



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

MAR - 3 2015

Ms. Sharon McCormick  
Ambler Borough Council  
122 East Butler Avenue  
Ambler, Pennsylvania 19002

Dear Ms. McCormick:

Thank you for your electronic correspondence to the U.S. Environmental Protection Agency (EPA) Assistant Administrators Mathy Stanislaus and Cynthia Giles regarding the potential redevelopment of the Bast property located on South Maple Way in Ambler, Pennsylvania. I would like to clarify information related to EPA's involvement so that you may share it with your constituents.

The Bast property is not on the Superfund National Priorities List, and is not the subject of other federal cleanup or enforcement authorities. Such properties are considered to be "eligible response sites" under Section 101(41) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA).

The Bast property is being managed under the Pennsylvania Department of Environmental Protection's (PADEP) Act 2 Program. This program is the Commonwealth's voluntary cleanup program to address eligible response sites that may be suitable for redevelopment after they have been cleaned up. Section 128(b) of CERCLA provides that the EPA may not take an administrative or judicial enforcement action under CERCLA to address a release at an eligible response site (such as the Bast property) that is being addressed in compliance with a state response program (such as the Act 2 Program). In 2004, EPA and PADEP entered into a Memorandum of Agreement (MOA) that discusses roles and responsibilities at such properties and includes a recognition that the Act 2 Program includes the key elements of a state response program. A copy of the MOA is available at: [http://www.epa.gov/brownfields/state\\_tribal/moas\\_mous/pa\\_moa.pdf](http://www.epa.gov/brownfields/state_tribal/moas_mous/pa_moa.pdf).

As you may be aware, PADEP is taking the lead to oversee the cleanup of the Bast property because the owner of the property has voluntarily submitted a cleanup plan for the property in anticipation of redevelopment under the Commonwealth's Act 2 program, and the plan was approved by PADEP. The plan includes capping the site to meet the specific Act 2 program standards, as well as taking the necessary precautions to comply with the National Emissions Standards for Hazardous Air Pollutants (NESHAPs) and other environmental laws designed to prevent people from being exposed to asbestos during and after construction.



Regarding your concern that EPA is funding redevelopment of the Bast property, the EPA is not presently providing funding for the project at the Bast property. As a general matter, EPA does not provide Brownfields funding for redevelopment projects themselves, but only for assessment and cleanup of contamination. EPA may award Brownfields grants, on a competitive basis, to local communities for the purpose of establishing Revolving Loan Funds (RLF). RLFs provide low-interest loans and/or sub-grants to private parties to clean up contamination at Act 2 and Brownfields properties to further redevelopment.

In the case of the Bast property, the Redevelopment Authority of Montgomery County, Pennsylvania, (RDA) is the recipient of an RLF grant. Private and public developers may apply to the RDA for RLF money to conduct cleanup work. The RLF funds are for use anywhere in Montgomery County, and the RDA decides which cleanup projects it will fund. According to the information we received from the RDA, the Bast property developer has applied for RLF funding through the RDA. However, the RDA has not yet evaluated the application.

Your letter also raised concern that the Bast parcel still consists of "...soils of 90% asbestos." We agree that such a number, depending on location of contamination and other factors could be of concern. Available sampling data shows a range of concentrations from non-detect up to a reading of 90% at a specific location, and detections varied across the site and with depth. Additional clarification of the sampling data can be obtained from the PADEP and from the Langan reports. However, regardless of the level of the asbestos contamination present on the Bast property, the cleanup plan submitted by the developer should address potential exposure to the contamination through cleanup and redevelopment.

You expressed concern that the adjacent Ambler Asbestos Superfund Site remedy may have been impacted by unauthorized work, and EPA shares your concern. The owners of the adjacent Frumin parcel, allegedly working in coordination with the current property owner of the Ambler Asbestos Superfund Site, installed a monitoring well, destroyed security fencing, and placed fill material on the Ambler Superfund Site without prior authorization from EPA and/ or PADEP. The Ambler Asbestos Site is subject to a PADEP Section 512 Order which prohibits certain activities on the Site in order to protect the remedy. PADEP issued a Notice of Violation of the section 512 Order to the owners of the Ambler Asbestos Site property, and has entered into a Consent Order to correct the violations. EPA is working with PADEP to enforce the Consent Order, which requires the removal of any wells that have been placed on the Site and the removal of any fill material that does not meet PADEP's clean fill standards. The Consent Order also requires that the damaged security fencing that is part of the Ambler Asbestos remedy be repaired.

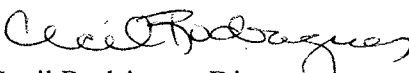
Regarding your concern that EPA has not been forthcoming with information, the Site teams for both the BoRit and Ambler Asbestos Superfund Sites have strived to be forthcoming, responsive, and transparent in providing information, and answering questions. In 2009, EPA worked with community members to facilitate the formation of the BoRit Asbestos Community Advisory Group (CAG). The CAG was created to provide a transparent process in which to share information and help the community understand the investigation and remediation of the BoRit Asbestos site. The BoRit and Ambler Asbestos Site Teams (Site Team) have provided technical support to the CAG as it relates to EPA's role and responsibilities at the BoRit and Ambler Asbestos Superfund sites. Since the CAG's formation, they have elected to expand their scope to consider other properties in Ambler, some of which EPA's Superfund program is not authorized to address.



With regard to the Bast property, an EPA On-Scene Coordinator conducted an inspection and activity-based sampling on the property and EPA determined a response action was not warranted. The OSC made two presentations to the CAG regarding his findings. Additionally, the Site Team has facilitated two public presentations so far this year. One presentation was made by the developer to the CAG's Remediation, Redevelopment, and Monitoring committee in late January, and the other presentation was made by the developer and the PADEP at the February 4, 2015 meeting of the full CAG. However, if you requested information that you did not receive, please contact Carrie Deitzel, EPA's Community Involvement Coordinator, and she will assist you in obtaining additional information. You may reach Carrie at (215) 814-5525 or [Deitzel.carrie@epa.gov](mailto:Deitzel.carrie@epa.gov).

I hope you find this information helpful. Thank you for your continued interest in the Ambler asbestos issues, and your service on the BoRit Asbestos Community Advisory Group.

Sincerely,

  
Cecil Rodrigues, Director  
Hazardous Site Cleanup Division

cc: Mathy Stanislaus, Assistant Administrator  
Office of Solid Waste and Emergency Response

Cynthia Giles, Assistant Administrator  
Office of Enforcement and Compliance Assurance

