



January 6, 2022

CERTIFIED MAIL NO. 7016 0600 0000 5827 7052

Cycle Chem Inc.
C/O Michael Persico, President
201 1st Street
Elizabeth, NJ 07206-1502

ACV Enviro Corporation
C/O Andrew Shackett, CEO
1500 Rahway Avenue
Avenel, NJ 07001
United States

ACV Environmental Services, Inc.
C/O Lenore Galasso, President
928 East Hazelwood Avenue
Rahway, NJ 07065-5634

**RE: HSCA 503 Request for Information – Newberry TWP PFC Site
Newberry and Fairfield Townships, York County**

To Cycle Chem Inc., ACV Enviro Corporation, and ACV Environmental Services, Inc.:

The Commonwealth of Pennsylvania, Department of Environmental Protection (“PADEP”) is seeking information concerning the release and / or threat of release of **per- and poly-fluoroalkyl substances** (“PFAS”) contaminants, contaminants that include perfluorooctanoic acid (“PFOA”) and perfluorooctane sulfonate (“PFOS”) compounds into the environment at the Newberry TWP PFC Site (“Site”) located in Newberry and Fairfield Townships, York County, Pennsylvania. Our information indicates that Cycle Chem Inc. owns and that ACV Enviro Corporation and ACV Environmental Services, Inc. engage in business activities on, property located at 550 Industrial Drive, Lewisberry, PA 17339 (York County Parcel ID 27-000-QF-0146.B0-00000). It is further understood that Cycle Chem Inc., ACV Environmental Corporation, and ACV Environmental Services, Inc. also have business operations at 621 B Lowther Road, Lewisberry, PA 17339 (York County Parcel ID 27-000-QG-0127.A0-00000); and at 210 Stevens Road, York Haven, PA, 17370 (York County Parcel ID 39-000-PG-0046.00-00000). These properties, collective referred to as (“subject premises”) herein, are located in or otherwise near the Site.

PADEP believes that the above-referenced entities may have information relevant to the release of PFAS contaminants into the environment in the vicinity of each of the subject premises and at the Site. Therefore, pursuant to Section 503 of the Pennsylvania Hazardous Sites Cleanup Act (“HSCA”), the Act 108 of October 18, 1988, 35 P.S. § 6020.503, PADEP requests that Cycle

Chem Inc., ACV Enviro Corporation, and ACV Environmental Services, Inc. (collectively "entities") furnish all the information and documents in their possession, custody, or control, or in the possession, custody, or control of their respective officers, employees, or agents which concern, refer to, or relate to PFAS contaminates, which were used, transported, disposed or generated at each of the subject premises and / or the Site.

Specifically, each of entities' response to this request should include, but not be limited to, the following:

1. Documentation regarding the types and quantities of PFAS or materials containing PFAS that were used, disposed of, stored, treated, spilled, or released into the soil, groundwater, or surface water at each subject premises and / or the Site. Please use specific chemical names rather than generic terms, such as "solvents" or "liquid wastes." Please also describe the manner, the location, and the approximate dates in which any of the above materials were used, disposed of, stored, treated, spilled or released at each of the subject premises and / or Site.
2. Documentation regarding soil and water-quality (groundwater and surface water) sampling data collected since operations began on each of the subject premises and / or the Site. Any response to this request must include, but is not limited to, all laboratory analytical and field water-quality data pertaining to each of the subject premises and / or the Site. Due to the large amount of historically collected water-quality data and data previously submitted to the Department, the requested documentation can be in the form of a summary table or list of submittals that contains information on: (a) release and publication date, (b) author(s) name, (c) report title/subject, (d) format (electronic, paper, CDs, etc.), (e) number of pages and associated appendices (if any).
3. Documentation regarding the identity and address of any other person or company which used, generated, treated, stored, transported, or disposed of PFAS or materials containing PFAS at each of the subject premises and / or the Site.
4. Identify each party who either hauled or transported PFAS or PFAS containing materials away from each of the subject premises and / or the Site.

