC: ORCR IO [ORCR_IO@epa.gov]
Subject: RE: PCBs and Hazelton PA

Here you go:

News
Pennsylvania Redeveloper to Defend Use of PCB-Laced Fill Material
Posted Dec. 7, 2018, 4:20 PM

- Pennsylvania firm building arts center atop abandoned mines
- Court to review EPA notice

A Pennsylvania company working to reclaim an abandoned mine is challenging the EPA's determination that the company potentially violated a federal chemical waste law and state permit.

Hazelton Creek Properties LLC asked the U.S. Court of Appeals for the Third Circuit Dec. 6 to review the Environmental Protection Agency's notice. The company's Hazelton, Pa., property has 277 acres of abandoned mine pits as well as municipal and industrial waste.

The company is accepting materials including coal ash, cement kiln dust, concrete, and asphalt to eventually create a performing arts center on the site. According to the Hazelton Creek Properties' website, "HCP is authorized to conduct the site reclamation/remediation using the residual materials" approved by several government agreements.

Solid vs. Hazardous Waste
The agency took issue with Hazelton's use of material that contains polychlorinated biphenyls (PCBs), which are probable carcinogens, according to the EPA. The federal Toxic Substances Control Act and EPA regulations limit the concentration of PCBs that are acceptable for use.

A Sept. 26 letter from the EPA to the company noted that the agency wasn't taking corrective action at the time, but may do so if the firm continued to accept materials in violation of federal regulations.

Neither the company nor the EPA immediately responded to Bloomberg Environment's requests for comment.

The case is Hazelton Creek Props. LLC v. EPA, 3d Cir., No. 18-03665, 12/6/18.

Karen Swetland-Johnson
703-308-8421
swetland-johnson.karen@epa.gov

-----Original Message-----
From: Johnson, Barnes
Sent: Monday, February 25, 2019 11:08 AM
To: Sasseville, Sonya <Sasseville.Sonya@epa.gov>; Guernica, Mimi <Guernica.Mimi@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Mooney, Charlotte <Mooney.Charlotte@epa.gov>; Swetland-Johnson, Karen <Swetland-Johnson.Karen@epa.gov>
Cc: ORCR IO <ORCR_IO@epa.gov>
Subject: RE: PCBs and Hazelton PA

Can you copy the article, it's asking me to register in order to read it. Not sure why since we get it through the library.

Barnes Johnson
USEPA | Resource Conservation and Recovery | Tel 703-308-8895 | johnson.barnes@epa.gov | @EPAland

-----Original Message-----
From: Sasseville, Sonya
Sent: Friday, February 22, 2019 3:07 PM
To: Johnson, Barnes <Johnson.Barnes@epa.gov>; Guernica, Mimi <Guernica.Mimi@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Mooney, Charlotte <Mooney.Charlotte@epa.gov>; Swetland-Johnson, Karen <Swetland-Johnson.Karen@epa.gov>
Cc: ORCR IO <ORCR_IO@epa.gov>
Subject: RE: PCBs and Hazelton PA

Looks like it's about redeveloper use of PCB-containing material as fill for abandoned mines - - see link below. Amanda or Karen, do you know anything about this or can you please check with Region 3? Maybe they have a background paper they could share. Thanks.

https://news.bloombergenvironment.com/environment-and-energy/pennsylvania-redeveloper-to-defend-use-of-pcb-laced-fill-material

Sonya Sasseville
Director, Program Implementation and Information Division Office of Resource Conservation and Recovery/OLEM U.S. Environmental Protection Agency
(703) 308-8648

-----Original Message-----
From: Johnson, Barnes
Sent: Friday, February 22, 2019 2:56 PM
To: Sasseville, Sonya <Sasseville.Sonya@epa.gov>; Guernica, Mimi <Guernica.Mimi@epa.gov>; Kohler, Amanda <Kohler.Amanda@epa.gov>; Mooney, Charlotte <Mooney.Charlotte@epa.gov>
Cc: ORCR IO <ORCR_IO@epa.gov>
Subject: PCBs and Hazelton PA

I just by chance learned that there is a high level call today regarding <50 PCB soils. Peter Wright, R3, OGC and OECA are involved and maybe OCSPP.

Peter had a long email string discussing the issue. He said he would let me know the outcome of today's call.

Here is the ask. Can someone please share background on this issue? I do remember brief mention of this fairly recently but have no idea what would attract this sort of sr level attention.

Thanks.

Sent from my iPhone