

March 23, 2016

Mr. Stephan Sinding
Regional Manager
Environmental Cleanup
Pennsylvania Department of Environmental Protection
Southeast Regional Office
2 East Main Street
Norristown, PA 19401

RECEIVED
DEP - SERO
ECP/WASTE MGMT.
16 MAR 28 PM 3:55

RE: Marcegaglia USA, Inc.; Bishop Tube HSCA Site

Dear Mr. Sinding:

I have received your letter of March 8, 2016 in which you referred to a "February 2008" letter from the Department to my client, Marcegaglia USA, Inc. ("Marcegaglia"), and claim that the Department has not received a response to that letter. In fact, the letter from the Department was dated February 15, 2008 and the Department did receive a response to it.

Since 2005 when the Department first asked Marcegaglia for information about this site, the company has submitted many documents, had many conversations with Department personnel, and had its officers deposed. All of the information submitted showed that Marcegaglia had not used TCE in its processes or used the 4000 gallon tank of TCE that was the apparent source of contamination at the site. Prior operators at the site had used a process that used TCE, but Marcegaglia never did. The February 15, 2008 letter included an invoice for the purchase of a drum of TCE by Marcegaglia and asked if that information did not contradict prior statements by Marcegaglia that it had not used TCE at the site.

In response, I set up a conference call with Lauren Rosen, Department Counsel, with whom I had been in communications about the site, other Department personnel, David Cornelius of Marcegaglia and myself. I explained that the prior statements about the use of TCE at the site were clearly intended to refer to the use of TCE in the process/making of tubes, which use had been a main source of contamination at the site. Marcegaglia did purchase TCE to use on wipes to remove occasional stenciling on the pipes. The rags were then disposed of at off-site disposal facilities. They could have in no way contributed to the contamination at the site. I then argued that Marcegaglia should not continue to be considered a Potentially Responsible Party. I have heard nothing to the contrary since.

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I later followed up with a letter to Ms. Rosen, which is attached. Let me know if you need any further information.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Thomson". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Robert W. Thomson

Enclosure

CC: Andrea Marco Costi
Fernando Saglio