

A-2015-2473398

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SECRETARY'S BUREAU

August 17, 2015

Ms. Rosemary Chiavetta
Public Utility Commission
P.O. Box 3265
Harrisburg, PA 17105-3265

Re: PA Turnpike Bridge Replacement
Middlesex Township, Cumberland County

Dear Ms. Rosemary:

The Pennsylvania Department of Environmental Protection has reviewed the information provided regarding the above project.

Before proceeding with this project, please consider the following comments:

1. Please contact the Cumberland County Conservation District at 717.240.7812 to discuss the requirements for Erosion and Sedimentation Control Plans and Chapter 102 NPDES Permits for Stormwater Discharges Associated with Construction Activities.
2. A Water Obstruction and Encroachment Permit may be required if the project impacts streams, wetlands, floodways, floodplains, or other bodies of water. Please contact Ed Muzic at the below address or telephone 717.705.4765 for additional information.
3. In the event that your project includes the demolition of any structure, or the disturbance of any asbestos-containing materials, your project may be subject to the federal asbestos regulations found at 40 CFR Part 61, Subpart M, beginning at 40 CFR 61.140. Enclosed for your information is an Asbestos Fact Sheet.
4. Any construction or earthmoving activities must comply with 25 Pa. Code Sections 123.1 and 123.2. These sections generally require that 1) reasonable measures must be taken to minimize airborne dust nuisances from construction activities, 2) any dirt drag-out onto paved streets must be promptly removed, and 3) any airborne dust generated from construction activities may not visibly cross off-property.

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5. All construction and demolition waste should be properly transported and disposed of at a DEP permitted facility. Open burning of waste is not acceptable. You may also want to consider deconstruction and salvage to reduce the costs of disposal. Please contact Mr. Anthony Rathfon of our Waste Management Program at the below address or telephone 717.705.4860 for additional information.

Thank you for the opportunity to provide comments on this project. If you would like to meet with us to discuss the project, please call me at 717.705.4929.

Sincerely,



Robert E. Conrad
Assistant Regional Director

Enclosure

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Asbestos Fact Sheet

(Rev. 07/11)

Facilities throughout the Commonwealth are subject to both federal and State regulations when dealing with asbestos containing material (ACM). These regulations are found under Federal Code 40 CFR 61 Subpart M, National Emission Standards for Hazardous Air Pollutants, Title 25 Pa. Code §124.3, 40 CFR 763 Subpart E, Asbestos Hazard Emergency Response Act (AHERA), the Pennsylvania Asbestos Occupations Accreditation and Certification Act (PAOACA), and 25 Pa. Code §299.152 and 299.232.

Subpart M and 25 Pa. Code §124.3 are jointly and independently enforced by PA DEP and US EPA. Subpart M contains the regulations that govern the removal of ACM in any institutional, school, commercial, public, industrial or residential building containing four (4) or more dwelling units. Such buildings are referred to in the regulation as “facilities.” Title 25 of the Pennsylvania Code §124.3 fully adopts the NESHAP promulgated in 40 CFR Part 61. Please note that 40 CFR 61 Subpart M also addresses the demolition of facilities, *even if the facility does not contain any asbestos*. Furthermore, responsibility for complying with Subpart M lies with both the facility owner and the asbestos/demolition contractor. Therefore, knowledge of the regulations by a representative of each party affiliated with the project is necessary to ensure compliance with these regulations during covered projects.

Key elements of Subpart M include:

- pre-project inspections for all projects, regardless of size
- notifications to DEP and EPA at least 10 working days prior to commencement facility renovations over certain size requirements, and prior to all facility demolitions
- use of specified work practices and emission controls
- certification of certain asbestos-related personnel

If you should have any questions concerning the above asbestos requirements, please contact DEP's Southcentral Regional Office, Air Quality Program at 717.705.4702.

AHERA deals only with asbestos in public and private schools. 40 CFR 763 Subpart E, the AHERA regulations, apply specifically to school districts. These regulations were promulgated in 1987 and required local education agencies to identify friable and non-friable ACM in public and private elementary and secondary schools and submit management plans to the Governor of their state by October 12, 1988. By now all school districts should have well-established plans. As a result of this, most schools today are asbestos-free or have operation and management plans for remaining ACM in place. Nevertheless, school districts must continue updating their management plans, which involves the re-inspection and re-evaluation of all friable and non-friable ACM listed in their plans. This update and re-inspection is required every three years under the AHERA regulations. The AHERA regulations also require annual written notification to parents, teachers, and employee organization of the availability of management plans. AHERA is enforced solely by EPA. Questions regarding this regulation should be directed to EPA.

PAOHCA deals generally with training and certification of individuals involved in asbestos removal work. PAOHCA is administered by the PA Department of Labor and Industry. Questions regarding this regulation should be directed to the PA Department of Labor and Industry.

25 Pa. Code §299.152 and 299.232 deals with the storage and transportation of friable asbestos waste. For disposal, all asbestos bearing wastes should be wetted down and placed into leak-tight containers/bags. All asbestos wastes should be transported to a facility that is permitted by DEP to accept such wastes. If you should have any questions concerning this requirement, please contact DEP's Southcentral Regional Office, Waste Management Program at 717.705.4706.



Department of Environmental Protection
Southcentral Regional Office
909 Elmerton Avenue
Harrisburg, PA 17110-8200

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