

Pennsylvania Department of Environmental Protection

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909 Elmerton Avenue  
Harrisburg, PA 17110-8200  
November 4, 2008

Southcentral Regional Office

717-705-4704  
FAX - 717-705-4930

Dr. & Mrs. Paul Petersen  
1300 Hillcrest Road  
Lancaster, PA 17603-2413

Re: Relocation of the Dillerville Railyard  
Manheim Township, Lancaster County

Dear Dr. & Mrs. Petersen:

Thank you for your letter of October 16, 2008 concerning the Norfolk Southern Rail Yard in Lancaster. The Governor has referred your letter to me to address the environmental issues you raised.

It seems there is much confusion about the Dillerville Rail Yard relocation, what has been disclosed to the Pennsylvania Department of Environmental Protection (DEP) and the reports cited in TRRAAC's October 9, 2008 meeting. DEP appreciates the opportunity to address the issues raised in your letter dated October 16, 2008. Please note that the information referenced in the remainder of this letter is available for public review, which can be scheduled by calling DEP's Southcentral Regional Office at 717-705-4732.

During the October 9 meeting, DEP believes that the TRRAAC attorney and engineering consultant were referring specifically to two reports submitted to the U.S. Environmental Protection Agency (EPA). Both reports are very clear that the scope of investigation was to the south of the railroad tracks. The Lancaster Brickyard/Dillerville Railroad/Lancaster County Solid Waste Management Authority site currently under remediation is to the north of the railroad tracks. While the "Lancaster Brickyard Dump" is loosely used to identify a large area of land, the site investigated in the reports and the one currently being remediated are not the same physical pieces of property.

To understand fully what was in these reports, it is important to consider the circumstances under which they were submitted. The first report, *Preliminary Assessment for Lancaster Brickyard Dump PA#1901*, was submitted by DEP's predecessor, the Pennsylvania Department of Environmental Resources (DER), on August 7, 1987. At that time, DER initiated an investigation into whether the Lancaster Brickyard Dump should be listed on EPA's Superfund National Priority List (NPL). Again, the area studied in the Preliminary Assessment was focused entirely south of the railroad tracks. It is unclear whether DER was aware that a much larger area was included in the Lancaster Brickyard Dump or based the study solely on an area that had evidence of recent dumping.

Based on the Preliminary Assessment, EPA determined that further investigation was warranted. The second report, *Site Inspection of Lancaster Brickyard Dump Prepared Under TDD NO. F3-8809-24, EPA No. PA-1901, Contract No. 68-01-7346*, was submitted by NUS Corporation (an EPA contractor) on January 19, 1990. The Site Inspection again focused only on that area to the south of the tracks. This study included testing of the soils, surface waters, and groundwater, and evaluated the soils, geology, and hydrology of the site, as well as the history of the site in general.

The information contained in these reports was used to rank the site to determine if it should be included on the NPL. Based on the information supplied by these two reports, the EPA determined that the site did not meet the minimum criteria for listing, and the site was designated as "No Further Response Action Planned." Furthermore, in 2001, EPA released a Final Assessment Decision that determined, once again, that the Lancaster Brickyard Dump site south of the tracks was not of "ongoing federal interest." As recently as September 2, 2008, in a letter addressed to TRRAAC, EPA responded that it "does not believe it is necessary to reopen the site for investigation at this time", in part, because the site north of the tracks is being remediated under Act 2. Of course, EPA may reassess a site if new facts come to light, the primary land use changes, or it is otherwise determined to be of interest.

Both of these reports investigated the nature of materials dumped at the Lancaster Brickyard Dump south of the railroad tracks and the risks these materials posed to the public and the environment. They also stated that dumping of Class III Demolition Waste and grass clippings, leaves and branches was taking place on site.

There currently is no evidence or reason to believe that any dumping occurred on the proposed relocation site (north of the tracks) since it was closed in the early 1960s.

Your letter also indicated concern about limited public input. Manheim Township has taken advantage of the Land Recycling and Environmental Remediation Standards Act (Act 2) Public Involvement Plan (PIP) process. The PIP for the relocation was submitted in the *Remedial Investigation and Cleanup Plan*, which DEP approved on October 3, 2008. Reports and plans submitted to DEP must include the comments received from the public and the municipality, as well as responses to those comments. Therefore, the public comment period will extend up to the submission of the Act 2 Final Report, and DEP will consider the comments as part of its review of Act 2 plans and reports. Opportunities for public input include:

- Two public meetings, one held June 19, 2008, and another to be held November 13, 2008 at the Manheim Township Middle School.
- The project's web site (<http://www.fandm.edu/railyard.xml>) has a "Contact Us" link.
- Information is available at the Manheim Township Office and at the Manheim Township Public Library.
- Designation of Keith Orris at Franklin & Marshall College as a contact person to address questions from the community.

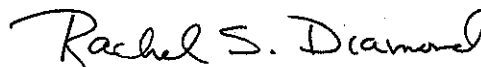
Please note that a PIP requires that the public's environmental concerns are addressed in Act 2 reports. DEP cannot address concerns that are not under our jurisdiction, such as noise levels and housing prices. While the PIP can be used as a forum for the public to voice their concerns and offer alternative solutions to the project partners responsible for the remediation and development of the site, DEP does not have the authority to require that the project partners change the location of the site or otherwise alter their plans that fall outside of the Act 2 regulations. Through the Act 2 process, DEP will ensure that the site will be remediated in a way that is protective of human health and the environment. However, DEP cannot determine what the end use of the site will be, nor does DEP have the authority to change the site of the proposed relocation. This agency's role is to evaluate proposals we receive for acceptability under the environmental statutes and regulations we administer.

The project sponsors and DEP are aware that asbestos-containing materials are present in the dump. To date, only non-friable, organically bound asbestos has been identified on-site. However, based on site history and comments from the public, there appears to be a possibility that friable asbestos may be unearthed during excavation. DEP and The ARM Group (the environmental consulting firm representing the project partners), in response to these concerns and comments, determined that it was necessary to take very conservative measures to ensure that if any friable asbestos is found, it will be handled properly. The following precautions will be taken to identify and mitigate friable asbestos:

- The excavation will proceed in "cells," which will be limited in size, to ensure that excavation is done in a controlled manner.
- Air monitors will be placed at strategic, downwind locations to monitor for asbestos fibers.
- Soakers and misters will be employed to keep airborne dust to a minimum.
- A certified asbestos inspector will be on-site to identify friable asbestos.
- If any friable asbestos is identified, it will be wetted and double bagged, and segregated from the rest of the excavated material for proper disposal.

Thank you for your interest in this matter. I hope this information is helpful. If you have any questions, please contact me at 717-705-4704 or by email at [rdiamond@state.pa.us](mailto:rdiamond@state.pa.us) or Mr. John Krueger at 717-705-4705 or email at [jkrueger@state.pa.us](mailto:jkrueger@state.pa.us).

Sincerely,



Rachel S. Diamond  
Regional Director