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October 20, 2005

Mr. James S. Patton
125 Gillin Road
Ambler, PA 19002

Dear Mr. Patton:

Enclosed, please find the response I have received from the United States Environmental Protection Agency to my inquiry on your behalf.

I hope you will find this information helpful. If you should have any additional questions regarding this or any other matter, please do not hesitate to contact my **Philadelphia Regional Office**.

Sincerely,



Rick Santorum
United States Senate

RJS/jp
encl:

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

OCT 17 2005

The Honorable Rick Santorum
United States Senator
Widener Building
One South Penn Square, Suite 960
Philadelphia, PA 19107

Dear Senator Santorum:

Thank you for your letter dated September 19, 2005 to the U.S. Environmental Protection Agency (EPA) on behalf of your constituent, Mr. James S. Patton, regarding the Borit Asbestos Tailings Pile Site (Site) located on Maple Avenue in Ambler, Pennsylvania.

As a cooperative effort in environmental matters involving the states, EPA contacts the state as a first response. Therefore, the EPA Region III's Site Assessment Program, under the Comprehensive Environmental Response, Compensation and Liability Act program (also known as Superfund), has met with the Pennsylvania Department of Environmental Protection (PADEP) regarding the environmental conditions at the Site. During the meeting, EPA and PADEP discussed the cleanup and redevelopment plans for this Site. It was decided that, at a minimum, baseline sampling will be performed to determine the current conditions at the Site. This will include obtaining air, water, and soil samples. Typically, monitoring and sampling is done by any party choosing to develop the Site. However, if they are unable or unwilling to do so either PADEP or EPA will perform the baseline sampling. In any case, EPA will coordinate with the state to ensure that appropriate measures are taken to protect human health and the environment.

With regards to Mr. Patton's appeal for conducting remedial tasks at the Site, these types of activities are usually performed during a Remedial Investigation/Feasibility Study phase at a site. This type of study is only performed on sites that have been placed on the National Priorities List (NPL). As your office may be aware, the NPL is reserved for egregious sites for which there are limited cleanup alternatives that necessitate Federal involvement pursuant to Superfund. This Site is currently not on the NPL.

At this time, the Air Management Program at PADEP is the primary contact for any environmental issues involving asbestos at the Site. It is our understanding that the Site will be developed pursuant to the requirements of the Land Recycling and Environmental Remediation Standards Act (Act 2) Program under PADEP. Through this program, a characterization of the



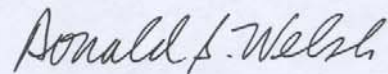
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Site is expected to be performed, including sample collection, to evaluate the extent of potential contamination at the Site. The local ordinances, along with the provisions as described by the PADEP's Act 2 Program, should be adhered to during the investigation and development of the Site to protect human health and the environment. Furthermore, requirements would be established during any inspections or improvements of the Site to minimize any releases to the environment.

Based upon current information and the PADEP's active role, EPA anticipates no need to further address this Site under the Federal Superfund Program, unless new information or conditions not previously known regarding the Site are discovered that would warrant further Superfund consideration or, the Commonwealth of Pennsylvania requests Federal involvement. EPA's Region III office will maintain an open dialogue with the PADEP regarding the Borit Asbestos Tailings Pile Site as necessary.

If you have any questions, please do not hesitate to contact me or have your staff contact Ms. Stacie Driscoll, Pennsylvania Liaison, at 215-814-3368 or Ms. Charlene Creamer in EPA Region III's Site Assessment Program at 215-814-2145.

Sincerely,

A handwritten signature in cursive script that reads "Donald S. Welsh".

Donald S. Welsh
Regional Administrator