For each party so identified, please provide:

- The party's full name, address and telephone number;
 - The PFAS containing material hauled or transported; and
 - The location where the PFAS or PFAS containing materials were hauled or transported.
5. If the response to Question 4 includes waste haulers or transporters retained to transport and / or dispose of PFAS or materials containing PFAS, please also include:

- Every date on which such transportation and / or disposal of PFAS or PFAS containing materials arrangements took place; and
 - For each transportation and /or disposal event so identified, state the nature and quantity of the PFAS or PFAS containing materials. Please include the chemical content, characteristics, physical state (i.e., liquid, solid), and the processes for which the PFAS or PFAS containing material was used or generated by.
6. Provide copies of any correspondence that each of the named entities had with any third party regarding PFAS or PFAS containing materials that were transported to, disposed of at or removed from each of the subject premises and / or the Site.
 7. Provide copies of any documents that relate to any other third party that generated, treated, stored, transported or disposed of, or who arranged for the treatment, storage, disposal, or transportation of PFAS or PFAS containing materials to and from each of the subject premises and / or the Site.
 8. Provide the identities of all predecessors in interest that transported to, stored, treated or otherwise disposed of any PFAS or PFAS containing materials at each of the subject premises and / or at the Site. Describe all changes in ownership including the date of ownership change and identify the type of change (i.e. asset purchase, corporate merger, consolidation, and name change). Provide a copy of each asset purchase and merger agreement.
 9. If any of the entities have reason to believe that there may be persons able to provide more detailed or complete responses to any question contained herein or who may be able to provide additional responsive documents, provide the names, titles, areas of responsibility, current addresses, and telephone numbers of such persons and describe the additional information or documents they may have.
 10. Provide the name, title, address, and telephone number of the person responding to these questions on behalf of the entities.
 11. For each question contained herein, provide the name, title, current address and telephone number of all persons consulted in the preparation of the answers.
 12. For each question contained herein, if information or documents responsive to this request for information are not in the possession, custody or control of any of the entities, then provide the names, titles, current addresses and telephone numbers of the persons from whom such information or documents may be obtained.
 13. If known, identify other parties that may have information pertaining to the PADEP investigation of the Site or who may be responsible for the generation of, transportation to, or release of PFAS or PFAS containing materials at the Site, please provide such information. The information you provide in response to this request should include each party's name, address, type of business, and the reasons why you believe the party may

have contributed to the contamination at each of the subject premises and/or the Site, or may otherwise have information regarding such contamination.

As used herein, the term "documents" includes, but is not limited to, writings (handwritten, typed, or otherwise produced or reproduced), any invoices, checks, receipts, bills of lading, weight receipts, toll receipts, correspondence, offers, contracts, agreements, deeds, leases, manifests, licenses, permits, bids, proposals, logs, books of original entry, minutes of meetings, memoranda, notes, calendar or diary entries, agendas, bulletins, notices, announcements, charts, maps, photographs, drawings, manuals, brochures, reports of scientific study or investigations, schedules, price lists, telegrams, teletypes, phone-records, magnetic voice or video records, tapes, summaries, magnetic tapes, punch cards, recordings, electronic files of any type including email or text messages, disks, computer printouts, or data compilations from which information can be obtained or translated.

Please be advised that, except as provided in Section 503(h) of the Hazardous Sites Cleanup Act, records (HSCA), 35 P.S. § 6020.503(h) all records, reports, or other information obtained under the Act may be made available to the public for inspection or copying during regular business hours. The PADEP may, upon request, designate records, reports, or information as confidential, when the person providing such information demonstrates the need for confidentiality. See 35 P.S. § 6020.503(h).

The above-requested information should be sent directly to Dennis Low, HSCA Project Officer, at the address located in the first page footer, within **sixty (60) days** of receipt of this letter.

This letter, issued under the Department's authority to obtain information, is neither a final action nor an order, and gives you no right of appeal. If you do not provide the requested information, however, the Department has the authority to issue an order against you or to take other appropriate legal action. Any destruction or alteration of the documents requested in this letter may subject you to criminal penalties under Section 1105(c) of the Hazardous Sites Cleanup Act, 35 P.S. Section 6021.1105(c).

If you have any questions regarding the above, please contact Dennis Low at 717.705.4843 (delow@pa.gov) or Dennis Yuen, Esq. at 717.783.0367 (dyuen@pa.gov).

Sincerely,



Steven DeMars
Environmental Group Manager
Environmental Cleanup and Brownfields Program

cc: Benjamin Thonus - PADEP
Dennis Low - PADEP
Dennis Yuen, Esq. - PADEP
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