

**Commonwealth of Pennsylvania
Department of Environmental Protection
Hazardous Sites Cleanup Program**

RESPONSE TO PUBLIC COMMENTS

PART I - Comments

September 8, 2022

**Bishop Tube
East Whiteland Township
Chester County**

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INTRODUCTION

The Pennsylvania Department of Environmental Protection (“DEP”) provided a public comment period concerning the proposed remedial response action at the Bishop Tube HSCA Site (“the Site”) to address soil, groundwater, surface water, and a residential drinking water supply that have been contaminated by chlorinated solvents and/or inorganic contaminants of concern (“COCs”). Notices of the proposed action were published in the *PA Bulletin* and the *Daily Local News* on September 25, 2021 and November 6, 2021. In the November 6, 2021 Notices, DEP extended the time period for review of the administrative record and submission of public comment from January 3, 2022 until January 31, 2022; therefore, written comments were accepted during the comment period which extended from September 25, 2021 to January 31, 2022. A Virtual Public Hearing was held on Tuesday, November 9, 2021. For ease in review, DEP separated this Response to Comment document into two parts. Part I – incorporates all comments, criticisms, and new data received during the comment period from the individuals listed in Table 1. Part II includes DEP’s responses to all significant comments.

Table 1: Summary Commentators and Comment Number

Name	Comment #	Date Rec'd	Format
Carol L. Armstrong, Ph.D., ABN	9	10/25/2021	email
	22	11/9/2021	oral
	91	1/31/2022	email
Barbara D. Arnold	7	10/25/2021	email
	27	11/9/2021	oral
Amy Baily	10	10/26/2021	email
Jason Baily	33	1/3/2021	email
Susan Britton Seyler	38	1/13/2022	email
Lauren Calogero	42	1/13/2022	email
Sarah Caspar	18	11/8/2021	email
	31	11/9/2021	oral
	32	11/15/2021	written
	41	1/13/2022	email
Mike Chalmers	66	1/26/2022	email
James Coffey	89	1/31/2022	email
Carolyn T. Comitta, State Senator, 19th District - Chester County	80	1/28/2022	email
Bill Coneghen	15	10/27/2021	email
	29	11/9/2021	oral
Maureen Connolly	13	10/26/2021	email
J. Michael Considine, Jr	52	1/19/2022	email
Christopher Daly	49	1/18/2022	email
Tamar Dick	34	1/12/2022	email
Jessica Diguiseppe	56	1/19/2022	email
Martha Drinkwater	40	1/13/2022	email
Charlie Duffy	63	1/24/2022	email

Name	Comment #	Date Rec'd	Format
Elisabeth Duffy	37	1/12/2022	email
East Whiteland Township	93	1/31/2022	email
Bradley Fugok	11	10/26/2021	email
Rhonda Funk	90	1/31/2022	email
Sara Funk	39	1/13/2022	email
Lloyd Goodman	35	1/12/2022	email
W. E. "Pete" Goodman, III	28	11/9/2021	oral
	94	1/31/2022	email
W. E. "Pete" Goodman, III, on behalf of Valley Forge Chapter of Trout Unlimited	16	10/27/2021	email
	95	1/31/2022	email
William Haarz	67	1/26/2022	email
Kenneth Harper	79	1/27/2022	email
Kathleen Hester	1	9/30/2021	email
Tamara Hoffritz	59	1/21/2022	email
Jill Holsclaw	58	1/21/2022	email
Jeanette Hooven	14	10/26/2021	email
Kristine Howard, State Representative, 167th District – Chester County	62	1/21/2022	Letter
Peter S. Hughes	61	1/21/2022	email
Michael Kahn	48	1/18/2022	email
Eric Koper	36	1/12/2022	email
Kecia Lee	81	1/28/2022	email
Peter Lee	50	1/18/2022	email
Brian Mac Elroy	65	1/26/2022	email
Paula Massanari	2	9/30/2021	email
Margaret "Peggy" Miros	5	10/24/2021	email
	23	11/9/2021	oral
	83	1/28/2022	email
Nicholas/Debra/Michael Mobile	100	1/31/2022	email
Debra J Mobile	8	10/25/2021	email
	21	11/9/2021	oral
	70	1/26/2022	email
	71	1/26/2022	email
	72	1/26/2022	email
	78	1/27/2022	email
	101	1/31/2022	email
Nick Mobile	73	1/27/2022	email
	74	1/27/2022	email
	75	1/27/2022	email
	76	1/27/2022	email
	77	1/27/2022	email
Sonia Montesdeoca	19	11/8/2021	email
Catherine Moran	17	11/5/2021	email

Name	Comment #	Date Rec'd	Format
	85	1/30/2022	email
Ted Nawalinski	84	1/29/2022	email
Frank Nelson	47	1/18/2022	email
Heather Goodman Nelson	43	1/14/2022	email
Jeff Ogren	68	1/26/2022	email
John Preston	99	1/31/2022	email
James Rafetto	60	1/21/2022	email
Carol Rapp	30	11/9/2021	oral
Robert Reinhardt	12	10/26/2021	email
	69	1/26/2022	email
Roux Associates, Inc. on behalf of Johnson Matthey Inc. and Whittaker Corporation	97	1/31/2022	email
Jennifer Foster Ruddy	82	1/28/2022	email
Joan Smallwood	26	11/9/2021	oral
Ronald Smith	88	1/30/2022	email
	102	1/31/2022	email
Kathleen M. Stauffer, M.Ed.	6	10/24/2021	email
	24	11/9/2021	oral
	53	1/19/2022	email
	57	1/20/2022	email
Lawrence Stauffer	25	11/9/2021	oral
	54	1/19/2022	email
Nicholas Stauffer	55	1/19/2022	email
Jim Sweeney	96	1/31/2022	email
Peter Tran	46	1/17/2022	email
Valley Creek Trustee Council	92	1/31/2022	email
Maya K. van Rossum Delaware Riverkeeper Network	4	10/21/2021, 10/26/2021	email
	20	11/9/2021	oral
	45	1/14/2022	email
	98	1/31/2022	email
Albert Wei	86	1/30/2022	email
JoAnn Williams	3	9/30/2021	email
Dave Williams	64	1/25/2022	email
Lester Young	51	1/18/2022	email
Jim Zega	44	1/14/2022	email
Peter Zelov	87	1/30/2022	email

Table 2: Summary of Appendices

Lengthy comments were included in the Appendices.

Appendix	Date(s)	Comment #	Description
A	10/21/2021 10/26/2021	4	Written Comments received from Maya van Rossum, of the Delaware Riverkeeper Network
B	10/24/2021- 10/27/2021	5-16	Written Comments received from Community Members: Margaret Miros; Kathleen Stauffer; Carol L. Armstrong, Ph.D., Barbara Arnold; Debra Mobile; Amy Baily; Maureen Connolly; Bradley Fugok; Jeanette Hooven; Robert Reinhardt; Bill Coneghen; and Pete Goodman of Valley Forge Chapter of Trout Unlimited.
C	11/9/2021	20-31	Virtual Public Hearing transcript.
D	11/15/2021, 1/13/2022	32, 41	Written Comments received from Sarah Caspar.
E	1/14/2022	45	Written Comments received from Molly Atz on behalf of Maya van Rossum, the Delaware Riverkeeper, and the Delaware Riverkeeper Network.
F	1/21/2022	62	Written Comments received from Kristine Howard, State Representative, 167th District – Chester County
G	1/28/2022	80	Written Comments received from Carolyn T. Comitta, State Senator, 19th District – Chester County
H	1/31/2022	91	Written Comments received from Carol L. Armstrong, Ph.D., ABN.
I	1/31/2022	92	Written Comments received from Valley Creek Trustee Council
J	1/31/2022	93	Written Comments received from East Whiteland Township.
K	1/31/2022	97	Written Comments received from Roux Associates, Inc. (“Roux”) on behalf of Johnson Matthey Inc. and Whittaker Corporation (collectively, the “Bishop Tube Team”)
L	1/31/2022	98	Written Comments received from Molly Atz on behalf of Maya van Rossum, the Delaware Riverkeeper, and the Delaware Riverkeeper Network.
M	1/31/2022	99	Written Comments received from John Preston.
N	8/10/2022		Groundwater & Environmental Services, Inc. (“GES”) Response to Technical Comments

COMMENTS

Each comment and the individual who provided the comment are listed below:

Comment 1: September 30, 2021, written comments from Kathleen Hester.

Sent: Thursday, September 30, 2021 11:55 AM

I am writing to request that you resolve the Bishop Tube environmental contamination cases immediately and clean up that area. This property should not be developed for residential use. The handling of this disaster has been neglectful. It's time to conduct "remedial action to address soil, groundwater, and surface water contamination, and an affected residential drinking water supply with the goal is to ensure that the site meets state environmental standards and prepare it for reuse."

Kathleen Hester
508 Heather Rd
Exton PA 19341

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards.

Comment 2: September 30, 2021, written comments from Paula Massanari.

Sent: Thursday, September 30, 2021 12:23 PM

I feel strongly that the site should be cleaned up by the companies that contaminated the ground, or the DEP should conduct the cleanup and charge the companies. Non-residential uses for the property should be required.

Paula Massanari
Exton, PA

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Who is conducting the cleanup?

Comment 3: September 30, 2021, written comments from JoAnne Williams.

Sent: Thursday, September 30, 2021 10:37 PM

Nothing should ever be built on this ground. I doubt if it could ever be remediated. The effects to human lives would continue to be disastrous.

JoAnn Williams
108 Judith Ln, Media, PA 19063

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards,

Comment 4: October 21 and 26, 2021, written comments from Maya van Rossum, of the Delaware Riverkeeper Network.

– See Appendix A.

SEE PART II: DEP’s public comment process,

Comments 5 - 16: October 24 and 27, 2021, written comments received from Community Members: Margaret Miros; Kathleen Stauffer; Carol L. Armstrong, Ph.D., Barbara Arnold; Debra Mobile; Amy Baily; Maureen Connolly; Bradley Fugok; Jeanette Hooven; Robert Reinhardt; Bill Coneghen; and W. E. “Pete” Goodman, III of Valley Forge Chapter of Trout Unlimited.

– See Appendix B.

SEE PART II: DEP’s public comment process, DEP’s Community Outreach

Comment 17: November 5, 2021, written comments from Catherine Moran.
Sent: Friday, November 5, 2021 2:36 PM

Please consider stronger remediation requirements for this site, to bring up to the level where it would be safe for human occupancy.

Please do not allow homes to be built on this site following remediation, especially at the current level you are requiring.

Please protect the environment for animal, human and plant life.

Thanks for your consideration.

Sincerely,

Catherine Moran

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards.

Comment 18: November 8, 2021, written comments from Sarah Caspar.
Sent: Monday, November 8, 2021 10:54 AM

Several key points.

1. Bishop Tube, Malvern, Chester County operated from 1950-1999. Such an operation requires acids (HF which are present), Trichlorethylene (TCE) present and solvents such as PFAS (perfluorinatedcarboxylicacids)

TCE is a carcinogen among other toxic health effects; PFAS are also carinogens as well as other serious health effects (thyroidism, immune suppression, gastrointestinal disease, endocrine disrupters). Added to these effects, these forever chemicals are soluble in every thing where TCE is not. And we have not found a way to destroythem. Thermal treatment created smaller versions. TCE is a DNAPL which means it is heavier in water and has a slight aqueous phase. So what you sample at the surface is not a true picture.

TCE is semivolatile so that it has an gaseous phase which permeates soil, air and water.

PFAS permeates all phases.

There is no mention of sampling for PFAS but it must be sampled for because it is being found everywhere, in human samples, in streams, in soil and in air.

Cancers:

Children continue to die from brain tumors in the Gen. Warren Village and adults continue to die of cancer.

One unsuccessful attempt at sparging was made but nothing since.

Requirement:

Topographical map with lat and long showing the locations of samples collected, their relationship to the site and their depth.

A Hydrogeological Study of the area: detailing the gneiss, karst and sandstone in the area typical of a former sea bed and typical of an area where contamination travels.

RE: topography and hydrogeology, no extent of contamination has been determined either as to depth or distance. Therefore there is no determination as yet of The Site.

There are so many failures or lacks of appropriate actions from PADEP that for the sake of those living near the not yet determined extent of contamination site, I recommend that the Site be turned over to US EPA Region 3 in the hope that the residents may finally find some protection that they can count on.

As to Act 2. It is not capable of doing what is necessary to achieve the necessary protection nor is it able to bring the PRPs inline to do the work, nor provide the necessary oversight.

Added to all this is the fact that it has been 21 years since PADEP and Act 2 took over.

Sarah Caspar

525 Hopewell Rd.

Downingtown, PA 19335

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Cancer Cluster, PFAS Sampling, Who is conducting the cleanup?, Refer to EPA, Hydrogeologic Study – Extent of Contamination

Comment 19: November 8, 2021, written comments in Spanish from Sonia Montesdeoca.

Sent: Monday, November 8, 2021 8:23 PM

Buenas tardes mi nombre es Sonia Montesdeoca mi esposo Celio Leon..somos los propietarios en la 54 Conestoga Rd Malvern, PA 19355 Y somos una de las familias afectadas por la contaminación del agua!

La verdad nosotros no estábamos tan al tanto de lo tan contaminada estaba el agua y nosotros y nuestros hijos asta estuvimos bebiendo de ella! Y después de leer información a cerca de esto si estamos muy preocupados por la contaminación!

Esperamos que pronto podamos tener alguna respuesta afirmativa tanto para las familias y el medio ambiente!

Muchas gracias

Att:Sonia Montesdeoca

.....
Comment 19 Translation:

Good afternoon my name is Sonia Montesdeoca my husband Celio Leon.. we are the owners at 54 Conestoga Rd Malvern, PA 19355 And we are one of the families affected by water pollution! The truth is that we were not so aware of how polluted the water was and we and our children were drinking from it! And after reading information about this if we are very concerned about pollution! We hope that soon we can have some affirmative answer for both families and the environment!

SEE PART II: Private Drinking Water Well

Comment 20: Oral Comments - Maya van Rossum, of the Delaware Riverkeeper Network.
- transcribed on page 13 -17 of the transcript – Appendix C.

MS. VAN ROSSUM: Thank you. So my
16 name is Maya van Rossum. I'm the Delaware River
17 Keeper here speaking on behalf of the Delaware River
18 Keeper Network and also the organization Green
19 Amendments for the Generations.
20 The Delaware River Keeper Network has
21 over 25,000 members. Many of whom live in or around
22 the Bishop Tube site and/or are down stream and
23 impacted by what goes on there. We want to begin by
24 reminding you, I'd like to begin by reminding you
25 that Article 1, Section 27 of the Pennsylvania

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1 Constitution. Promises to the people the right to
2 clean air and pure water and the preservation of the
3 natural scenic and historic esthetic values of the
4 environment and assures us that Pennsylvania's
5 public natural resources are the common property of
6 all the people, including generations yet to come,
7 and that as trustees of these resources the
8 Commonwealth, including the Pennsylvania Department
9 of Environmental Protection are obligated
10 Constitutionally to conserve and maintain the
11 natural resources of the Commonwealth for the
12 benefit of all the people. And it is very important
13 that you undertake this process in your decision
14 making with that Constitutional obligation in mind.
15 I would like to begin by speaking to
16 the public process. We thank you for being
17 responsive to the letter that I and members of the
18 community sent urging an extension of the public
19 comment period and extension for the amount of time
20 for people to testify. But also urging that you
21 transform this, tonight's hearing, into a question
22 and answer opportunity for the community and that
23 you actually hold the official hearing later on in
24 the public process towards - closer towards the end
25 of public comment.

