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Legislators: Help us out of our hole

Wednesday, March 31, 2004

By **ALYSSA YOUNG**
The Express-Times

Legislators who represent the sinkhole-ridden area surrounding the dismantled Route 33 bridge are flooding Harrisburg with pleas for help.

A bill they are supporting could pave the way for a long-awaited, area-wide approach to sinkhole repair.

"It's almost like it was meant to be. The vehicle was there. It's like our prayers are answered," state Sen. Lisa Boscola said. "This is our best shot."

On Jan. 24, a sinkhole opened beneath a pier supporting the northbound Route 33 bridge that spans the stream between Routes 248 and 191. The Pennsylvania Department of Transportation expects to replace that bridge by the end of the summer.

In October 2000, a sinkhole collapsed the Bushkill Street bridge spanning the Bushkill Creek between Stockertown and Tatamy. The Pennsylvania Department of Transportation still is designing its replacement.

During the past three years, more than 80 sinkholes have opened along



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a 1.5-mile stretch of the Bushkill Creek.

PennDOT only can pay to repair sinkholes on its roads or in its rights of way.

At the same time, the state Department of Environmental Protection's authority is limited to sinkholes linked directly to mining operations.

House Bill 37 is designed to overcome a technical hurdle that has blocked the U.S. Army Corps of Engineers from fixing the other sinkholes along the Bushkill Creek's banks in Stockertown, Tatamy and Palmer Township.

The Army Corps requires an agency or municipality to sign a cooperative agreement that says it will accept liability for sinkholes that surface after the corps finishes its work, but none has been willing to sign.

If the bill becomes law, it would authorize the state departments of conservation and natural resources, transportation and environmental protection to sign the agreement. It includes a "hold-harmless waiver" that would free the Army Corps from liability for future damages that are not its fault.

The original HB 37 was written to allow the DCNR to partner with the Army Corps and waive its liability for projects it completes in the Delaware Canal State Park.

Earlier this month, Boscola, D-Northampton/Lehigh/Monroe, amended the bill to include PennDOT and DEP and the sinkhole-plagued municipalities.

Boscola has asked Secretary of Transportation Allen D. Biehler and Secretary of Environmental Protection Kathleen McGinty to decide together whether the bill should involve both or only one of the agencies, she said.

The Senate Judiciary Committee passed the bill unanimously, she said. She expects the full Senate to vote in April. If it passes, the amended legislation would move to the House of Representatives for a vote in May.

"Passing HB 37, as amended, will put an end to 'playing the sinkhole waiting game' and finally begin the remediation work that should have begun three years ago," a memo from Boscola's office says.

Boscola said a "real, true bipartisan partnership" backs the bill. Republican Sens. Rob Wonderling and Charles Dent, Republican Rep. Craig Dally and Democratic Rep. Rich Grucela are among its supporters.

"All five of us are like a basketball team -- full-court press," Boscola said. "I can't do this without them."

Boscola also has introduced two bills that would aid sinkhole repairs on private property.



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One would require all insurance companies operating in Pennsylvania to provide coverage for sinkhole damage.

The other bill would establish a Sinkhole Damage Assistance Program to provide grants and loans to families affected by sinkholes, according to a news release from Boscola. The proposed legislation appropriates \$1.15 million to the fund.

Pennsylvanians need a sinkhole authority to which they can turn, she said.

Both measures would have benefited the Sarkady family, who in December 2002 packed their belongings and left their home on Babbling Brook Road in Palmer Township because several sinkholes had opened in their yard along the Bushkill Creek.

The state legislators on Tuesday sent a letter to Gov. Ed Rendell that seeks his help jump-starting a long-term sinkhole solution.

During a Feb. 5 meeting at the Memorial Library of Nazareth and Vicinity, state officials and experts said they would form a team to study the widespread sinkhole problem and develop solutions to minimize future danger and destruction.

The legislators -- Grucela, Dally, Boscola, Dent and Wonderling -- sent the letter to Rendell because no agency has taken the lead.

"They seem to be, in my opinion, drifting," Grucela said.

"We respectfully ask that you use your power as chief executive of the commonwealth to direct one agency to coordinate the effort," the letter states. "Unless and until someone takes charge we are afraid the problem will not only be solved but will in fact worsen."

The letter also asks Rendell to meet with the residents familiar with the problem. They call themselves the Brookwood Group.

"These are the people who live there. They're the people who accurately predicted that the bridge was going to collapse," Grucela said. "I think they have a lot to offer."

One of the residents, Linda Iudicello, said the Brookwood Group also is sending a letter that calls for a meeting of top agencies.

"We've been trying to do this for almost three years," Iudicello said. "Finally with the commitment we've gotten from (Biehler), we're running with it."

PennDOT spokesman Ronald Young Jr. has said top officials from PennDOT and the DEP are planning a meeting.

Meanwhile, U.S. Sen. Arlen Specter, R-Pa., is seeking funding from the federal Energy and Water Appropriations Bill that the Army Corps could use to pay for sinkhole repairs, spokesman Bill Reynolds said.

Specter in February secured federal emergency funds that will pay 90 percent of the cost to replace the Route 33 bridge, which PennDOT

expects will total about \$6 million.

This week, workers continue drilling holes in which they will install pin-pile foundations that will tie the new bridge abutments to the solid rock in the ground beneath them. They will use the same technique to secure the piers under the existing three-span southbound Route 33 bridge. Reporter Alyssa Young can be reached at 610-863-3841 or by e-mail at ayoung@expressFKÁT!V!â! ,

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