

## **Whitaker Response to Resident Questions**

**ISSUE: Questions have been raised as to whether HA5 is “toxic” and whether there are or should be health or environmental concerns.**

**Response:** This concern was apparently raised as a result of the Material Safety Data Sheet (MSDS) on HA5 which refers to certain products as carcinogenic to humans. However, the “carcinogen” reference is found at page 2 of the MSDS and it clearly states that is only at concentrations of 0.1% or higher. Furthermore, according to page 4 section 11 of the same MSDS, the risk of cancer depends on duration and level of exposure to this product AS A DUST or AEROSOL MIST. The HA5 product is in liquid form, meaning that the risk from dust or aerosol mist is not present.

If we compared HA5 with liquid asphalt (which also has ingredients that are carcinogenic), the HA5 would also have to be in a dust form. Comparing the amount of dust to be inhaled off both products, the carbon black (HA5) would have to be inhaled at 6750 mg/m<sup>3</sup> per 4 hour interval; but asphalt fumes allow a permissible exposure at 5 mg/m<sup>3</sup> per 8 hour interval according to OSHA. (See attached). With this information, it is evident that HA5 is less harmful than hot mix asphalt.

Whitaker is also enclosing an email from Holbrook Asphalt (who holds the intellectual property rights to HA5) showing the relation between HA5 and regular asphalt paving, and that it contains NO coal tar which is the main ingredient in seal coats. Also, if one examines the MSDS of concrete (which is abundant in every neighborhood) it is also carcinogenic to humans at a larger amount than the HA5 product.

**ISSUE: Concerns have been raised regarding miscellaneous tracking, curing issues, possible over spray, and a perceived general “uneven” appearance.**

**Response:** In general, all of these issues will be addressed either during the construction process or after the project has been completed and a punch list has been generated by the Owner. This is typical with all construction projects and it is premature to draw conclusions during the progress of the work. Whitaker intends to address all punch list issues to the Owner’s reasonable satisfaction. Some “tracking” is normal but it is self-curing over time.

**ISSUE: Concerns have been raised concerning road cleaning.**

**Response:** Roads are cleaned prior to start of work each morning. This is achieved by using a vacuum truck, turbine blowers, and steel bristle brooms.  
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**ISSUE: Concerns have been raised regarding lack of notice to residents regarding repairs and associated traffic control.**

**Response:** The residents were not notified due to the small amount of repairs, and the anticipation that the repairs would not unduly impede traffic or result in significant lane closures. Crack fill was performed on 3/23 and 3/25. Infrared repairs were done on 3/28.

**ISSUE: Concerns have been raised regarding the minimal repairs in Sterling Hill as compared to the Bridgewater community.**

**Response:** We do not know the age of Bridgewater in comparison to Sterling Hill, but age does not necessarily coincide with the amount of repairs. Other factors include traffic weight loads, subgrade and sub-base construction, etc. Bridgewater had multiple failures of the sub-base that had to be corrected, whereas Sterling Hill did not. The amount of repairs is also not based on size of the project, but on the existing conditions of each individual project.

**ISSUE: Changing road schedules due to inclement weather.**

**Response:** If a particular work area is delayed due to inclement weather that work area will be moved to the end of the schedule and that way the balance of the schedule will remain unaffected.

**Quality Issues: Photographs of miscellaneous issues related to “quality” of the work were provided. These are addressed below:**

**Concrete clumps and cracks:** Concrete is not considered a loose material/debris and cannot be cleaned with our equipment. Cracks smaller than a 1/4” inch width can not be properly filled because the crack fill material will not penetrate, leaving the material on top of the crack to be tracked when traffic runs over it. This is not a major issue but if there are any areas identified as part of the punch list process, those will be addressed.

**Product “melting” concerns:** The installation will be inspected during our construction and again at completion, and any identified conditions will be addressed in the punch list process.

**“Spots” from truck tires:** The condition depicted in this photograph appears to show a location where the product was not fully or properly cured and project was opened to traffic too early. If this is present at completion, it will be addressed through the punch list process. Some tracking is expected but self-cures over time.

**HA5 adhering to tires of vehicles:** This condition is pending inspection. Any defects will be corrected either during construction or through the punch list process.

**Chewing gum covered with HA5:** Whitaker will view and evaluate what needs to be done at this condition.

**Product peeling or delamination:** Whitaker will evaluate this location and make any necessary corrections.

**HA5 on manhole cover:** This will be corrected when performing the punch list items.

**Road reflectors:** All RPMs were to be replaced after project per Tonja’s recommendations. We tried to save as many as possible in case there was a lengthy period between start and completion of project.

**Second coat supposedly on center of road only:** Based on the picture, the outside edge is evidently darker which means the picture was taken after they did the second coat on the edges and before the second coat was applied to the center of the road.

**Tire smudges:** We will evaluate and address each individual situation.

**Cracks filled with “plastic” material:** Crack Fill is not designed to harden, it is meant to stay flexible. This is necessary because cracks themselves contract and expand based upon heat and other conditions.

**Steer mark “blemishes”:** This is considered steer marks and should correct over time.

**“Tracking” of product:** Testing and sampling will be done and corrected. Any issues will be handled during the punch list. Some tracking is expected but self-cures over time.

**Whitaker Employee:** There were also questions arising out of a discussion or meeting with a Whitaker employee. These are addressed below:

**HA5 does not adhere to oils:** While this is true, that is why we apply a product called Oil Spot Primer to these areas so that the HA5 will adhere to those spots.

**Comparison of specific conditions to Seven Oaks and Bridgewater:** Whitaker will review the specific areas in question.

**HA5 product remains “tacky”**: Over time these areas will self-correct. HA5 is somewhat elastic when applied and these areas should cure over time. If they are still an issue at the time of completion, they can and will be addressed through the punch list process.