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1 So I want to thank you again for
2 extending the time for public comment to later in
3 January and to extend the time for people to
4 actually speak tonight. But really I want to
5 express disappointment that you did not transform
6 this hearing into a presentation and an opportunity
7 for a question and answer for the people. That you
8 simply provided a one way video for people to
9 observe.
10 We'd like to know that the potentially

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11 responsible parties and to the developer who is
12 seeking to develop this site have gotten all kinds
13 of access to the DEP for not just months, but for
14 years, with ample opportunity for back and forth,
15 question and answer, clarification and more. But
16 the public only had one meeting several years ago to
17 have that kind of opportunity. That opportunity
18 should have been provided, now, here, tonight,
19 rather than this public hearing. This public
20 hearing should have also been held later because
21 there are literally thousands of pages of highly
22 technical documents that need to be reviewed and
23 understood in order for people to provide their
24 public comment. So if you truly wanted a full fair
25 opportunity for people to comment at this hearing

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1 you would have given them more time to digest all
2 that highly technical information.
3 I also just want to express, so the
4 Delaware River Keeper network is going to be taken
5 additional time, we have a lot of experts that need
6 to take a look at this information and the 46 days
7 provided simply was not enough.
8 Saying that there will be equal weight
9 given to written comments that are provided up to
10 and through the end of the written comment period,
11 that's really simply not a good answer. There are
12 many people for whom providing testimony verbally is
13 vitally important and they should have been given
14 the opportunity to do that after reviewing all of
15 the materials.
16 I also just want to highlight for you,
17 tonight though, that your failure - DEPs failure, to
18 develop the remedial action plan and assess it in
19 the context of anticipated residential development
20 was just a fundamental failing when it comes to this
21 proposal. We all know this site is not just
22 proposed for residential development, but that
23 residential development in the order of ninety homes
24 has already approved by the township for this site.
25 When that development ever takes place it will be

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1 bringing new families to this highly contaminated
2 site.
3 Giving that we know that there's not
4 just proposed residential development for the site
5 but that residential development has already been
6 approved by the township and is certainly
7 anticipated by the township by the developer, that
8 should have been the anticipated outcome by the
9 Department of Environmental Protection and that

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10 should have been the goal post that was identified
11 for this remedial action plan. Your failure to do
12 that is just frankly a fundamental failing. So I
13 hope you will change that.
14 Good night.

SEE PART II: DEP's public comment process, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law**Comment 21: Oral Comments - Debra J Mobile.**

- transcribed on pages 18 - 21- of the transcript. – Appendix C

MS. MOBILE: Oh, okay. Great, thank
12 you.
13 I would like to remind you that
14 Pennsylvanian's have certain rights under Article 1
15 of the State Constitution. The people have a right
16 to clean air, pure water and the preservation of
17 natural scenic historic and aesthetic values of the
18 environment. Pennsylvania's public natural
19 resources are the common property of all the people,
20 including generations yet to come. As the trustee
21 of these resources the Commonwealth shall conserve
22 and maintain them for the benefit of all people.
23 As a lifelong resident of Pennsylvania
24 I am insisting that you protect our rights. As I
25 read your proposal I wondered what it was a proposal

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1 for. I was under the impression after 21 years you
2 were to submit a proposal for the cleanup of the
3 Bishop Tube site. Instead I read a proposal that is
4 quite lacking. Now I am not a scientist but here
5 are just a few of the gaps that I have noticed. The
6 plume of contaminants has not been full determined.
7 Your plan gives a modeling estimate of how far
8 contaminants may have traveled but no testing has
9 confirmed the outer limits. Why have you not
10 insisted that testing wells installed to confirm the
11 outer edge?
12 You wrote in vague terms about mixing
13 soils with chemicals and ground water injections but
14 you failed to mention the additives you are
15 referring to. If you have a game plan, why have you
16 kept it secret? We cannot possibly form an opinion
17 on a method without knowing what chemicals you're
18 planning on releasing into our environment. You
19 have not given a full accounting of all the
20 contaminants and how they will be remediated.
21 In addition to TCEs there are PCBs,
22 PAHs, fluorides, metals that are not naturally
23 occurring and a more toxic form of chromium which

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24 has not been fully assessed. These contaminants
25 continue to spread off site through the Little

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1 Valley Creek. What is your plan for these
2 contaminants?
3 We know from testing wells that TCE
4 has traveled to at least 400 feet deep. Your plan
5 only deals with the first 120 feet of contamination
6 on the Bishop Tube site. What about the
7 contamination that is found at greater depths within
8 the bedrock? What about the contamination that has
9 already migrated off site?
10 Testing indicates that TCE from Bishop
11 Tube has been found in occupied buildings off site.
12 Yet you seem to indicate that this was an acceptable
13 risk. With all we know about TCEs there is no
14 acceptable risk. Your plan should include
15 remediation measures for these sites and additional
16 testing for all buildings within the plume of
17 contamination. Your plan does not delineate
18 provisions that will need to be added to prevent
19 additional contamination during the cleanup process.
20 How do you plan to protect the current residents?
21 I live in the General Warren Village
22 which is located on the eastern edge of the Bishop
23 Tube site. How will you protect me? How do you
24 plan to monitor the cleanup efforts? Will you hire
25 someone to be on-site? Or will you be making

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1 occasional phone calls or just reading their
2 reports? It is your mission as a state agency to
3 protect the citizens first. Your plan does not
4 account for this.
5 In the year 2000, the DEP began its
6 investigation into the Bishop Tube site. In 2010
7 you included Bishop Tube on Pennsylvania's priority
8 list of hazardous sites for remedial response.
9 You've had 21 years to do this investigation and
10 proposal. Yet you have given us, the citizens, a
11 couple of months to digest thousands of pages of
12 data and recommendation.
13 We have asked you repeatedly for the
14 opportunity to meet and get answers to our
15 questions. Our public officials have done the same.
16 Yet the DEP has chosen to hide out and move directly
17 to this hearing. Why do I feel like I'm being
18 railroaded? Thank you.

SEE PART II: DEP's public comment process, Current Exposure Pathways vs Future Exposure Pathways, AOA Compliance with Law, Hydrogeologic Study – Modeling, Hydrogeologic Study

– Deep Bedrock, Vinyl Chloride, other VOCs, PAHS, and PCBs, Heavy Metals, ISCO/ISCR Amendments, Community Safety during Implementation, Proposed Remedy Implementation

Comment 22: Oral Comments - Carol L. Armstrong, Ph.D., ABN.

- transcribed on pages 22 – 26 of the transcript. – Appendix C

MS. ARMSTRONG: I am Carol Armstrong
2 Ph.D. a neuropsychologist and cognitive
3 neuroscientist who has researched and treated
4 individuals with environmental toxic exposures. I
5 live in a township that includes the Valley Creek
6 watershed.
7 I appreciate that PA law puts the DEP
8 hearings on record but I'm unhappy with the weakness
9 of this information in effecting any change before
10 decision or action is taken by government. Public
11 hearings may appear to legitimize DEP and East
12 Whitelands decisions even though the public input is
13 not used in those decisions.
14 The Pennsylvania DEP has well
15 publicized this hearing today possibly because of
16 the widespread interest in the problem of Bishop
17 Tube including the widespread community expression
18 for the return of the site to undeveloped green
19 space versus housing development. The lack of
20 agreement between the residents and both local and
21 state governments has caused the final decision to
22 be controversial.
23 As a community of concerned residents
24 of the state, county and towns in which Bishop Tube
25 is found and through which the contaminants stream

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1 through our surface water and ground water, we beg
2 you to take our researched opinions and personal
3 stories of living near Bishop Tube seriously and
4 allow them to affect your decision making. Our best
5 hope is to have a face to face and honest and
6 complete discussion of the size of the issue to the
7 eventual status of Bishop Tube.
8 Only experts have an actual role in
9 decision making. Yet the experts you are using, and
10 the other government bodies involved in giving
11 opinions, such as the Agency for Toxic Substances
12 and Disease Registry evaluation report of 2008 the
13 Chester County Planning Commission and the East
14 Whiteland Environmental Advisory Council have all
15 recommended against building homes on the site. Mr.
16 Armstrong himself will provide the reasons why.
17 We would like DEP to recommend against
18 building homes on this site and furthermore to enact
19 your role as trustee of our natural resources under

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20 the Pennsylvania Constitutional environmental
21 amendment and recommended both engineered remedial
22 techniques and actual remediation processes be used
23 to return the site to a natural area to expand the
24 Hyperion (sic) buffer along Little Valley Creek and
25 provide needed open space to the surrounding

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1 communities.
2 Mr. Dustin Armstrong explained how
3 humans can become exposed to the hazardous
4 substances of Bishop Tube and that he stated the
5 exposures could develop from multiple pathways over
6 time even if homes are built there if that is what
7 East Whiteland and DEP thinks is the best use for
8 this site. This exposure is at odds with permitting
9 housing development there. Yet the DEP uses expert
10 derived methods that do not bring the hazardous
11 chemical exposures to meet Pennsylvania health
12 standards but rather use a site specific comparison
13 for exposure that permits this housing development,
14 Mr. Armstrong stated that.
15 People could come into contact with
16 contaminated soil. Construction and utility workers
17 could be exposed while working on the property.
18 Vapor intrusion can migrate from soil over ground
19 water and enter occupied buildings. If buildings
20 are constructed over soil contamination vapor
21 exposure pathway could be opened. Vapor can intrude
22 through cracks in the foundations of homes.
23 Contaminants can migrate into rain water and into
24 ground water. The DEPs recommended remedial actions
25 might not treat all the soil at the site.

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1 Contaminates can transferred from soil
2 and migrate further into ground water. Contaminates
3 can also be trapped in the soil only to be released
4 into the ground water for the long term. Based on
5 TCE concentrations from some monitoring wells,
6 residual free product could act as a long term
7 source of ground water contamination and also
8 discharge to Little Valley Creek. There is the
9 potential that if there are changes to homes or
10 construction of new buildings, such as installing a
11 sump pit, changes could open a new vapor intrusion
12 pathway. That's all by Mr. Armstrong. And I
13 continue therefor this could be a long term and
14 possibly permanent risk to development there.
15 Another issue is the lack of any
16 information on the risk to the Wyotaepa site in
17 Little Creek flowing downstream eventually to the
18 Schuylkill River. Besty (sic) has sited that the

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19 chemicals used, not specified today, that would be
20 used to decontaminate soils could affect the
21 environmental biota at the Bishop Tube site and
22 downstream. This concern has received no attention
23 from the DEP analysis and response reports that I've
24 seen. We have a right to know what the impact would
25 be on the natural environment there.

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1 I recognize that the cost of the
2 extensional remediation alternatives thought to be
3 less expensive than actual cleanup of the soil and
4 water could balloon to much greater expenses because
5 so much is unknown about the final testing results,
6 which chemicals will be used, their effectiveness.
7 New exposure pathways that could be found and the
8 final results. There needs to be assurances that
9 the decision regarding remediation include the
10 requirement for all responsible parties to fund the
11 completed remediation. We don't need a partially
12 completed remediation.
13 And I will just add that Bishop Tube
14 is under a mile and a half from Environmental
15 Justice area and the Village Way community
16 themselves is an Environmental Justice area because
17 of their long term exposure. Thank you.

SEE PART II: DEP's public comment process, Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Environmental Justice Area, AOA Compliance with Law, Who is conducting the cleanup? ISCO/ISCR Risks

Comment 23: Oral Comments - Margaret Miros.

- transcribed on pages 26 -28 of the transcript. – Appendix C

MS. MIROS: I'm not going to be as
25 eloquent or as informed as the neighbors and experts

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1 before me. What I'm going to say is - in that time,
2 we have been subjected to contaminations from that
3 property to the ground - also - were there were
4 other - activity going on. Quite frankly, I didn't
5 know how the neighbors stand it. So I was hoping
6 they would be creating noise in the area - my point
10 MS. MIROS: Okay.
11 My basic concerns are for the process
12 and the contention between your agency and the
13 township sense of community - barricade but there
14 has not been a time of - now there are in place, the
15 supervisors of course, agree to building - because
16 they didn't have the depth of information they
17 needed to say no. It shouldn't be done. But that's

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18 my point that it is, you know, the trust issue is
19 very much, you know, effected by the fact that we
20 don't see what we should be seeing, which is - you
21 would be saying to the developer, knowing what you
22 guys know about this contaminate in something that
23 has a lifelong - you know living environment - but
24 it should never be built upon the grounds. We have
25 the - our development is the only one in the area

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1 that doesn't have a green space and yet - this is a
2 very particular area. It's part of what's making
3 us, in the neighborhood, feel violated in terms of
4 our constitutional rights and distrustful as to what
5 is really going on.
6 Just the short amount of time we were
7 given to prepare for tonight presentation, I'll be
8 honest, I don't understand this stuff. It's taken
9 other people sitting, reading and trying to
10 understand things to get this far. And yet what
11 comes across is - really working. You know, are you
12 taking consideration of the impact of this - of what
13 these businesses have done over the years and left.
14 You know, just picked up their - took themselves out
15 of the planning and left the mess behind that we're
16 facing.
17 You can tell it's very difficult and
18 it's been 22 years our neighbors are working very
19 hard. It's wrong, it's morally wrong - families
20 living on land that will never be - I'm going to
21 leave it at that. We need some - thank you for
22 listening.

SEE PART II: DEP's Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law,

Comment 24: Oral Comments - Kathleen M. Stauffer, M.Ed.

- transcribed on pages 29 - 31 of the transcript. – Appendix C
MS. STAUFFER: Perfect. I appreciate
4 Adam Bram's letting us know what our rights are.
5 What he failed to articulate is my constitutional
6 right to clean air, pure water and the preservation
7 of natural, scenic, historic and esthetic values of
8 the environment.
9 And Pennsylvania's public natural
10 resources are the common property of all the people
11 including the generations to come. As trustees of
12 these resources the Commonwealth shall conserve and
13 maintain them for the benefit of all people. That
14 is my constitutional right and Adam I would hope
15 working for the DEP that you might put that force

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16 before putting forth your enforcement for water and
17 all that other stuff. That is the law of the land.
18 It was in 1971 that amendment was
19 passed and for decades the toxic site of Bishop Tube
20 has been sat upon by DEP or the EPA even possibly.
21 My daughter is a survivor of brain tumors, three
22 consecutive brain tumors. Doctor Carol Armstrong
23 was one of her doctors down at CHOP doing some
24 research on the effects of radiation on a child's
25 brain. While my daughter, Elizabeth, was on

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1 chemotherapy she was a pall bearer for one of her
2 friends who lived up wind, down south, uphill but
3 down south of the Bishop Tube and the north wind
4 blows. She has a list of people she went to school
5 with who have - were sick, my daughter does. The
6 fact the DEP sat on this for decades is infuriating
7 to me and upsetting and we had to go through brain
8 tumor situation with this.
9 I recently found out from a local who
10 lived in the area that since the 70s this
11 neighborhood near Bishop Tube was considered a
12 cancer hub. How insane is that and how many people
13 in this neighborhood were sick? I am a teacher and
14 educator. Everything from infancy up to college, I
15 have my master's degree in education. I have never
16 seen in my life, in 36 years teaching in the last
17 recent years diagnosis of allergies, Asperger's,
18 cancer.
19 Your job at the DEP is to hold my
20 right for a clean environment and you haven't done
21 that at this point. And the nature that is in my
22 backyard, Little Valley Creek which is exceptional
23 Valley Creek that leads down to Valley Creek and the
24 Schuylkill and Delaware River. This is really,
25 really important and for you and I'm very concerned

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1 and I will just bow down to the people who spoke
2 before me for their expertise and what they have put
3 forth at this moment.
4 As for me, there was too much
5 information I don't understand we could not as since
6 do this without the expertise of the Delaware River
7 Keeper network. And so for their efforts to that I
8 am eternally grateful. My other issue was the fact
9 that DEP gave the constitutional guide partner and
10 Brian O'Neil a covenant not to sue when they bought
11 this land and that is highly disturbing to me. Well
12 my husband said it was voided, but it was voided
13 because we made some noise. Thank you.

SEE PART II: Cancer Cluster, AOA Compliance with Law, Prospective Purchaser Agreement

Comment 25: Oral Comments - Larry Stauffer.

- transcribed on pages 31 - 32 of the transcript. – Appendix C

MR. STAUFFER: We live about 200 yards
21 from the Bishop Tube site. And first of all I'd
22 like to say this hearing is being held far too soon
23 after releasing a massive amount of technical data
24 to digest literally weeks ago. I'm not comfortable
25 that when demo starts of the existing buildings and

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1 remediation begins that the residents downwind of
2 this site will be properly protected as we've been
3 reiterating our right under Article 1, Section 27.
4 If you use certain chemicals that you have not yet
5 specified to break down the TCEs that you've listed
6 in the remedial report, how will they effect the
7 aquifer that eventually finds its way into the water
8 and is part of the wells and public water sources.
9 How will you hold responsible parties accountable
10 for this cleanup action that is not state tax money
11 is being used.

12 One of the responsible parts is
13 Jonathan Mathy and if you go to their website the
14 vision on their website and I quote, our vision is
15 for a world that is cleaner and healthier today and
16 for future generations. And I think we all need to
17 take that into consideration. I'm short and sweet,
18 thank you very much.

SEE PART II: DEP's public comment process, AOA Compliance with Law, Who is conducting the cleanup? ISCO/ISCR Risks, Community Safety during Implementation,

Comment 26: Oral Comments - Joan Smallwood.

