March 31, 2011

U.S. Environmental Protection Agency, Region 3
Arsenal Business Center Site – Asbestos Cleanup Order
Fact Sheet

On March 30, 2011, the U.S. Environmental Protection Agency, Mid-Atlantic regional office issued an Administrative Compliance Order (Order) to the owner Arsenal Associates (Arsenal) and the property management company Hankin Management, Inc. (Hankin), of the Arsenal Business Center (formerly known as the Frankford Arsenal), located at 2275 Bridge Street, Philadelphia, Pa. (the Site or Facility).

EPA's Order addresses alleged violations of Clean Air Act regulations regarding demolition and renovation activities involving buildings with asbestos-containing materials. The alleged violations were discovered during a series of inspections at the Facility conducted by the City of Philadelphia's Department of Public Health Air Management Services (AMS), and follow-up inspections by EPA.

The Arsenal Business Center includes about 1.4 million square feet of light industrial and office space in over one hundred buildings, on 86 acres of land. The EPA Order involves the northern portion of the Arsenal Business Center -- bordered to the north by Tacony Street and Interstate 95, to the south by the Frankford Creek, to the east by a Pennsylvania Fish and Boat Commission building and boating ramps, and to the west by a chain link fence along Baird Street. This area is referred to by the owner/managers as the "Future Home of the Shopping Center at the Arsenal."

Violations Alleged:

The Order alleges that Hankin and Arsenal violated the Clean Air Act asbestos National Emissions Standards for Hazardous Air Pollutants (NESHAP) regulations by: failing to provide adequate notice to EPA of demolition/renovation projects involving asbestos; failing to adequately wet all regulated asbestos containing material which had been removed or stripped from the Site and to ensure that all of these materials remained adequately wet until collected and contained in preparation for proper disposal; and failing to properly dispose of asbestos-containing waste material as soon as practical.

EPA Order Requirements:

EPA's Order requires Arsenal and Hankin to take several measures to address the alleged regulatory violations and to protect public health at the Arsenal Business Center. The Order is effective as of April 6, 2011 and requires that the following actions be taken:

*cease demolition or renovation activities that may cause the release of asbestos fibers to the outside air or expose workers or members of the public to asbestos containing materials;

*within 24 hours, seal and lock all windows and doors and cover any openings, of the buildings listed in the Order to prevent unauthorized entry and ensure that no asbestos fibers are exposed to the outside air;

*within 24 hours**,** post warning signs ("DANGER ASBESTOS HAZARD DO NOT ENTER") on access points to the property, buildings, steam tunnels, and pipe chases subject to the Order;

*within 48 hours**,** remove the asbestos containing demolition debris from the property, and legally dispose of asbestos containing materials currently bagged and staged on-Site.

*perform a comprehensive survey of all asbestos containing materials remaining on the Site, including materials which have been bagged, removed or partially removed from buildings; and

*develop for EPA approval a work plan ensuring compliance with the asbestos regulations at all buildings at the Facility. The work plan must detail how and when the remaining asbestos at the Site will be removed in accordance with Clean Air Act asbestos regulations and other applicable laws.

Public Health Concerns:

Asbestos is the name given to a number of naturally occurring fibrous minerals with high tensile strength and are resistance to heat and most chemicals and can be easily woven. Because of these properties, asbestos fibers have been used in a wide range of manufactured goods, including roofing shingles, ceiling and floor tiles, paper and cement products, textiles, coatings, and friction products such as automobile clutch, brake and transmission parts. When asbestos-containing materials are damaged or disturbed by repair, remodeling or demolition activities, microscopic fibers become airborne and can be inhaled into the lungs, where they can cause significant health problems.

Exposure to asbestos increases your risk of developing lung diseases such as asbestosis, lung cancer and mesothelioma. That risk is made worse by smoking. Significant exposure to asbestos usually results from breathing contaminated air in workplaces that make or use asbestos. In general, the greater the exposure to asbestos, the greater the chance of developing harmful health effects.

More information on potential health risks from asbestos can be found at: http://www.atsdr.cdc.gov/tfacts61.pdf or from the Center for Disease Control's Agency for Toxic Substances and Disease Registry Information Center by calling 1-888-422-8737.

Clean Air Act regulations require that regulated asbestos-containing materials (i.e. materials containing more than one percent asbestos) that may release asbestos fibers during demolition or renovation must be adequately wetted during removal, and carefully handled to prevent emission of

asbestos fibers. These materials must remain adequately wetted, until securely bagged or otherwise treated to minimize asbestos emissions prior to disposal.

EPA's Order is designed to reduce the risk of asbestos emissions from this Site. EPA and AMS will continue to evaluate measures to further reduce this risk, and to protect the public from potential exposure to asbestos fibers from demolition or renovation activities at this Site.

Actions:

EPA issued this Order to the owner and manager of the Site to mitigate any potential future risk of exposure from asbestos fibers and to ensure that any additional work at the Site is done in accordance with local and federal regulations.

AMS has been fully cooperative in EPA's efforts to identify asbestos NESHAP issues at the Arsenal Business Center. Since September 2010, Philadelphia AMS has conducted repeated inspections and issued Notices of Violation to the owner and operator of the Site for violations of asbestos NESHAP regulations. Similarily, EPA has conducted independent inspections on three separate occasions and taken samples from various buildings on the Site. Sampling results from the EPA and AMS inspections indicated the presence of asbestos containing material at or above regulated levels in debris that was allegedly not removed in accordance with local and federal regulations.

For more information on asbestos and related EPA regulations, visit: http://www.epa.gov/asbestos and http://www.atsdr.cdc.gov/tfacts61.pdf .

For more information on asbestos and related regulations from the City of Philadelphia, visit: www.phila.gov/health/AirManagement/AsbestosControl.html and www.phila.gov/health/FAQ/FAQ_asbestos.html

For more information on potential health risks associated with asbestos, visit: http://www.atsdr.cdc.gov/tfacts61.pdf or contact the Center for Disease Control's Agency for Toxic Substances and Disease Registry Information Center at 1-888-422-8737.

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