- transcribed on page 32 - 35 of the transcript. – Appendix C

MS. SMALLWOOD: Okay.
25 I'll begin by citing my Pennsylvania

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1 Constitutional right to clean air, pure water and
2 preservation of the natural scenic and historic
3 esthetic values of the environment. With that in
4 mind I urge you to clean up the Bishop Tube site to
5 the highest standard possible and reject any
6 development on the site.
7 I was on the special parks task force
8 for East Whiteland Township and the Bishop Tube site
9 was identified as one of the few remaining open
10 parcels in the township and was recommended for

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11 preservation. and I know that's not your area, but
12 I think it's important to put that out there.
13 Regarding the proposed remediation I'm
14 very concerned about the lack of a public hearing
15 session prior to this hearing. The remediation
16 exclamation is highly technical and is not easily
17 understood by most residents, including myself. The
18 video you provided, while somewhat informative,
19 raised a number of questions but we are not being
20 afforded any opportunity to have our questions
21 answered. You claim in the video that community
22 acceptance is a factor in your analysis of
23 alternatives and choice of solutions. But you can't
24 have true community acceptance if the community has
25 no opportunity for meaningful dialogue and

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1 education. In other words if the community doesn't
2 really understand what you're talking about.
3 You spent countless hours and dialogue
4 with the developer and his experts to arrive at the
5 sweetheart deal you gave him. The public is only
6 given a one sided video and a premature hearing.
7 Some of my concerns are what is the risk of vapor
8 intrusion as the buildings are being demolished?
9 What chemicals are being added to the soil and what
10 are the hazards and risks associated with those
11 chemicals? The video discussed treatment in very
12 limited areas on the property. What about
13 contamination of the rest of the property and the
14 plume off the property? The extent of which is not
15 known at this time.
16 The video mentions multiple
17 injections. How many injections are there and over
18 what time period? Will these injections continue to
19 be monitored and their impact on Little Valley Creek
20 and the surrounding neighborhood? These are some of
21 the questions I have that we are not being given any
22 opportunity to ask and to receive answers for.
23 Early in the process Brian O'Neil told
24 us they plan to dig up the contaminated soils and
25 remove them from the site. As a neighborhood we had

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1 concerns about vapor intrusion from the excavation
2 as well as the dump trucks filled with contaminated
3 soil that would be driving through our neighborhood.
4 We also wonder where Brian planned to dump the soil.
5 The video mentions soil excavation as
6 one of the alternatives that was rejected in favor
7 of chemical injections. I assume you agreed with
8 Brian's soil excavation plan at the time a few years
9 ago so I'm wondering what made you change your mind

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10 now, and it raises the question for me that if you
11 changed course once will you do it a few years from
12 now?
13 In summery while you claim community
14 acceptance is important in reality I feel you are
15 only paying lip service to the community by not
16 giving the community the same time and attention you
17 gave to the developer. I believe your actions
18 violate our state constitutional right and I cannot
19 agree with a proposal I can't understand. Thank
20 you.

SEE PART II: DEP's public comment process, AOA Compliance with Law, Source Property Land Use and the Appropriate Cleanup Standards, Soil Delineation, Hydrogeologic Study - Extent of Contamination, Remedy Selection, ISCO/ISCR Amendments, ISCO/ISCR Risks, Community Safety during Implementation, Proposed Remedy Implementation,

Comment 27: Oral Comments - Barbara D. Arnold.

- transcribed on pages 36 - 39 of the transcript. – Appendix C

MS. ARNOLD: Okay.

7 I'll speak as loudly as I can.
8 Thank you for this opportunity for
9 public comment. My name is Barbara Arnold and I
10 live in the neighborhood right next to the Bishop
11 Tube site. I would like to begin by citing my
12 right, as stated in the Pennsylvania Constitution
13 bill of Rights, to clean air, pure water and the
14 preservation of the natural, scenic, historic and
15 esthetic balance of the environment.
16 As trustees of these resources the
17 Commonwealth shall maintain them for the benefit of
18 all the people. I know you've heard this from other
19 people before, but we want to emphasis that. This
20 green amendment is a power all State actions and the
21 DEP must comply with it.
22 The DEPs remedial response fails to
23 fully address residential development of the site
24 but East Whiteland Township has approved a housing
25 development there. However the DEP video only

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briefly notes that construction and utility workers
2 could be exposed to dangerous contaminants while
3 working on the property and that vapor intrusion
4 might keep the structures there.
5 The scary fact that people working at
6 or living on the site are directly in the path of
7 known cancer causing contaminates by TCE is treated
8 as a side note at best. The DEP remedial response
9 plan proposes injecting the soil and ground water

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10 with chemicals that might breakdown or transform the
11 contaminates, not eradicate them. So the best plan
12 DEP can come up with for fighting dangerous toxic
13 chemicals is more chemicals? And the DEP doesn't
14 specify which one will be used? Or if they will be
15 effective?

16 After living next to a toxic waste
17 site for more than 20 years, forgive me for not
18 wanting more chemicals in my vicinity. Or my
19 trusting that they won't exacerbate the problem.
20 And the DEP has not determined the extent of the
21 contamination so this chemical injection plan can
22 extend for miles beyond the site. DEP's remedial
23 response plan must not been filed. It calls for
24 more data and more study before decisions are made
25 and steps are taken. Yet the public is being asked

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1 to comment now well before it's necessary and
2 without DEP holding a Q&A session or public forum to
3 explain this lengthy and extremely technical plan.
4 The DEP must address the public again
5 after the plan is finalized and provide more time
6 for our questions and comments. Plain and simple
7 the Bishop Tube property should be a super fund
8 site. It's bewildering and beyond frustrating that
9 everyone, the DEP, East Whiteland Township, the
10 experts, the public, knows it's a toxic site unfit
11 for development and we all know the right thing to
12 do is to preserve it as natural open space rather
13 than build townhouses and endanger the lives of
14 unsuspecting residents. Not to mention exposing the
15 current neighbors to more contaminates that
16 excavation will release into the environment.
17 No one seems able or willing to stop
18 this runaway train being helmed by an irresponsible
19 developer and an ineffectual township leaders and
20 enabled by DEP. I beseech the DEP to be on the side
21 of the public and the environment in resolving this
22 crisis in the safest most responsible and most
23 timely manner.
24 Stand with the community in preserving
25 the property as natural open space. You are

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1 obligated by the Green Amendment to protect us.
2 Bishop Tube closed in 1999. We have been waiting
3 for more than 20 years for you to do the right thing
4 while our neighborhood has become a cancer cluster.
5 Don't make us wait anymore. Thank you.

**SEE PART II: DEP's public comment process, DEP's Community Outreach, Source Property
Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future**

Exposure Pathways, Cancer Cluster, AOA Compliance with Law, , Refer to EPA,
Hydrogeologic Study – Extent of Contamination, ISCO/ISCR Amendments. Community Safety
during Implementation,

Comment 28: Oral Comments - W. E. “Pete” Goodman, III.

- transcribed on pages 39 - 42 of the transcript. – Appendix C

MR. GOODMAN: My name is Pete Goodman
19 and I work with a number of groups primarily
20 representing Valley Forge chapter of Trout
21 Unlimited. I am very disappointed in DEPs proposed
22 remedial response. The Pennsylvania Constitution
23 guarantees us the right to clean air, clean water
24 and a healthy environment. Your inaction to date is
25 denying us the fundamental constitutional right.

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1 After decades of identified pollution
2 and associated health risks and my neighbors and
3 friends getting sick, is this the best that you can
4 do? A 30 minute presentation, although somewhat
5 informative, has left out a lot of details such as
6 the CDP agreements and the department’s breaches in
7 procedure.
8 In 46 days from when you announced and
9 released your remedial response we the public are
10 supposed to have been able to read, analyze and
11 absorb what has taken you more than two decades to
12 produce. We, I guess, were to stop all that we are
13 normally doing and jump on this at once to reviewed
14 it when you finally released it. In my reading of
15 your documents, it is evident to me that you have
16 still failed to identify the extent of the pollution
17 plume and further identify all of the toxic
18 chemicals on site.
19 What we have heard for more than 20
20 years is that more testing is necessary and the
21 remedial response is full of more of the same. How
22 are we expected to make informed comments on a plan
23 involving mixing chemicals with contaminated earth
24 on site when one, we don’t know - you don’t know, or
25 have not definitively told us what all the

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1 contaminants are and two, you are mixing chemicals
2 to be determined later after more testing which
3 today are unknown. We have no facts to comment on.
4 Your plan isn’t a plan, it’s incomplete. Why are we
5 even having this hearing?
6 It seems to be a useless exercise.
7 The proverbial can is just being kicked further into
8 the future at the expense of my friend’s health and
9 wellbeing.

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10 I'll close my comment with several
 11 questions. Is it DEP that will be implementing and
 12 overseeing the remedial response? If the answer is
 13 yes, why should we the public have any confidence in
 14 that after two decades of no cleanup? There appears
 15 to be divided responsibility as to who is
 16 responsible for what. I would like to know what
 17 exactly are DEPs responsibilities? What are CDPs
 18 responsibilities? And what about the other
 19 responsible parties, individually and collectively
 20 and what are they responsible for?
 21 And who gets to pay for this? What
 22 does DEP say about payment and what do responsible
 23 parties say about payment? Under your proposal who
 24 is responsible for pushing the plan through to
 25 completion? Who oversees this? Who pays for it and

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1 what if they don't? And finally what does the final
 2 cleanup look like? Would you let your grandson play
 3 in the dirt after the remediation at the site?
 4 Thank you for the opportunity to voice
 5 my concerns.

SEE PART II: DEP's public comment process, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, Prospective Purchaser Agreement, Who is conducting the cleanup? Remediation Oversight, Hydrogeologic Study – Extent of Contamination, Vinyl Chloride, other VOCs, PAHS, and PCBs, ISCO/ISCR Amendments

Comment 29: Oral Comments - Bill Coneghen.

- transcribed on pages 42 - 44 of the transcript. – Appendix C

MR. CONEGHEN: Thank you for
 22 connecting me up here. Bill Coneghen, 74 Village
 23 Way. I'm several hundred yards from the Bishop Tube
 24 site. When I read the remediation plan and saw the
 25 video, I was quite surprised that I couldn't come to

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1 a clear understand about what this was about or how
 2 it was going to be done. The outline of the plan
 3 gives the topics of remediation, the naming of
 4 convention and the verbiage about the actions but
 5 for community members, including myself, with a
 6 general haze about these actions entail. What they
 7 mean? How are they going to affect me or my
 8 neighbors?
 9 One of the issues that is prevalent in
 10 - one of the items that is very prevalent in the
 11 community is the lack of trust in DEPs ability to
 12 carry out a remediation plan. Where the people in
 13 the community are safe guarded from the hazards of

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14 Bishop Tube, the cost is at a low level. This may
15 be due to several agreements made with the developer
16 that are undisclosed to the community. Or it may be
17 due to a prior incident that the developer's
18 contractor had at the site where remediation
19 equipment had been broken.

20 My other concern for myself and my
21 family and of my neighbors is the health of the
22 community. This has not been taken very seriously.
23 Over 20 years of no action. No DEP initiated
24 contact with the community or township officials.
25 Only from legal support from Delaware River Keepers

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1 have neighbors have their health concerns and their
2 voices made known.
3 I've lived here since 1994 when my son
4 was three years old. I'm distressed and saddened to
5 realize that since the year 2000 children growing up
6 in this neighborhood including my son have been
7 exposed to these hazardous chemicals and DEP has
8 given no heed to the health of the children in the
9 General Warren Village. Thank you for the
10 opportunity to express my concerns and my opinions.

SEE PART II: DEP's Community Outreach, Current Exposure Pathways vs Future Exposure Pathways, Prospective Purchaser Agreement**Comment 30: Oral Comments - Carol Rapp.**

- transcribed on pages 44 - 48 of the transcript. – Appendix C

MS. RAPP: Okay.

18 My name is Carol Rapp and I am a
19 resident of General Warren Village which borders
20 the Bishop Tube site. I live on Village Way, FIVE
21 houses away from the site. I have a constitutional
22 right to a clean and healthy environment. This
23 right is in the bill of rights section of the
24 Pennsylvania Constitution which reads as follows.
25 The people have a right to clean air, pure water and

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1 to the preservation the natural, scenic, historic
2 and esthetic values of the environment.
3 Pennsylvania's natural public resources are the
4 common property of all the people, including
5 generations yet to come. As trustees of these
6 resources the Commonwealth shall conserve and
7 maintain them for the benefit of all the people.
8 I want to express my profound
9 disappointment and frustration with the DEP that has
10 demonstrated over three decades of inaction in
11 regards to the Bishop Tube site. The DEP is finally

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12 making a proposal to the cleanup of this site, but
13 given the highly technical nature of this proposal,
14 expert reviews cannot be fully accomplished in time
15 for tonight's hearing. The remedial action plan
16 repeatedly calls for additional data and study to
17 determine the extent of the contamination and the
18 final remedial action steps to take place. Clearly
19 this is not a final plan upon which the community,
20 or experts, can comment as there is a
21 wealth of outstanding information and decisions to
22 be made.

23 The remediation proposal fails to
24 protect the residential development of the site and
25 yet residential development of over 90 homes is not

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1 just proposed for this site, but a residential site
2 plan has been proposed by the township and so it is
3 clear the future use of this site will be
4 residential. Therefore remediation of this site must
5 meet the highest standards available for residential
6 use.

7 While my community is 100 percent
8 opposed to any development of the site and is
9 demanding all governmental officials work to ensure
10 its protection as natural open space in perpetuity
11 for the benefit of the community. Currently the
12 proposed use is residential and that must be the end
13 goal of this remediation plan.

14 The proposal fails to discuss the
15 history of the site including with regards to
16 proposed development. The multiple prospective
17 purchaser agreement with the proposed developer, the
18 damage to equipment and installed to begin to
19 address site contamination that was so detrimental
20 it resulted in the DEP voiding key aspects of the
21 PPS agreement that changed and now township approved
22 from commercial to residential and the process and
23 reason for the sweetheart deal struck with the
24 proposed developer are among the key historic facts
25 not included in the proposed DEP documentation.

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1 DEP needs to provide full and fair
2 information on the history and current proposal
3 regarding site development. Holding this public
4 hearing so soon after the voluminous and highly
5 technical remediation plan was released is wrong and
6 denies our community the opportunity to do a full
7 review and share a fully informed comment with the
8 DEP the press and others in our community.
9 DEP should have agreed to the
10 community on the process that it hosts a

Part I - Comments

11 presentation and question and answer session for the
12 community to discuss the remedial alternatives
13 presented early in the process and certainly early
14 to any scheduled hearing. The video provided does
15 not serve this purpose. The site developer and the
16 responsible parties had unfettered access to DEP
17 officials for decades. All the community is seeking
18 is a three hour public meeting to be able to ask and
19 answer questions.

20 To date the DEP has had only one
21 public meeting years ago which did not discuss the
22 current remedial action plan and therefore did not
23 serve to inform the community in a way helpful to
24 the current public comment process.

25 For all the above reasons, I want to

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1 firmly state that I am strongly opposed to the
2 development of the Bishop Tube site. I oppose the
3 DEP doing a remediation plan that fails to
4 acknowledge the sites been approved for residential
5 development and I am incredibly disappointed the DEP
6 is holding this hearing on November 9th when there
7 hasn't been enough time for people to review the
8 highly technical documents or for the community to
9 ask questions.

10 The past operations at this site have
11 affected me, my children and the dogs I've had over
12 the years. Three of my dogs died of cancer like so
13 many other residents in the General Warren Village.
14 The plans for future development and the future
15 remediation will continue to affect me for years to
16 come. We need you to hear us and to protect us.
17 Thank you.

SEE PART II: DEP's public comment process, DEP's Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, Cancer Cluster, AOA Compliance with Law, Prospective Purchaser Agreement, Hydrogeologic Study – Extent of Contamination,

Comment 31: Oral Comments - Sarah Caspar.

- transcribed on page 49 of the transcript. – Appendix C

MS. CASPER: There are some very
8 drastic or important omissions in the plan. There
9 is exclusion of sampling for PIFA, which is 90
10 percent or more likely to be there because of the
11 type of industry that was practiced there. There is
12 no real topographical plan showing exactly where the
13 samples were taken in relation to the site. What
14 the depth was, anything that is really relevant.
15 There is so much that is omitted that it is
16 impossible for a conclusion to be drawn if DEP

Part I - Comments

17 pursues what their plan is. And everything is
18 exactly said before me, that's all true. I'm all
19 good with that.

SEE PART II: PFAS Sampling, Hydrogeologic Study – Extent of Contamination

Comment 32: November 15, 2021, written comments from Sarah Caspar.

- See Appendix D.

SEE PART II: Cancer Cluster, PFAS Sampling, Hydrogeologic Study – Extent of Contamination, Proposed Remedy Implementation

Comment 33: January 3, 2022, written comments from Jason Baily.

Sent: Monday, January 3, 2022 1:51 PM

Given the fact that there is a residential neighborhood in immediate proximity to the Bishop Tube site, the DEP's remediation plan does not facilitate a proper outcome for the safety and welfare of the people living so close to the contamination. The plan proposed by the DEP should be recalled and appropriate measures put in place to fully clean the site while protecting its bordering communities. We object to this remediation plan based on the following summary points:

- No studies or plans were completed that focus on the health and welfare impacts of bordering residential homes. **The ATSDR gave safe conduct of site remediation guidelines to PADEP on 4/6/2016. Where is it documented that these protocols or the EPA's Green Remediation BMP's will be followed/enforced for bordering residents?**
- Information regarding the monitoring of air quality and safety of the surrounding residential community is not readily available. Once pollutants are airborne as a result of earth movement, what structures or mitigating systems are in place to protect neighboring residents within 50-500 yards of the site?
- There has been no direct community out-reach to those bordering the property. We are left to find the information for ourselves and you have not engaged in direct communication with residents who are at serious health risk as a result of this cleanup.
- No studies were completed that address the potential for neighboring structures to inherit vapor intrusion as a result of earth movement at the Bishop Tube site.
- The DEP's recommended plan to inject chemicals (in situ) into the ground as an act of remediation is not forthcoming. At no point does the DEP's plan specify what chemicals will be injected, how often they will be injected, nor the potential negative impact they could have on neighboring residents and their properties.
- There needs to be an active and present liaison between the DEP and neighboring residents when issues or problems arise as a direct result of the remediation.

There are many young children in various developmental stages living within feet of this site. We are not against the ultimate remediation of the Bishop Tube site, but it needs to be done properly with the utmost focus on the health and safety of those currently living directly next to it. This remediation plan has not been thoroughly vetted, and feels as if it's been pushed through by those not concerned about the safety and welfare of the community. In closing, Pennsylvania's constitution Article 1, Section 27 "The people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic and esthetic values of the environment. Pennsylvania's

public natural resources are the common property of all the people, including generations yet to come. As trustee of these resources, the Commonwealth shall conserve and maintain them for the benefit of all the people.” We hope that you will do what is right and protect your fellow PA residents.

Sincerely,
Amy and Jason Baily
76 Fahnestock Road
Malvern, PA 19355

SEE PART II: DEP’s Community Outreach, AOA Compliance with Law, ISCO/ISCR Amendments, Community Safety during Implementation

Comment 34: January 12, 2022, written comments from Tamar Dick.
Sent: Wednesday, January 12, 2022 11:41 AM

We the undersigned are community members impacted by and concerned about the toxic contamination at the Bishop Tube site, the spreading pollution plume, the proposal to develop the site as residential development, the impacts of the site contamination on our communities, environment, and exceptional value streams and wetlands. The public comment period and hearing date proposed in the PA Bulletin is unfair and unacceptable and we therefore urge you to modify the public comment process to ensure a full, fair and informed opportunity for public comment and engagement.

Pennsylvania DEP released the public notice announcing a public comment period regarding its proposed remedial response action for the Bishop Tube HSCA Site to address soil, groundwater, surface water, and a residential drinking water supply contaminated by chlorinated solvents and/or inorganic contaminants of concern (COCs) on September 24, 2021. The Notice stated that the administrative record will be open for comment from September 25, 2021 until January 3, 2022 and set a public hearing for November 9, 2021 during which only those who registered at least 24 hours in advance would be provided 3 minutes to testify.

Our communities have been impacted by the contamination at the Bishop Tube site for decades and DEP has known about this contamination since at least the mid-1980s. Throughout that time you have interacted with the responsible parties and the proposed residential developer, as well as their experts and your experts, with regularity. Community engagement with DEP has been limited at best. The documents and proposed remedial response action you developed over many years and have now been released for public review and comment are voluminous and highly technical. The review, comment and hearing process you have provided us is punishing and fails to provide the time and opportunity necessary for full, fair, informed and engaged public review and comment.

⇒ It is demonstrably unfair to provide the public a mere 46 days in which to review these materials in time to make informed comments at the November 9, 2021, hearing.

⇒ Our communities and environment have been deeply impacted by the toxic contamination at this site. The responsible parties and proposed developer have had tremendous access to DEP staff in order to make their case for why limited remediation of the site and development of the site in its toxic condition should be allowed. Therefore, it is fundamentally inequitable and morally wrong to

limit our community members to a mere 3 minutes of public comment each and to further seek to limit our engagement at the public hearing by suggesting that only one person from any concerned organization be allowed to speak. We have important information to share with you and many of us belong to the same and similar organizations; as a result, neither limitation is appropriate.

⇒ We are deeply disturbed that the public comment period ends the day after the biggest holiday season of the year when many of our families are celebrating Hanukkah, Christmas, Kwanzaa and New Years. During the comment period, our families will also be hoping to spend time with family and friends over Thanksgiving. While the staff of DEP will be able to enjoy these holidays unencumbered by the burden of a toxic site and crafting informed, meaningful and persuasive written comments, you are punishing our communities with the exact opposite, leaving us still impacted by the toxins at Bishop Tube and the emotional, intellectual, and time burden of this one chance to put together meaningful comments that will hopefully persuade DEP to ensure a clean, green and safe cleanup and open space outcome for Bishop Tube and our communities.

Therefore, we join with the Delaware Riverkeeper Network to say it is time for PADEP to show the East Whiteland and Little Valley Creek community the regard, respect and care we deserve by providing a more appropriate review, comment and hearing schedule, and access to ask questions and get answers essential for informing our understanding of the proposal.

We would like to see the review, hearing and comment process revised as follows:

- The November 9, 2021 date changed from a hearing to a presentation where DEP presents to the community the details of its remedial action plan and answers questions posed by the community regarding what is being proposed.
- A public hearing and written comment deadline in late January so communities have a full period of time to review what is being proposed and to consider their comments that are not impacted by year-end holidays and are scheduled no earlier than January 31, 2022.
- A 10 minute per person opportunity to speak at the public hearing that is ultimately scheduled and no limitation on who can speak regardless of organizational affiliations.

We would like you to announce a decision to change the November 9th meeting from a hearing to a public information session ASAP and no later than October 29, 2021, and announce an extended comment process within that same time frame.

PADEP has let our community down for far too long. It is high time you stood with the people and our environment rather than the responsible parties, the proposed developer and the personal preferences of your staff.

Sincerely,

Tamar Dick

[REDACTED]

PO Box 4204

Bethlehem, PA 18018

SEE PART II: DEP's public comment process, DEP's Community Outreach, Current Exposure Pathways vs Future Exposure Pathways,

Comment 35: January 12, 2022, written comments from Lloyd Goodman.

Sent: Wednesday, January 12, 2022 6:56 PM

I sincerely hope that the PADEP will stop the environmental problems regarding the remediation of the contaminated Bishop Tube site.

I and so many others in our community and the USA spend billions of dollars exercising and following billions of diets to try to stay healthy.

I am 65 years old and have excellent success in this pursuit. By allowing our environment to be contaminated many of our efforts will go for naught.

PLEASE have this contaminated site properly remediated, not what is presently proposed.

Sincerely,

Lloyd Goodman

[REDACTED]
175 KING OF PRUSSIA RD STE D
RADNOR, PA 19087

SEE PART II: Response to Comments

Comment 36: January 12, 2022, written comments from Eric Koper.

Sent: Wednesday, January 12, 2022 7:10 PM

I live in East Whiteland township.

I am for keeping Bishop tube open space allowing forest and plants to grow undisturbed.

Eric Koper
23 carol lane
Malvern, Pa
19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards.

Comment 37: January 12, 2022, written comments from Elisabeth Duffy.

Sent: Wednesday, January 12, 2022 7:43 PM

I'm like to make known my concerns about the remediation of the contaminated Bishop Tube site. The cleared site should be protected from further development. Overdevelopment as a whole is rapidly becoming a major issue in the township, let alone on a previously contaminated site. It would be irresponsible to allow ANY number of residences to be built here.

Sincerely,

Elisabeth Duffy

[REDACTED]
5 Bryan Avenue
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards.

Comment 38: January 13, 2022, written comments from Susan Britton Seyler.

Sent: Thursday, January 13, 2022 5:30 AM

Thirty years of inaction is an indication that the DEP has failed to protect the environment. It is reasonable and indisputable that East Whiteland has waited longer than they should have.

Remediation and maintenance of a healing Green Space is essential.

Nothing less than this is remotely acceptable.

Susan Britton Seyler
5209 Shannon Ct,
Chester Springs, PA 19425

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards.

Comment 39: January 13, 2022, written comments from Sara Funk.

Sent: Thursday, January 13, 2022 10:29 AM

Please let this problem be resolved for the good of our environment and our health and well being.

SEE PART II: Response to Comments


Comment 40: January 13, 2022, written comments from Martha Drinkwater.

Sent: Thursday, January 13, 2022 12:13 PM

I want the Bishop Tube site in the Malvern/Frazer PA contaminated site fully remediated to the highest legal standards by all responsible parties, and for the site once cleaned up to remain protected as an open space for the community in perpetuity. This is to include the removal of all long term sources of contamination. This clean up must be done in a way not to further degrade the Little Valley Creek. All toxic materials like Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium must be addressed and the best remedy selected. The cleanup must include protecting the air from contamination. Ongoing monitoring of the air, bedrock and water should be maintained for years.

Building homes or any other building on this site would negatively impact the environment and community. The state needs to do what is right for the people that live and work in this community.

Sincerely,
Martha Drinkwater


1 Friarsheel Lane
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Who is conducting the cleanup?, Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection, Community Safety during Implementation, Proposed Remedy Implementation, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 41: January 13, 2022, written comments from Sarah Caspar.

- See Appendix D (*The document attached to this email was added to Appendix D.*)
Sent: Thursday, January 13, 2022 1:53 PM

A few additions but the important message is that: ROUX's document omits so much evidence re: health and cancers, total mistatement re: harm to the Little Valley Creek. All very important. Cancers and tumors continue to show up in young girls; The Little Valley Creek receives run-off and drainage from the site and has been doing so since the 1950s.

Although oxy/redux might work well in different hydrogeological settings, here you have no absolutely no guarantee that it will work here nor that it will not produce a worse chemical.

SEE PART II: Cancer Cluster, PFAS Sampling, Hydrogeologic Study – Extent of Contamination, ISCO/ISCR Risks, Proposed Remedy Implementation

Comment 42: January 13, 2022, written comments from Lauren Calogero.

Sent: Thursday, January 13, 2022 8:45 AM

I am a fairly new resident of this area, but I have heard terrible things over the years about sites that haven't been cleaned, both in places I and my family have lived, and elsewhere. Look into Corning NY's area by the old factory at Houghton Park, or pretty much all of Niagara Falls due to proximity to the waste dump. I've heard for many years and seen news articles about studies of significantly higher cancer incidences in these areas.

Please do your community the service of taking care of them for years to come.

Lauren Calogero

SEE PART II: Response to Comments

Comment 43: January 14, 2022, written comments from Heather Goodman Nelson.

Sent: Friday, January 14, 2022 9:02 AM

Your job is to protect the environment and natural resources. Yet DEP's proposed remedial action plan for Bishop Tube fails to do so.

DEP must require that all contaminated soils be removed from the Bishop Tube site to remove a long-term source of contamination. In addition, all groundwater contaminants of concern must be removed, or rendered completely inert or immobile for an indefinite period, including in soil and bedrock on and off the site. In locations where this is impossible, the remedy must prevent any contaminant of concern from becoming or continuing to be a contamination source and continue to reduce its concentration. DEP also must insure that any remedy chosen protects and does not further degrade the Little Valley Creek. And DEP must ensure that any remedy selected address all toxic contaminants of concern identified including, but not limited to, Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium.

The remedial action plan repeatedly calls for additional data and study in order to determine the

extent of contamination and the final remedial action steps to take place. In other words, this is not a final plan upon which the community or experts can comment as there is a wealth of outstanding information and decisions to be made.

The remediation proposal fails to protect residential development of the site. And yet, residential development of over 90 homes is not just proposed for this site, but a residential site plan has been approved by the Township. Based on current facts, the future use of this site will be residential. Therefore, remediation of the site should meet the highest standards available for protecting residential uses at the site. Anything less than protection for residential use risks putting future families at risk. While the community is 100% opposed to any development of this site and is demanding that all government officials work to ensure its protection as natural open space, in perpetuity, for the benefit of the community, currently the proposed-approved-use is residential and that must be the end goal of this remediation plan.

The reports relied upon by DEP for its proposed remediation plan are fundamentally flawed. The reports are based on the assumption that soil on the site will be removed, when that is not in fact being proposed, and fail to consider other potentially hazardous Volatile Organic Compounds (VOCs) known to be present in the pollution plume and of environmental and human health concern.

Little Valley Creek has been designated as “Exceptional Value” under Pennsylvania state law. Exceptional Value designation entitles Little Valley Creek and associated wetlands to a higher legal standard of protection. The proposed remediation fails to meet DEP’s legal obligation, or that of the responsible parties, to meet the applicable Exceptional Value legal standards and protections that apply to the Little Valley Creek and associated wetlands. Rather than consider these as mandatory legal standards to be achieved, the DEP considers them as standards simply “to be considered.” This is a violation of state law.

Underlying modeling assumes no continuing source of TCE present at the site, despite acknowledging the presence of dense nonaqueous phase liquids (DNAPL) in deep bedrock that will in fact be a continual source affecting the environment in an ongoing way. The DEP and the experts they are relying on are speaking out of both sides of their mouths and picking “facts” that are most convenient for the interpretation and decision it is looking to advance. Facts are facts. DEP needs to be truthful, accurate and consistent.

DEP’s evaluation of the growing pollution plume ignores the presence of vinyl chloride, a confirmed and potent cause of cancer in humans and other animals which has been found onsite, may be carried by groundwater, and spreads faster than TCE. Community members and the environment have been deeply impacted by the toxins at, and emanating from, the Bishop Tube site. It is a betrayal of trust for DEP to not fully evaluate all dangerous toxins and the implications of any proposed remediation on their presence or spread.

There is a lack of information on the risks to the biota (plantlife, wildlife and aquatic life) at this site, in and around Little Valley Creek and downstream, including in the receiving streams of Valley Creek and the Schuylkill River. The municipality’s technical expert stated at the East Whiteland public hearing on 11/5/21 that the chemicals, not specified to date, to be used to decontaminate the soils through chemical oxidation and/or in situ chemical reduction, coupled with soil mixing, could affect the environmental biota at the Bishop Tube site and downstream. This concern has received no attention in any DEP analyses and response reports. We have a right to know what the impact will

be on the natural environment there.

DEP has failed to use full, accurate, and robust science to ensure a complete total site cleanup that will protect present and future residents at the site, downstream from the site, and in neighboring communities. DEP has failed our communities for far too long, all along prioritizing the goals, desires and profit objectives of the responsible industries and developer rather than the health and safety of our communities and environment, including those being affected today and those who can and will be affected in the future.

The proposal fails to discuss the true history of this site, including with regards to proposed development. The multiple Prospective Purchaser Agreements (PPA) with the proposed developer, the damage to equipment installed to begin to address site contamination that was so detrimental it resulted in PADEP voiding key aspects of the PPA agreement, the changed/changing proposed (and now township approved) end use from commercial to residential, and the process and reason for the sweetheart deal struck with the proposed developer, are among the key historic facts not included in the proposed PADEP documentation. PADEP needs to provide full and fair information on the history and current proposal regarding site development.

The public hearing DEP held to allow residents to bring forth verbal comment was nothing short of abusive. The hearing was held November 9, 2021, a mere 45 days after release of the plan. Given the voluminous and highly technical remediation proposal, this was not enough time for full and fair community or expert review. There was no rational reason for a hearing to be held so early in the public comment process. The inequity of this short time in the one and only DEP hearing was compounded by the fact that residents were forced to testify to a blank computer screen that had nothing but a counting down clock. They could not see others who were in attendance, and they could not see if the officials they were supposedly testifying to were in fact paying attention or simply cooking dinner, cleaning their office or folding laundry. The people of East Whiteland deserved to be able to speak, face to face, with the decision makers to whom they were testifying, and to see who was in the room and listening to what they had to say. The process selected by DEP was intimidating and not conducive to securing meaningful public comment.

PADEP should have agreed to the community request that it host a presentation and question & answer session for the community to discuss the remedial alternatives presented early in the process and certainly prior to any scheduled hearing. The video provided does not serve this purpose. The site developer and responsible parties have had unfettered access to DEP officials for decades. All the community has been seeking as part of this open comment period is a 3 hour public meeting to be able to ask questions and secure answers. To date, DEP has held only one public meeting years ago, which did not address the current proposed remedial action plan and therefore did not serve to inform the community in a way helpful to the current public comment process.

There is deep concern that the proposed remediation plan has many 'holes' in it and will exacerbate the pathways of the contaminants at the site including allowing toxins to become airborne as well as contaminating Little Valley Creek, growing the pollution groundwater plume and affecting our neighbors downstream.

We are concerned that the PADEP, in its cleanup proposal, mentioned unnamed chemicals would be used to break down toxins at the Bishop Tube site but have failed to consider, let alone expose, the health and environmental effects of these yet to be determined and/or unnamed chemicals.

The community is concerned that access via Village Way in General Warren Village will be required for the equipment needed to complete the cleanup and therefore an access road will be constructed that cuts through our community for this purpose. Construction of an access road, and using our community as a temporary or permanent cut through will inflict tremendous harm. An access road used for advancing this remediation will harm our community and environment; compromise the health and safety of our community through the remediation activities next door as well as from increased heavy traffic on our little local road in our small village; bring air and noise pollution from increased traffic into our now quiet community; put at risk our 'village' designation; harm the safety and joy of our kids playing in our community including in the now existing cul-de-sac. The use of our community as a cut through for advancing the remediation will greatly disrupt our quiet Village and be a danger to the children who play in our streets as well as the pets and walkers.

Bishop Tube is less than 1.5 miles from a DEP Environmental Justice area, and return of the site to a natural park, to blend into the forest around it and to protect Little Valley Creek, would provide Environmental Justice to those designated communities.

DEP itself acknowledges that its proposed remediation does not protect our environment or community. Mr. Dustin Armstrong of the DEP stated that:

People could come into contact with contaminated soil. Construction and utility workers could be exposed when working on the property. Vapor intrusion can migrate from soil or groundwater and enter occupied buildings. If buildings are constructed over or near soil contamination, a vapor intrusion (VI) exposure pathway could be opened. Vapor can intrude through cracks in the foundation of homes. Contaminants can migrate into rainwater and into groundwater (as has been already found here, though the extent is not known). The DEP's recommended remedial actions might not treat all the soil at this site. Contaminants can be transferred from soil and migrate further into groundwater as rainwater moves downward. Contaminants can also be trapped in the soil only to be released into groundwater for the long term. TCE is the primary contaminant of concern in ground water and is found further away from the source than any other contaminant. Based on TCE concentration from some monitoring wells, residual free product could act as a long term source of groundwater contamination, and also discharge to Little Valley Creek.

The constant production of vinyl chloride that results from the breakdown of TCE in the groundwater, continuous discharges from the site into surface water, and continuous leaching of contaminants from the soil into the creek is not addressed in the cleanup plan.

The issues of the long term heavy metals effects on aquatic life is not discussed.

In general, the process of formal discussion of this site has always defended the use of the property for residential housing to produce monetary benefits to the developer and the township of East Whiteland, and has never directly addressed the many problems the people and other agencies (County Planning Comm., township EAC, federal ATSDR) have expressed about the risks to human and environmental health. This silence from DEP and East Whiteland Supervisors has been truly deafening, and its consistency, intransigency, and duplicity by the government to protect the welfare of the people is shattering. At no time has the actual reason for the refusal to protect this site been explained. The discussions and hearings describe a result that has been written in stone from the beginning – this is disturbing and both legally and morally wrong. It is heartless that the DEP and local government officials remain obdurate and uncaring, not even willing to explain or

apologize for their decisions and willingness to put the health of the people and the environment at risk of both near-term and long-term harm.

East Whiteland Township paid for the open space evaluation from Natural Lands. That evaluation recommended the Bishop Tube site as permanent open space. DEP should comply with existing recommendations from the township and county and do their part to bring these plans to fruition.

Thank you for your time.

Sincerely,
Heather Goodman Nelson

SEE PART II: DEP’s public comment process, Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Environmental Justice Area, AOA Compliance with Law, Prospective Purchaser Agreement, Little Valley Creek Designation, Access via Village Way in General Warren Village, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Modeling, Vinyl Chloride, other VOCs, PAHS, and PCBs, Ecological Risk Assessment (“ERA”), Remedy Selection, ISCO/ISCR Risks, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 44: January 14, 2022, written comments from Jim Zega.
Sent: Friday, January 14, 2022 11:16 AM

The DEP's plan as proposed is flawed and illegal.

The reports relied upon by DEP for its proposed remediation plan are fundamentally flawed. The reports are based on the assumption that soil on the site will be removed, when that is not in fact being proposed, and fail to consider other potentially hazardous Volatile Organic Compounds (VOCs) known to be present in the pollution plume and of environmental and human health concern.

Little Valley Creek has been designated as “Exceptional Value” under Pennsylvania state law. Exceptional Value designation entitles Little Valley Creek and associated wetlands to a higher legal standard of protection. The proposed remediation fails to meet DEP’s legal obligation, or that of the responsible parties, to meet the applicable Exceptional Value legal standards and protections that apply to the Little Valley Creek and associated wetlands. Rather than consider these as mandatory legal standards to be achieved, the DEP considers them as standards simply “to be considered.” This is a violation of state law.

Respectfully
Jim Zega

SEE PART II: Little Valley Creek Designation, Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection

Comment 45: January 14, 2022, written comments from Molly Atz on behalf of Maya van Rossum, the Delaware Riverkeeper, and the Delaware Riverkeeper Network.
– See Appendix E.

SEE PART II: DEP’s public comment process, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, PFAS Sampling, Little Valley Creek Designation, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Modeling, Hydrogeologic Study – Deep Bedrock, Vinyl Chloride, other VOCs, PAHS, and PCBs, Risk Assessment, Ecological Risk Assessment (ERA), Remedy Selection, ISCO/ISCR Amendments, ISCO/ISCR Risks, Proposed Remedy Implementation – Engineering and Institutional Controls

Comment 46: January 17, 2022, written comments from Peter Tran.

Sent: Monday, January 17, 2022 10:44 AM

The remediation plan for the former Bishop Tube site needs to seriously deal with soils contaminated by TCE, Vinyl Chloride, and Hexavalent Chromium. At its current state, the remediation plan fails to find proper solution to remediate the site as a preserved open space, which is what the locals desire, let alone redevelopment as residential housing. The remediation plan must prevent or minimize any leaching of chemicals to nearby Little Valley Creek, an Exceptional Value stream. I strongly urge DEP to reconsider its plan.

Sincerely,

Peter Tran

peter@delawareriverkeeper.org

925 Canal St

Bristol, PA 19007

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Vinyl Chloride, other VOCs, PAHS, and PCBs, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 47: January 18, 2022, written comments from Frank Nelson.

Sent: Tuesday, January 18, 2022 8:49 AM

Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

Sincerely,

Frank Nelson

415 W Durham Street

Philadelphia, PA 19119

SEE PART II: Response to Comments

Comment 48: January 18, 2022, written comments from Michael Kahn.

Sent: Tuesday, January 18, 2022 10:52 AM

DEP’s proposed remedial action plan fails our community. You must do better.

DEP must require that all contaminated soils be removed from the Bishop Tube site to remove a long-term source of contamination. In addition, all groundwater contaminants of concern must be removed, or rendered completely inert or immobile for an indefinite period, including in soil and bedrock on and off the site. In locations where this is impossible, the remedy must prevent any contaminant of concern from becoming or continuing to be a contamination source and continue to reduce its concentration. DEP also must insure that any remedy chosen protects and does not further degrade the Little Valley Creek. And DEP must ensure that any remedy selected address all toxic contaminants of concern identified including, but not limited to, Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium.

The remedial action plan repeatedly calls for additional data and study in order to determine the extent of contamination and the final remedial action steps to take place. In other words, this is not a final plan upon which the community or experts can comment as there is a wealth of outstanding information and decisions to be made.

The remediation proposal fails to protect residential development of the site. And yet, residential development of over 90 homes is not just proposed for this site, but a residential site plan has been approved by the Township. Based on current facts, the future use of this site will be residential. Therefore, remediation of the site should meet the highest standards available for protecting residential uses at the site. Anything less than protection for residential use risks putting future families at risk. While the community is 100% opposed to any development of this site and is demanding that all government officials work to ensure its protection as natural open space, in perpetuity, for the benefit of the community, currently the proposed-approved-use is residential and that must be the end goal of this remediation plan.

The reports relied upon by DEP for its proposed remediation plan are fundamentally flawed. The reports are based on the assumption that soil on the site will be removed, when that is not in fact being proposed, and fail to consider other potentially hazardous Volatile Organic Compounds (VOCs) known to be present in the pollution plume and of environmental and human health concern.

Little Valley Creek has been designated as “Exceptional Value” under Pennsylvania state law. Exceptional Value designation entitles Little Valley Creek and associated wetlands to a higher legal standard of protection. The proposed remediation fails to meet DEP’s legal obligation, or that of the responsible parties, to meet the applicable Exceptional Value legal standards and protections that apply to the Little Valley Creek and associated wetlands. Rather than consider these as mandatory legal standards to be achieved, the DEP considers them as standards simply “to be considered.” This is a violation of state law.

Underlying modeling assumes no continuing source of TCE present at the site, despite acknowledging the presence of dense nonaqueous phase liquids (DNAPL) in deep bedrock that will in fact be a continual source affecting the environment in an ongoing way. The DEP and the experts they are relying on are speaking out of both sides of their mouths and picking “facts” that are most convenient for the interpretation and decision it is looking to advance. Facts are facts. DEP needs to be truthful, accurate and consistent.

DEP’s evaluation of the growing pollution plume ignores the presence of vinyl chloride, a confirmed and potent cause of cancer in humans and other animals which has been found onsite, may be carried by groundwater, and spreads faster than TCE. Community members and the environment

have been deeply impacted by the toxins at, and emanating from, the Bishop Tube site. It is a betrayal of trust for DEP to not fully evaluate all dangerous toxins and the implications of any proposed remediation on their presence or spread.

There is a lack of information on the risks to the biota (plantlife, wildlife and aquatic life) at this site, in and around Little Valley Creek and downstream, including in the receiving streams of Valley Creek and the Schuylkill River. The municipality's technical expert stated at the East Whiteland public hearing on 11/5/21 that the chemicals, not specified to date, to be used to decontaminate the soils through chemical oxidation and/or in situ chemical reduction, coupled with soil mixing, could affect the environmental biota at the Bishop Tube site and downstream. This concern has received no attention in any DEP analyses and response reports. We have a right to know what the impact will be on the natural environment there.

DEP has failed to use full, accurate, and robust science to ensure a complete total site cleanup that will protect present and future residents at the site, downstream from the site, and in neighboring communities. DEP has failed our communities for far too long, all along prioritizing the goals, desires and profit objectives of the responsible industries and developer rather than the health and safety of our communities and environment, including those being affected today and those who can and will be affected in the future.

The proposal fails to discuss the true history of this site, including with regards to proposed development. The multiple Prospective Purchaser Agreements (PPA) with the proposed developer, the damage to equipment installed to begin to address site contamination that was so detrimental it resulted in PADEP voiding key aspects of the PPA agreement, the changed/changing proposed (and now township approved) end use from commercial to residential, and the process and reason for the sweetheart deal struck with the proposed developer, are among the key historic facts not included in the proposed PADEP documentation. PADEP needs to provide full and fair information on the history and current proposal regarding site development.

The public hearing DEP held to allow residents to bring forth verbal comment was nothing short of abusive. The hearing was held November 9, 2021, a mere 45 days after release of the plan. Given the voluminous and highly technical remediation proposal, this was not enough time for full and fair community or expert review. There was no rational reason for a hearing to be held so early in the public comment process. The inequity of this short time in the one and only DEP hearing was compounded by the fact that residents were forced to testify to a blank computer screen that had nothing but a counting down clock. They could not see others who were in attendance, and they could not see if the officials they were supposedly testifying to were in fact paying attention or simply cooking dinner, cleaning their office or folding laundry. The people of East Whiteland deserved to be able to speak, face to face, with the decision makers to whom they were testifying, and to see who was in the room and listening to what they had to say. The process selected by DEP was intimidating and not conducive to securing meaningful public comment.

PADEP should have agreed to the community request that it host a presentation and question & answer session for the community to discuss the remedial alternatives presented early in the process and certainly prior to any scheduled hearing. The video provided does not serve this purpose. The site developer and responsible parties have had unfettered access to DEP officials for decades. All the community has been seeking as part of this open comment period is a 3 hour public meeting to be able to ask questions and secure answers. To date, DEP has held only one public

meeting years ago, which did not address the current proposed remedial action plan and therefore did not serve to inform the community in a way helpful to the current public comment process.

There is deep concern that the proposed remediation plan has many ‘holes’ in it and will exacerbate the pathways of the contaminants at the site including allowing toxins to become airborne as well as contaminating Little Valley Creek, growing the pollution groundwater plume and affecting our neighbors downstream.

We are concerned that the PADEP, in its cleanup proposal, mentioned unnamed chemicals would be used to break down toxins at the Bishop Tube site but have failed to consider, let alone expose, the health and environmental effects of these yet to be determined and/or unnamed chemicals.

The community is concerned that access via Village Way in General Warren Village will be required for the equipment needed to complete the cleanup and therefore an access road will be constructed that cuts through our community for this purpose. Construction of an access road, and using our community as a temporary or permanent cut through will inflict tremendous harm. An access road used for advancing this remediation will harm our community and environment; compromise the health and safety of our community through the remediation activities next door as well as from increased heavy traffic on our little local road in our small village; bring air and noise pollution from increased traffic into our now quiet community; put at risk our ‘village’ designation; harm the safety and joy of our kids playing in our community including in the now existing cul-de-sac. The use of our community as a cut through for advancing the remediation will greatly disrupt our quiet Village and be a danger to the children who play in our streets as well as the pets and walkers.

Bishop Tube is less than 1.5 miles from a DEP Environmental Justice area, and return of the site to a natural park, to blend into the forest around it and to protect Little Valley Creek, would provide Environmental Justice to those designated communities.

DEP itself acknowledges that its proposed remediation does not protect our environment or community. Mr. Dustin Armstrong of the DEP stated that:

People could come into contact with contaminated soil. Construction and utility workers could be exposed when working on the property. Vapor intrusion can migrate from soil or groundwater and enter occupied buildings. If buildings are constructed over or near soil contamination, a vapor intrusion (VI) exposure pathway could be opened. Vapor can intrude through cracks in the foundation of homes. Contaminants can migrate into rainwater and into groundwater (as has been already found here, though the extent is not known). The DEP’s recommended remedial actions might not treat all the soil at this site. Contaminants can be transferred from soil and migrate further into groundwater as rainwater moves downward. Contaminants can also be trapped in the soil only to be released into groundwater for the long term. TCE is the primary contaminant of concern in ground water and is found further away from the source than any other contaminant. Based on TCE concentration from some monitoring wells, residual free product could act as a long term source of groundwater contamination, and also discharge to Little Valley Creek.

The constant production of vinyl chloride that results from the breakdown of TCE in the groundwater, continuous discharges from the site into surface water, and continuous leaching of contaminants from the soil into the creek is not addressed in the cleanup plan.

The issues of the long term heavy metals effects on aquatic life is not discussed.

In general, the process of formal discussion of this site has always defended the use of the property for residential housing to produce monetary benefits to the developer and the township of East Whiteland, and has never directly addressed the many problems the people and other agencies (County Planning Comm., township EAC, federal ATSDR) have expressed about the risks to human and environmental health. This silence from DEP and East Whiteland Supervisors has been truly deafening, and its consistency, intransigency, and duplicity by the government to protect the welfare of the people is shattering. At no time has the actual reason for the refusal to protect this site been explained. The discussions and hearings describe a result that has been written in stone from the beginning – this is disturbing and both legally and morally wrong. It is heartless that the DEP and local government officials remain obdurate and uncaring, not even willing to explain or apologize for their decisions and willingness to put the health of the people and the environment at risk of both near-term and long-term harm.

East Whiteland Township paid for the open space evaluation from Natural Lands. That evaluation recommended the Bishop Tube site as permanent open space. DEP should comply with existing recommendations from the township and county and do their part to bring these plans to fruition. Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

Sincerely,
Michael Kahn

████████████████████
506 Wertz Rd
Coatesville, PA 19320

SEE PART II: DEP’s public comment process, Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Environmental Justice Area, AOA Compliance with Law, Prospective Purchaser Agreement, Little Valley Creek Designation, Access via Village Way in General Warren Village, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Modeling, Vinyl Chloride, other VOCs, PAHS, and PCBs, Ecological Risk Assessment (“ERA”), Remedy Selection, ISCO/ISCR Risks, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 49: January 18, 2022, written comments from Christopher Daly.

Sent: Tuesday, January 18, 2022 12:32 PM

Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

Sincerely,
Christopher Daly

████████████████████
298 S Roberts Rd
Rosemont, PA 19010

SEE PART II: Response to Comments

Comment 50: January 18, 2022, written comments from Peter Lee.


Sent: Tuesday, January 18, 2022 1:07 PM

Greetings! I am looking at 70 years old and a local resident all that time. Some of that time Bishop Tube was in business employing many I have known. We all did things we learned later were not smart things to do. As things started happening and technology improved we learned to correct those mistakes. Unfortunately some we can't undo. Bishop tube is one of those. The lives of the workers and those living close to the site have and continue to be changed. The contaminated groundwater plume is growing and will continue. Toxic vapors are escaping and will continue. We all know this! This site is not a place to build homes or let people live and or work.

WE cannot do nothing, we need to clean up our mess as much as possible. After responsible remediation the Bishop Tube site should be again tested to see if it is safe for use as a park or open space. Should we allow the current housing project it will be too late to fix the damage what we have done,

Thank you for the opportunity share my thoughts.

Sincerely,
Peter Lee


27 HICKORY LANE
MALVERN, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Hydrogeologic Study – Extent of Contamination

Comment 51: January 18, 2022, written comments from Lester Young.

Sent: Tuesday, January 18, 2022 10:18 PM

DEP's proposed remedial plan falls short. DEP must require that all contaminated soils be removed from the Bishop Tube site to remove a long-term source of contamination. In addition, all groundwater contaminants of concern must be removed, or rendered completely inert or immobile for an indefinite period, including in soil and bedrock on and off the site. In locations where this is impossible, the remedy must prevent any contaminant of concern from becoming or continuing to be a contamination source and continue to reduce its concentration. DEP also must insure that any remedy chosen protects and does not further degrade the Little Valley Creek. And DEP must ensure that any remedy selected address all toxic contaminants of concern identified including, but not limited to, Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium.

Consider that the affected watershed is Little Valley Creek, which is a designated Exceptional Value stream, and as a matter of State Law, DEP must go beyond mere 'consideration' of standards. Also, given that the intended use is Residential, protection of and the safety and health of future residents is mandatory.

Sincerely,

LESTER YOUNG

██████████
565 Winturford Dr
West Chester, PA 19382

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Little Valley Creek Designation, Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 52: January 19, 2022, written comments from J. Michael Considine, Jr.
Sent: Wednesday, January 19, 2022 8:35 AM

I am a civil rights attorney and resident of Village Way in Malvern.

I have several questions:

1. Why won't the DEP give more than 45 days for public comment on this matter? Can you extend this another 100 days?

2. How can you be sure that removing onsite soil will solve the environmental issues? Isn't it in the water too? How far down into the soil does the contamination go? What are the EPA standards for soil removal?

3. Why isn't the owner of the land required to do whatever cleanup is required under state and federal law?

4. What do the case studies for trichlorethylene (TCE), including the EPA investigative report, show as far as what cleanup was required when this chemical was found at other sites, the danger it presents to the human body, how long the danger remains, and whether such sites permitted development such as is proposed here?

5. What chemicals do you propose to inject into the soil to combat the existing contaminants? What case studies support this as a solution?

6. Why do you not consider the Agency for Toxic Substances and Disease Registry, Chester County Planning Commission, and East Whiteland Township Environmental Advisory Council recommendations that residential housing not be approved here? Was it approved at other sites with comparable levels of TCE? If not, why approve this development?

7. What other contaminants exist at the site other than TCE?

8. Will you hold a public hearing?

I can be reached at ██████████ Please call if I can help. Protect the public!

J. Michael Considine, Jr.

SEE PART II: DEP's public comment process, Source Property Land Use and the Appropriate Cleanup Standards, Prospective Purchaser Agreement, Soil Delineation, Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection, ISCO/ISCR Amendments

Comment 53: January 19, 2022, written comments from Kathleen M. Stauffer, M.Ed.
Sent: Wednesday, January 19, 2022 11:58 AM

I am the mother of a brain tumor survivor. We are suspect that the fumes from the active Bishop Tube site contributed to my daughter's tumors. We did not know at the time of purchasing our home in 1987 that our neighborhood was known as "The Cancer Hub" because of Bishop Tube. I am

so very disappointed that the PADEP sat on cleaning up this site for decades. The holes in your present remediation plan to clean up Bishop Tube are HIGHLY CONCERNING!!

Among other issues, I am concerned that the PADEP, in its cleanup proposal, mentioned unnamed chemicals would be used to break down toxins at the Bishop Tube site but have failed to consider, let alone expose, the health and environmental effects of these yet to be determined and/or unnamed chemicals.

The health of my family, neighbors, environment, animals and Little Valley Creek are extremely important to me! You, the PADEP, and my township officials are obligated to uphold and protect our Constitutional Right to clean air, clean water and a healthy environment!

Sincerely,
Kathleen Stauffer
[REDACTED]
64 Fahnestock Road
Malvern, PA 19355

SEE PART II: Cancer Cluster, AOA Compliance with Law, ISCO/ISCR Risks

Comment 54: January 19, 2022, written comments from Lawrence Stauffer.
Sent: Wednesday, January 19, 2022 12:14 PM

I am the father of a daughter who suffered through 3 brain tumors from 2006 - 2013. She is among many others in the General Warren and surrounding neighborhoods who have had cancer or neurological issues.

It is bad enough that the PADEP sat on cleaning up Bishop Tube for decades but it is also very concerning that the proposed remediation plan has many holes in it. How will the neighbors be protected from airborne contaminants during the proposed clean-up? How will the 'unnamed' chemicals used to breakdown the TCE and other contaminants effect the aquifer finding its way to public drinking water.

What has not been addressed in the remediation plan; will Village Way become an access road for the heavy equipment required for clean-up?

The reports relied upon by DEP for its proposed remediation plan are fundamentally flawed. The reports are based on the assumption that soil on the site will be removed, when that is not in fact being proposed, and fail to consider other potentially hazardous Volatile Organic Compounds (VOCs) known to be present in the pollution plume and of environmental and human health concern.

It is our constitutional right to have clean air, clean water and a healthy environment and it is your obligation to uphold that right.

Sincerely,
Lawrence Stauffer
[REDACTED]
64 Fahnestock Road

Malvern, PA 19355

SEE PART II: AOA Compliance with Law, Access via Village Way in General Warren Village, Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection, ISCO/ISCR Risks, Community Safety during Implementation

Comment 55: January 19, 2022, written comments from Nicholas Stauffer.

Sent: Wednesday, January 19, 2022 12:44 PM

Can you imagine the devastation of watching your parents as they deal with fear and chaos of your sister's 3 consecutive brain tumors? And the sadness of watching your sister, who is on chemo for her brain tumors, be the pall bearer for one of her best friends who died of a sarcoma?

You knew of the toxicity of the Bishop Tube site, yet chose to "site-on-it" for decades allowing the toxins to contaminate Little Valley Creek as our Middle School assignments brought us to the creek for geology studies.

Local children/teenagers, including myself played in the abandoned site not knowing of its toxicity. Yes, we know, we trespassed...but that's what teenagers do. You on the other hand have an obligation to uphold our constitutional right to clean air, clean water and a clean environment. DEP's proposed remedial action plan fails our community. You must do better.

Bishop Tube is less than 1.5 miles from a DEP Environmental Justice area, and return of the site to a natural park, to blend into the forest around it and to protect Little Valley Creek, would provide Environmental Justice to those designated communities.

DEP itself acknowledges that its proposed remediation does not protect our environment or community. Mr. Dustin Armstrong of the DEP stated that:

People could come into contact with contaminated soil. Construction and utility workers could be exposed when working on the property. Vapor intrusion can migrate from soil or groundwater and enter occupied buildings. If buildings are constructed over or near soil contamination, a vapor intrusion (VI) exposure pathway could be opened. Vapor can intrude through cracks in the foundation of homes. Contaminants can migrate into rainwater and into groundwater (as has been already found here, though the extent is not known). The DEP's recommended remedial actions might not treat all the soil at this site. Contaminants can be transferred from soil and migrate further into groundwater as rainwater moves downward. Contaminants can also be trapped in the soil only to be released into groundwater for the long term. TCE is the primary contaminant of concern in ground water and is found further away from the source than any other contaminant. Based on TCE concentration from some monitoring wells, residual free product could act as a long term source of groundwater contamination, and also discharge to Little Valley Creek.

East Whiteland Township paid for the open space evaluation from Natural Lands. That evaluation recommended the Bishop Tube site as permanent open space. DEP should comply with existing recommendations from the township and county and do their part to bring these plans to fruition.

Sincerely,
Nicholas Stauffer

[REDACTED]
64 Fahnestock Road
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Environmental Justice Area, AOA Compliance with Law,

Comment 56: January 19, 2022, written comments from Jessica Diguiseppe.
Sent: Wednesday, January 19, 2022 1:50 PM

Hope you are well. My family has been greatly impacted by Bishop tube's toxic soil. My boyfriend's sister had three brain tumors that we believe to be environmental in origin. Please consider how improper management of toxic substances leeches into the communities that live on them.

Sincerely,
Jessica Diguiseppe
[REDACTED]
219 Sheeder Road
Phoenixville, PA 19460

SEE PART II: Response to Comments

Comment 57: January 20, 2022, written comments from Kathleen M. Stauffer, M.Ed.
Sent: Thursday, January 20, 2022 2:26 PM

In reading the transcript from the public hearing from November 9, 2021. The public hearing where my community and I were forced to testify to a blank computer screen that had nothing but a counting down clock. Where we were unable to see others who were in attendance, nor the the officials we were supposedly testifying to! My community deserves to speak, face to face with the decision makers to whom they were testifying, and to see who was in the room and listening to what they had to say. It felt extremely disrespectful.

Also, in reading the transcript as Mr Bram was explaining our "rights in regard to the Bishop Tube hazard site" there was a glaring absence of his acknowledgement of our Constitutional Right (Article 1 Section 27) to clean air, clean water and a healthy environment. which seems to me is his primary role, and yours, to uphold!

Sincerely,
Kathleen Stauffer. M.Ed.
[REDACTED]
64 Fahnestock Road
Malvern, PA 19355

SEE PART II: DEP's public comment process, AOA Compliance with Law

Comment 58: January 21, 2022, written comments from Jill Holsclaw.
Sent: Friday, January 21, 2022 8:17 AM

The time to clean up Bishop Tube site is so so overdue. The PADEP needs to act now with a researched and well documented plan. The plan's highest priority needs to be the health and safety of the neighboring residents AND the environment. Mediocre plans and feeble attempts are not good enough. If the PADEP can not get the job done keeping the residents and environment as the most important party then engage an agency that can.

Sincerely,
Jill Holsclaw

[REDACTED]
61 Spring Rd
Malvern, PA 19355

SEE PART II: Response to Comments

Comment 59: January 21, 2022, written comments from Tamara Hoffritz.
Sent: Friday, January 21, 2022 12:06 PM

I am writing to you with grave concerns about the ongoing refusal of the PA Dept of Environmental Protection to protect our community in Bishop Tube and Little Valley Creek and surrounding lands. Your standards of protection are inadequate to protect these properties and pieces of land. Additionally, you are failing to protect our residents by allowing this property to be used for residential development.

In East Whiteland, Pennsylvania, it has been decades of neighbors banding together to prevent development and advocate for remediation of the Bishop Tube neighborhood and community. A number of developers have attempted to build upon this land, despite the contamination of the soil and water. Please protect our community and keep our residents safe from this toxicity. This includes measuring and protecting our soil and water from contamination from toxins including TCE, Vinyl Chloride, and Hexavalent Chromium.

The Dept of Environmental Protection exists for a reason, and you are failing to protect us! Do your job!

Sincerely,
Tamara Hoffritz


[REDACTED]
9 Oak Glen Drive
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Vinyl Chloride, other VOCs, PAHS, and PCBs

Comment 60: January 21, 2022, written comments from James Rafetto.
Sent: Friday, January 21, 2022 1:23 PM

I have written many comments about this issue in the past. I'm getting tired of trying to get politicians and their pawns to do the right things for the right reasons. The bottom line is that pollutants follow the path of heat and water. If toxins, carcinogens, etc. are not removed and /or they are disturbed without encapsulation then they get dispersed by air currents (Heat driven) or by being dispersed through water. This causes significant environmental impact that is nearly impossible to control once it is dispersed. Take care of it for crying out loud!

Sincerely,
James Rafetto


3 Longview Rd
Malvern, PA 19355

SEE PART II: Remedy Selection

Comment 61: January 21, 2022, written comments from Peter S. Hughes.
Sent: Friday, January 21, 2022 7:13 PM

The PADEP gets quite a bit of criticism over it's seemingly lax approach to major and minor environmental issues. Certainly, the agency is significantly under-funded and I supposed that has led to overworked and in some cases demoralized professional staff. Perhaps this is why developers have had a remarkably easy time.

As an active member of Trout Unlimited, and formerly having served on local government boards, I have had occasion to contact PADEP regarding environmental concerns and blatant infractions. I cannot say that I have been impressed with the responses.

On this Bishop Tube site, with an Exceptional Value stream running by it and dense residential areas next to it, you can redeem your reputation. Put all required resources into this remediation and do a thorough job. The proposed approach is a joke. You know it. Please do your job.

Sincerely,
Peter S. Hughes

SEE PART II: Response to Comments

Comment 62: January 21, 2022, written comments from Kristine Howard, State Representative, 167th District - Chester County
- See Appendix F.

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Who is conducting the cleanup?

Comment 63: January 24, 2022, written comments from Charlie Duffy.
Sent: Monday, January 24, 2022 9:54 AM

I have lived in the general warren village since 1985 “a stones throw away from Bishop tube” my wife is a life long resident here. We have experienced several toxic incidents in the early years when Bishop tube was operational. Bishop tube was a dangerous place then and still remains dangerous as an idle site. We believe the cancer rate in our neighborhood is above average as we have

witnessed residents fight the disease of cancer. Some survive, while others pass away at a young age. Please take it seriously about protecting us and future residents from further harm. "CLEAN UP" Bishop Tube Please!!!!

SEE PART II: Cancer Cluster

Comment 64: January 25, 2022, written comments from Dave Williams.
Sent: Tuesday, January 25, 2022 4:27 PM

The proposed Analysis of Alternatives and Remedial Response (AOA) fails to address known presence of DAPL in the bedrock at the site and DAPL suspected off the property. This DAPL will be a continuing source to the groundwater and Little Valley Creek.

Given the TCE and other COCs detected in seeps and surface water samples from Little Valley Creek downstream of the property, and the lack of containment or treatment of these chemicals off the property; the AOA fails to meet anti-degradation protections required for Little Valley Creek and associated wetlands.

SEE PART II: Little Valley Creek Designation, Hydrogeologic Study – Deep Bedrock, Proposed Remedy Implementation

Comment 65: January 26, 2022, written comments from Brian Mac Elroy.
Sent: Wednesday, January 26, 2022 7:52 AM

Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

Sincerely,
brian mac elroy

775 Mount Pleasant Road
Pottstown, PA 19465

SEE PART II: Response to Comments

Comment 66: January 26, 2022, written comments from Mike Chalmers.
Sent: Wednesday, January 26, 2022 8:02 AM

The proposed remediation plan for the Bishop Tube site falls far short of what is needed for this community. Please revise the plan to adequately make this site safe for the community and future generations. Thank you.

Sincerely,
Mike Chalmers

13 Wooded Way
Lincoln University, PA 19352

SEE PART II: Response to Comments

Comment 67: January 26, 2022, written comments from William G. Haarz III.

Sent: Wednesday, January 26, 2022 10:10 AM

The remediation of the contaminated Bishop Tube site must be completed! Clean water is one of our country's greatest assets. We drink it, play in it, enjoy and depend on the life it brings to all things.

You must do a complete job, the current plan not adequate to protect the Little Valley Creek. All toxic materials must be removed from the soil and a complete and long term solution must be put into place.

Sincerely,

William Haarz

[REDACTED]
2318 Poplar Street, apt3
Philadelphia, PA 19130

SEE PART II: Remedy Selection, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 68: January 26, 2022, written comments from Jeff Ogren.

Sent: Wednesday, January 26, 2022 5:41 PM

DEP has failed to use full, accurate, and robust science to ensure a complete total site cleanup that will protect present and future residents at the site, downstream from the site, and in neighboring communities. The process of formal discussion of this site has always defended the use of the property for residential housing to produce monetary benefits to the developer and the township of East Whiteland, and has never directly addressed the many problems the people and other agencies (County Planning Comm., township EAC, federal ATSDR) have expressed about the risks to human and environmental health. This silence from DEP and East Whiteland Supervisors has been truly deafening, and its consistency, intransigency, and duplicity by the government to protect the welfare of the people is shattering. At no time has the actual reason for the refusal to protect this site been explained. The discussions and hearings describe a result that has been written in stone from the beginning – this is disturbing and both legally and morally wrong. It is heartless that the DEP and local government officials remain obdurate and uncaring, not even willing to explain or apologize for their decisions and willingness to put the health of the people and the environment at risk of both near-term and long-term harm

Sincerely,

Jeff Ogren

[REDACTED]
154 Steeplechase Road
Devon, PA 19333

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways

Comment 69: January 26, 2022, written comments from Robert Reinhardt.

Sent: Wednesday, January 26, 2022 6:04 PM

We all appreciate the opportunity to comment on the DEP Remediation Plan for the Bishop Tube site.

Since I am not familiar with the science involved in preparing this report, I can only question the general advisability of building on this site. The developer projects a high-density townhouse mix, but the prospect of living on top of a contaminated site, regardless of the hoped-for effectiveness of the remediation plan, would seem to be dangerous one for the townhouse purchasers.

In view of the ancillary problems of traffic, access to the site through the low railroad bridge, and the general negative effect the building of more townhouses in the Township leads me to believe the site would best be designated as a green space. In this use, no remediation would be needed.

Thanks for your interest.

Robert Reinhardt
67 Malin Road
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards,

Comment 70: January 26, 2022, written comments from Debra J. Mobile.

Sent: Wednesday, January 26, 2022 8:00 PM

As I continue to review the DEP proposal for the clean up of the Bishop Tube property, I continue to find areas where your proposal is lacking.

The DEP needs to provide rigorous oversight of this project. The community has lived with this pollution for over 70 years. It is the DEP's responsibility to ensure that the clean up process does not cause additional environmental harm to the nearby residents and communities throughout the affected watershed.

The township cannot take on the role of ensuring the public safety during the environmental clean up process. It does not have the resources or the expertise. This responsibility falls to the DEP. Your plan does not discuss the specifics of how the site will continue to be monitored during the various clean-up phases. It should include the types of machinery, testing, frequency, engineering controls, monitoring off site vapor intrusions, timelines, and specifics concerning the personnel who will be responsible at the DEP.

The plan should entail provisions for communicating each phase to the community. The community needs to be ensured that the clean up continues to be done safely at each stage. Community members should not need to hire lawyers or consultants to get up to date information about what is going on.

The cost of this oversight should not be placed on East Whiteland Township. The township has already endured additional costs above and beyond the \$50,000 grant that was issued to review this proposal. The DEP is responsible for letting this pollution go unchecked and should be responsible to oversee that it is cleaned up in a safe and efficient manner.

While the responsibility for remediation may fall to different parties at different time, it is the DEP's responsibility to be protective of human health and the environment.

Debra J Mobile
(she/her)

42 Village Way
Malvern, PA 19355

SEE PART II: DEP's Community Outreach, Remediation Oversight, Community Safety during Implementation

Comment 71: January 26, 2022, written comments from Debra J. Mobile.
Sent: Wednesday, January 26, 2022 8:03 PM

After reviewing the DEP proposal for the clean up of the Bishop Tube property, I cannot agree with your overall approach.

This approach fails to meet the standards for residential development. This property has been zoned residential and tentative plans have been approved for housing. This has not been specifically addressed in the DEP's approach.

The most stringent standards should be applied throughout the remedial process when designing, monitoring and evaluating remedial actions.

Your chosen strategy which includes soil intrusions may be less costly but does not meet the standard needed for residential use.

Making sure the land meets those environmental standards for residential use at a later time will place additional burdens on future residents and the township after the responsible parties have fulfilled their obligations.

If removal of the contaminated soil was approved/preferred during earlier versions of this plan why has it been eliminated in this one? The responsible parties are tasked to clean up this site. It is the DEP's duty to see that these parties are held responsible. It is not the DEP nor the community's obligation to save them money.

Debra J Mobile
(she/her)
42 Village Way
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Who is conducting the cleanup? Costs, Remedy Selection

Comment 72: January 26, 2022, written comments from Debra J. Mobile.

Sent: Wednesday, January 26, 2022 8:06 PM

When I reviewed the DEP proposal for the clean up of the Bishop Tube property, I cannot find that it raised more questions than it answered.

The proposal does not include adequate information concerning the evaluation of emerging contaminants including PFAS compounds, delineation of soils to residential standards, and completion of horizontal and vertical delineation of groundwater impacts, particularly with respect to deep bedrock.

The DEP must clarify how challenges such as duration of remediations effects, potential for production of toxic daughter compounds, and how the protection of the LVC will be addressed during remedial design.

The proposal does not appear to have information on how it intends to evaluate and address the presence of DNAPL within the deep bedrock. We know from testing wells that TCE has traveled to at least 400 feet deep. Your plan only deals with the first 120ft of contamination. This is just one more example of how incomplete this plan is.

You plan to use soil intrusions, the mixing of soils with chemicals does not indicate the chemicals to be used and the potential byproducts or reactions these intrusions may cause. The public can not possibly comment nor can our consultants thoroughly evaluate an incomplete proposal.

Furthermore, the plan lacks any methods or procedures for future input from the community. The PADEP should ensure that adequate opportunity is provided for public input into remedial decisions as this additional information becomes available.

Debra J Mobile
(she/her)

42 Village Way
Malvern, PA 19355

SEE PART II: DEP's Community Outreach, PFAS Sampling, Soil Delineation, Hydrogeologic Study – Deep Bedrock, ISCO/ISCR Amendments, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 73: January 27, 2022, written comments from Nick Mobile.

Sent: Thursday, January 27, 2022 1:38 PM

- Remediation goals must be consistent with residential use of the site.
- The property is zoned residential, but this is not addressed in the remedial approach.

- A residential standard has previously been identified by DEP consultants as a possibility, but the methods to achieving this have not been identified.
- While responsibility for remediation may fall to different parties at different times, the PA DEP is responsible for ensuring the remediation protects human health and the environment.
- The most stringent residential standards should be applied throughout the process when designing, monitoring, and evaluating remedial actions.

Nick Mobile
42 Village Way, Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards.

Comment 74: January 27, 2022, written comments from Nick Mobile.
Sent: Thursday, January 27, 2022 1:39 PM

- The PA DEP must provide additional clarity regarding the pre-remedial investigations that are still required.
- Additional evaluations are needed which will have a significant impact on the remedial design and outcome.
- Some of the topics requiring additional data include, the evaluation of emerging contaminants including PFAS compounds, delineation of soils to residential standards, and completion of horizontal and vertical delineation of groundwater impacts, particularly with respect to deep bedrock.
- The DEP must make sure that the public has the opportunity for input into remedial decisions as additional information becomes available.

Nick Mobile
42 Village Way, Malvern, PA 19355

SEE PART II: DEP's Community Outreach, PFAS Sampling, Soil Delineation, Hydrogeologic Study – Deep Bedrock, Pre-Remedial Design

Comment 75: January 27, 2022, written comments from Nick Mobile.
Sent: Thursday, January 27, 2022 1:39 PM

- The DEP must inform the community how technical and management challenges to remediation will be met.
- Prior clean up attempts at Bishop Tube were unsuccessful. Better management techniques and ongoing performance assessment should be outlined within the plan.
- The community needs clarification concerning areas such as duration of remediations efforts, potential for production of additional toxic compounds, and protection of the Little Valley Creek.

- The DEP must provide the public additional information on how it intends to evaluate and address the presence of DNAPL within the deep bedrock aquifer.
- The DEP should inform the public, regarding how remediation will be financed and whether this may limit remedial activities.

Nick Mobile
42 Village Way, Malvern, PA 19355

SEE PART II: DEP’s Community Outreach, Who is conducting the cleanup? Hydrogeologic Study – Deep Bedrock, Little Valley Creek, Proposed Remedy Implementation

Comment 76: January 27, 2022, written comments from Nick Mobile.
Sent: Thursday, January 27, 2022 1:41 PM

- The DEP must make more of an effort to ensure safety of residents and clearly communicate how these efforts will be developed and executed.
- The DEP must address community concerns and provide close oversight and ensure adequate communication with the community throughout the remedial process.
- The DEP needs to address topics including the ongoing monitoring, the evaluation of off-site vapor intrusions, risk assessment for expected future residential use, development and implementation of safety measures during remediation, and expectations for development.
- The Township and community must have an opportunity for input into these important decisions regarding remedial implementation.

Nick Mobile
42 Village Way, Malvern, PA 19355

SEE PART II: DEP’s Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, Community Safety during Implementation

Comment 77: January 27, 2022, written comments from Nick Mobile.
Sent: Thursday, January 27, 2022 1:41 PM

- There is a need for timely and rigorous oversight by the DEP and the Township should not have the role of managing environmental risk.
- The DEP should facilitate a timely remediation through active management and oversight.
- The DEP should address stormwater management oversight to be put into place during the remedial process.

- DEP must be responsible to ensure the safety of the public and the environment. The township does not have the resources or the expertise.

Nick Mobile
42 Village Way, Malvern, PA 19355

SEE PART II: Remediation Oversight, Community Safety during Implementation, Proposed Remedy Implementation

Comment 78: January 27, 2022, written comments from Debra J. Mobile.
Sent: Thursday, January 27, 2022 1:56 PM

After reviewing the DEP proposal for the clean up of the Bishop Tube property, I cannot agree with your overall approach.

This approach fails to meet the standards for residential development. This property has been zoned residential and tentative plans have been approved for housing. This has not been specifically addressed in the DEP's approach.

The most stringent standards should be applied throughout the remedial process when designing, monitoring and evaluating remedial actions.

Your chosen strategy which includes soil intrusions may be less costly but does not meet the standard needed for residential use.

Making sure the land meets those environmental standards for residential use at a later time will place additional burdens on future residents and the township after the responsible parties have fulfilled their obligations.

If removal of the contaminated soil was approved/preferred during earlier versions of this plan why has it been eliminated in this one? The responsible parties are tasked to clean up this site. It is the DEP's duty to see that these parties are held responsible. It is not the DEP nor the community's obligation to save them money.

Debra J Mobile
(She/her)
42 Village Way
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Who is conducting the cleanup?, Costs, Remedy Selection,

Comment 79: January 27, 2022, written comments from Kenneth Harper.
Sent: Thursday, January 27, 2022 3:27 PM

Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

This site needs to meet the EPA regulations in order to develop this site. Also this site isn't suitable for being residential housing. Also the builder must disclose to everyone the past use of the property.

Sincerely,
Kenneth Harper

[REDACTED]
28 West Ward Street
Ridley Park, PA 19078

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards

Comment 80: January 28, 2022, written comments from Carolyn T. Comitta, State Senator, 19th District - Chester County
- See Appendix G.

SEE PART II: DEP's Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, Hydrogeologic Study – Extent of Contamination, Vinyl Chloride, other VOCs, PAHS, and PCBs, Heavy Metals, Remedy Selection, ISCO/ISCR Amendments, ISCO/ISCR Risks, Community Safety during Implementation, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 81: January 28, 2022, written comments from Kecia Lee.
Sent: Friday, January 28, 2022 2:50 PM

Before anyone authorizes the development on the abandoned Bishop Tube site in Malvern/Frazer PA., I would sincerely hope they look into the horrendous occurrence of Cancer in Johnson County, Franklin Indiana. Over 30 years ago the Bendix Corporation used the SAME chemicals used by Bishop Tube. They leached into the ground and still today are causing an overwhelming occurrence of CANCER even though there was a remediation. Why on Earth would anyone allow homes to be built on a site where it's an absolute that it will cause Cancer in your children. Are all of you willing to live there! Will O'Neill Developers reveal to homebuyers that their children will more than likely get rare Cancers like the children of Franklin IN. This should even be up for debate.

<https://youtu.be/yIfpVySHAT0>

Sincerely,
Kecia Lee

[REDACTED]
1 School Lane
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards

Comment 82: January 28, 2022, written comments from Jennifer Foster Ruddy.
Sent: Friday, January 28, 2022 9:20 PM

As a resident of the General Warren Village abutting the bishop tube site and for the many reasons stated below, I implore you not to develop the bishop tube site but, to remediate it fully and keep it as green open space.

Jennifer Foster Ruddy
Fahnestock Road
Malvern PA

1. DEP's proposed remedial action plan fails our community. You must do better.
2. DEP must require that all contaminated soils be removed from the Bishop Tube site to remove a long-term source of contamination. In addition, all groundwater contaminants of concern must be removed, or rendered completely inert or immobile for an indefinite period, including in soil and bedrock on and off the site. In locations where this is impossible, the remedy must prevent any contaminant of concern from becoming or continuing to be a contamination source and continue to reduce its concentration. DEP also must insure that any remedy chosen protects and does not further degrade the Little Valley Creek. And DEP must ensure that any remedy selected address all toxic contaminants of concern identified including, but not limited to, Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium.
3. The remedial action plan repeatedly calls for additional data and study in order to determine the extent of contamination and the final remedial action steps to take place. In other words, this is not a final plan upon which the community or experts can comment as there is a wealth of outstanding information and decisions to be made.
4. The remediation proposal fails to protect residential development of the site. And yet, residential development of over 90 homes is not just proposed for this site, but a residential site plan has been approved by the Township. Based on current facts, the future use of this site will be residential. Therefore, remediation of the site should meet the highest standards available for protecting residential uses at the site. Anything less than protection for residential use risks putting future families at risk. While the community is 100% opposed to any development of this site and is demanding that all government officials work to ensure its protection as natural open space, in perpetuity, for the benefit of the community, currently the proposed-approved-use is residential and that must be the end goal of this remediation plan.
5. The reports relied upon by DEP for its proposed remediation plan are fundamentally flawed. The reports are based on the assumption that soil on the site will be removed, when that is not in fact being proposed, and fail to consider other potentially hazardous Volatile Organic Compounds (VOCs) known to be present in the pollution plume and of environmental and human health concern.
6. Little Valley Creek has been designated as "Exceptional Value" under Pennsylvania state law. Exceptional Value designation entitles Little Valley Creek and associated wetlands to a higher legal standard of protection. The proposed remediation fails to meet DEP's legal obligation, or that of the responsible parties, to meet the applicable Exceptional Value legal standards and protections that apply to the Little Valley Creek and associated wetlands. Rather than consider these as mandatory legal standards to be achieved, the DEP considers them as standards simply "to be considered." This is a violation of state law.

7. Underlying modeling assumes no continuing source of TCE present at the site, despite acknowledging the presence of dense nonaqueous phase liquids (DNAPL) in deep bedrock that will in fact be a continual source affecting the environment in an ongoing way. The DEP and the experts they are relying on are speaking out of both sides of their mouths and picking “facts” that are most convenient for the interpretation and decision it is looking to advance. Facts are facts. DEP needs to be truthful, accurate and consistent.

8. DEP’s evaluation of the growing pollution plume ignores the presence of vinyl chloride, a confirmed and potent cause of cancer in humans and other animals which has been found onsite, may be carried by groundwater, and spreads faster than TCE. Community members and the environment have been deeply impacted by the toxins at, and emanating from, the Bishop Tube site. It is a betrayal of trust for DEP to not fully evaluate all dangerous toxins and the implications of any proposed remediation on their presence or spread.

9. There is a lack of information on the risks to the biota (plantlife, wildlife and aquatic life) at this site, in and around Little Valley Creek and downstream, including in the receiving streams of Valley Creek and the Schuylkill River. The municipality’s technical expert stated at the East Whiteland public hearing on 11/5/21 that the chemicals, not specified to date, to be used to decontaminate the soils through chemical oxidation and/or in situ chemical reduction, coupled with soil mixing, could affect the environmental biota at the Bishop Tube site and downstream. This concern has received no attention in any DEP analyses and response reports. We have a right to know what the impact will be on the natural environment there.

10. DEP has failed to use full, accurate, and robust science to ensure a complete total site cleanup that will protect present and future residents at the site, downstream from the site, and in neighboring communities. DEP has failed our communities for far too long, all along prioritizing the goals, desires and profit objectives of the responsible industries and developer rather than the health and safety of our communities and environment, including those being affected today and those who can and will be affected in the future.

11. The proposal fails to discuss the true history of this site, including with regards to proposed development. The multiple Prospective Purchaser Agreements (PPA) with the proposed developer, the damage to equipment installed to begin to address site contamination that was so detrimental it resulted in PADEP voiding key aspects of the PPA agreement, the changed/changing proposed (and now township approved) end use from commercial to residential, and the process and reason for the sweetheart deal struck with the proposed developer, are among the key historic facts not included in the proposed PADEP documentation. PADEP needs to provide full and fair information on the history and current proposal regarding site development.

12. The public hearing DEP held to allow residents to bring forth verbal comment was nothing short of abusive. The hearing was held November 9, 2021, a mere 45 days after release of the plan. Given the voluminous and highly technical remediation proposal, this was not enough time for full and fair community or expert review. There was no rational reason for a hearing to be held so early in the public comment process. The inequity of this short time in the one and only DEP hearing was compounded by the fact that residents were forced to testify to a blank computer screen that had nothing but a counting down clock. They could not see others who were in attendance, and they could not see if the officials they were supposedly testifying to were in fact paying attention or

simply cooking dinner, cleaning their office or folding laundry. The people of East Whiteland deserved to be able to speak, face to face, with the decision makers to whom they were testifying, and to see who was in the room and listening to what they had to say. The process selected by DEP was intimidating and not conducive to securing meaningful public comment.

13. PADEP should have agreed to the community request that it host a presentation and question & answer session for the community to discuss the remedial alternatives presented early in the process and certainly prior to any scheduled hearing. The video provided does not serve this purpose. The site developer and responsible parties have had unfettered access to DEP officials for decades. All the community has been seeking as part of this open comment period is a 3 hour public meeting to be able to ask questions and secure answers. To date, DEP has held only one public meeting years ago, which did not address the current proposed remedial action plan and therefore did not serve to inform the community in a way helpful to the current public comment process.

14. There is deep concern that the proposed remediation plan has many ‘holes’ in it and will exacerbate the pathways of the contaminants at the site including allowing toxins to become airborne as well as contaminating Little Valley Creek, growing the pollution groundwater plume and affecting our neighbors downstream.

15. We are concerned that the PADEP, in its cleanup proposal, mentioned unnamed chemicals would be used to break down toxins at the Bishop Tube site but have failed to consider, let alone expose, the health and environmental effects of these yet to be determined and/or unnamed chemicals.

16. The community is concerned that access via Village Way in General Warren Village will be required for the equipment needed to complete the cleanup and therefore an access road will be constructed that cuts through our community for this purpose. Construction of an access road, and using our community as a temporary or permanent cut through will inflict tremendous harm. An access road used for advancing this remediation will harm our community and environment; compromise the health and safety of our community through the remediation activities next door as well as from increased heavy traffic on our little local road in our small village; bring air and noise pollution from increased traffic into our now quiet community; put at risk our ‘village’ designation; harm the safety and joy of our kids playing in our community including in the now existing cul-de-sac. The use of our community as a cut through for advancing the remediation will greatly disrupt our quiet Village and be a danger to the children who play in our streets as well as the pets and walkers.

17. Bishop Tube is less than 1.5 miles from a DEP Environmental Justice area, and return of the site to a natural park, to blend into the forest around it and to protect Little Valley Creek, would provide Environmental Justice to those designated communities.

DEP itself acknowledges that its proposed remediation does not protect our environment or community. Mr. Dustin Armstrong of the DEP stated that:

People could come into contact with contaminated soil. Construction and utility workers could be exposed when working on the property. Vapor intrusion can migrate from soil or groundwater and enter occupied buildings. If buildings are constructed over or near soil contamination, a vapor intrusion (VI) exposure pathway could be opened. Vapor can intrude through cracks in the foundation of homes. Contaminants can migrate into rainwater and into groundwater (as has been

already found here, though the extent is not known). The DEP's recommended remedial actions might not treat all the soil at this site. Contaminants can be transferred from soil and migrate further into groundwater as rainwater moves downward. Contaminants can also be trapped in the soil only to be released into groundwater for the long term. TCE is the primary contaminant of concern in ground water and is found further away from the source than any other contaminant. Based on TCE concentration from some monitoring wells, residual free product could act as a long term source of groundwater contamination, and also discharge to Little Valley Creek.

18. The constant production of vinyl chloride that results from the breakdown of TCE in the groundwater, continuous discharges from the site into surface water, and continuous leaching of contaminants from the soil into the creek is not addressed in the cleanup plan.

19. The issues of the long term heavy metals effects on aquatic life is not discussed.

20. In general, the process of formal discussion of this site has always defended the use of the property for residential housing to produce monetary benefits to the developer and the township of East Whiteland, and has never directly addressed the many problems the people and other agencies (County Planning Comm., township EAC, federal ATSDR) have expressed about the risks to human and environmental health. This silence from DEP and East Whiteland Supervisors has been truly deafening, and its consistency, intransigency, and duplicity by the government to protect the welfare of the people is shattering. At no time has the actual reason for the refusal to protect this site been explained. The discussions and hearings describe a result that has been written in stone from the beginning – this is disturbing and both legally and morally wrong. It is heartless that the DEP and local government officials remain obdurate and uncaring, not even willing to explain or apologize for their decisions and willingness to put the health of the people and the environment at risk of both near-term and long-term harm.

21. East Whiteland Township paid for the open space evaluation from Natural Lands. That evaluation recommended the Bishop Tube site as permanent open space. DEP should comply with existing recommendations from the township and county and do their part to bring these plans to fruition.

SEE PART II: DEP's public comment process, Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Environmental Justice Area, AOA Compliance with Law, Prospective Purchaser Agreement, Little Valley Creek Designation, Access via Village Way in General Warren Village, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Modeling, Vinyl Chloride, other VOCs, PAHS, and PCBs, Ecological Risk Assessment (“ERA”), Remedy Selection, ISCO/ISCR Risks, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 83: January 28, 2022, written comments from Peggy Miros, LPC.

Sent: Friday, January 28, 2022 9:57 PM

My family moved into the General Warren Village in June 1978 and have remained residents until the present. The township's decision to approve a plan to develop single family houses on a highly contaminated site must be reversed. Both current and even past supervisors have openly admitted that this toxic site should have never been approved for residential development. A lawyer working

with one of the former owners who asked to remain anonymous confided that this was one of the most polluted sites he had ever litigated and residential housing should never be built there.

I have attended many if not all of the meetings that were held with township supervisors, with DEP and our East Whiteland community, the Delaware Riverkeeper legal team and neighbors from the General Warren Village. I am not a scientist and have had to rely on the testimony and reports of experts in the field. I have observed the actions of the developer who wishes to build family homes on contaminated soil. And I question the integrity of that person who brought a **SLAPSUIT**, against my neighbors, when they spoke out publicly to object to his plan. His actions exposed a truth, he was more concerned about getting his project approved than in allowing a full and independent investigation of the real cost of remediation. No matter what new information has been yielded upon further analysis, this developer has never backed off from pursuing residential development. How concerned is he about the impact of developing residential housing on a highly contaminated site? What about the children who may one day be playing in the dirt surrounding their parents' home? I am also aware of DEP's history with this developer and some of the errors made in his favor due to a lack of information as to the extent of the contamination and best methods for remediation.

A more accurate picture has begun to emerge over time due to the persistence of the Bishop Tube Opposition Group's objections to the development of residential housing. With the legal assistance of the Delaware Riverkeeper our position has been strengthened and the ball is now in your court DEP. You have received a document that was produced by an independent group of consultants hired by our East Whiteland township supervisors and it is clearly stated that this land will never be completely safe for residential housing even after DEP completes the costly and years long task of remediation. The DEP is responsible for the wellbeing of present and future subjects who will be affected by the decisions you make and actions you take on behalf of clean air, water and soil in the environs of Bishop Tube. There are many recommendations in this report can we depend upon the DEP to follow their lead and ensure that this land will preserved not developed?

This issue of building on contaminated land which may only be partially remediated is an object lesson for all the townships in Chester County where the zoning laws have not been commensurate with decades of unregulated industrial disposal of toxic waste materials. We have heard it spoken on record that had our supervisors known the extent of the contamination of the Bishop Tube site they would not have approved it for residential development. Let us work with you to educate those in power about the true worth of protecting our natural resources for the sake of our children's children. I would ask that you invite the residents of the General Warren Village, the township supervisors, the Delaware Riverkeeper, members of the BTOG, any interested members of the community and the developer to an open forum where questions can be raised with regard to the specifics of remediation including costs and time frame. Where we can discuss a clean and green alternative by opting for passive remediation and open space in the only sector of East Whiteland township that does not have open space.

Thank you for your consideration,

Peggy Miros, LPC
27 Fahnestock Rd
Malvern, Pa 19366

SEE PART II: DEP’s Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards,

Comment 84: January 28, 2022, written comments from Ted Nawalinski.

Sent: Saturday, January 29, 2022 12:47 PM

After reviewing the issues and concerns of residents, environmentalists, and others concerned about this polluted ground, it is clear that both, immediate and long-term remedial measures are needed to assuage the medical and environmental dangers.

First, using the best available information at this time, the most polluted sites need to be immediately cleared of contaminated soil as deeply as the identified contaminants exist. The most friable of the known contaminants must be given highest priority to stop their leaching into the groundwater and their subsequent appearance in the waters flowing into Little Valley Creek. You are reminded that Little Valley Creek is classified as a stream of Exceptional Value and enjoys the lawful protection from pollution. This designation makes it incumbent on PA DEP to implement rapid measures to remove chemicals with potential toxicity to aquatic organisms within the entire food chain. One could argue that this would include human beings eating the fish caught in Little Valley Creek.

Second, immediate investigations into the presence and risks of other chemicals must begin and measures taken for their eventual removal or decontamination. These secondary remedial measures must be effected as soon as the substances are known and safe measures identified for their removal.

Long term, the surface of that 16-acre site must be sealed off as would other brown sites and planned as a green area, with vegetation cover, wooded areas, and other amenities for intermittent public use, but never be zoned for permanent residential use.

Sincerely,

Ted Nawalinski
54 Blakely Road
Downingtown, PA 19335
[REDACTED]

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Little Valley Creek Designation, Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection,

Comment 85: January 30, 2022, written comments from Catherine Moran.

Sent: Sunday, January 30, 2022 7:35 AM

I urge the department not to allow this development at the Bishop Tube site. I was shocked to hear it is being considered by the DEP, after having already been approved by the township.

We count on you to protect our environment, and I was expecting a cleanup over all this time, not what sounds like a partial cleanup and dilution of the pollution. Simultaneously starting site prep

and building while still determining the extent of the environmental hazards and options for cleanup does not sound compatible or safe for the land, air, water and animals and people. The neighbors of the site have already experienced health issues.

I live in West Whiteland but do shop and walk near the Valley Creek. As a lifelong resident of Pennsylvania, I have fond memories of the beauty of this state and hope that the DEP will work to protect it, not cover up and allow existing damage to remain and possibly spread further.

Please allow the community a question and answer period to explain the technical aspects of the alternatives to clean up the site.

Thank you for your consideration.


Sincerely,
Catherine Moran

SEE PART II: DEP’s public comment process, Source Property Land Use and the Appropriate Cleanup Standards, Proposed Remedy Implementation

Comment 86: January 30, 2022, written comments from Albert Wei.
Sent: Sunday, January 30, 2022 12:00 PM

Recognizing that there as been a proposal presented to remediate the toxic contamination of soil, groundwater, surface water, and a residential drinking water supply at and around the Bishop Tube Site in East Whiteland Township, Chester County, PA, the steps outlined are not sufficient to truly address the issue.

I advocate for a more comprehensive response which includes additional analysis / study of the extent of the contamination, removal of all contaminated material, acknowledgment that there are aspects of the PADEP proposal that are flawed or not based on sounds science, and that the PADEP truly listen to the community which has borne the burden of the impact of the contamination.

Sincerely,
Albert Wei

204 Winterberry Lane
Collegeville, PA 19426

SEE PART II: Hydrogeologic Study – Extent of Contamination, Remedy Selection


Comment 87: January 30, 2022, written comments from Peter Zelov.
Sent: Sunday, January 30, 2022 12:09 PM

Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

Would like to see that the recommendations are followed through to its fullest application from the sounding community and to clean up of all pollution that have encroached to all our

water(tributaries) ways and environmental life of our freshwater communities and to have guide lines that will be set for water ways to have for years to come. Make this a prime example for all water ways to be required and regulated for years to come.

Sincerely,
Peter Zelov


520 N SPRING MILL RD
VILLANOVA, PA 19085

SEE PART II: Little Valley Creek Designation

Comment 88: January 30, 2022, written comments from Ronald Smith.
Sent: Sunday, January 30, 2022 3:02 PM

Regarding the catastrophe that is
the Bishop Tube toxic waste site in
East Whiteland Township:

Crime against nature!

Insane development plan puts residential housing on toxic waste land!

Insufficient and vague remediation plan insures lack of accountability and failure.

Echoes of the Flint River water crisis and the betrayal of public trust!

Failure of township and state authorities to protect constituents.

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, AOA
Compliance with Law

Comment 89: January 31, 2022, written comments from James Coffey.
Sent: Monday, January 31, 2022 9:27 AM

The DEP's proposed remedial action plan fails our community. You must do better. DEP must require that all contaminated soils be removed from the Bishop Tube site to remove a long-term source of contamination. In addition, all groundwater contaminants of concern must be removed, or rendered completely inert or immobile for an indefinite period, including in soil and bedrock on and off the site. In locations where this is impossible, the remedy must prevent any contaminant of concern from becoming or continuing to be a contamination source and continue to reduce its concentration. DEP also must insure that any remedy chosen protects and does not further degrade the Little Valley Creek. And DEP must ensure that any remedy selected address all toxic contaminants of concern identified including, but not limited to, Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium.

Sincerely,
James Coffey

[REDACTED]
2221 Ward Road
Green Lane, PA 18054

SEE PART II: Vinyl Chloride, other VOCs, PAHS, and PCBs, Remedy Selection, Proposed Remedy Implementation – Contaminant Migration Concerns

Comment 90: January 31, 2022, written comments from Rhonda Funk.
Sent: Monday, January 31, 2022 9:45 AM

Submit Comments to PADEP over your concerns about the remediation of the contaminated Bishop Tube site

All we want is what's best for our air, water and community! If you, or anyone that has the power to proceed with the development of Bishop Tube site, wouldn't want to live there... why is it being approved? No one would want to live there knowing it's on a super fund, brown site! There's a handful of people that can prevent this. The DEP, EPA and our township officials know the toxicity of BT. They also are suppose to protect our community and environment. Based on the results of any studies, how is residential development still an option?

I have a business that will be impacted by the cleanup or development of BT. How will the air plumes be controlled while any action takes place on BT? This will directly effect health concerns on neighboring communities and businesses.

Please proceed as if you and your family would live on BT, or near or downwind, down stream etc.

Sincerely,
Rhonda Funk

[REDACTED]
160 Lancaster Avenue
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Community Safety during Implementation

Comment 91: January 31, 2022, written comments from Carol L. Armstrong, Ph.D., ABN.
- See Appendix H.

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Cancer Cluster, Who is conducting the cleanup?, Costs, Soil Delineation, Heavy Metals, Human Health Risk Assessment (HHRA), Ecological Risk Assessment (ERA), ISCO/ISCR Risks

Comment 92: January 31, 2022, written comments from Valley Creek Trustee Council.
- See Appendix I.

SEE PART II: DEP's Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, PFAS Sampling, Remediation Oversight, Refer to EPA, Administrative Record, Human Health Risk Assessment (HHRA), Ecological Risk

Assessment (ERA), Remedy Selection, ISCO/ISCR Risks, Pre-Remedial Design, Proposed Remedy Implementation – Contaminant Migration Concerns, Proposed Remedy Implementation – Engineering and Institutional Controls

Comment 93: January 31, 2022, written comments from East Whiteland Township.
- See Appendix J.

SEE PART II: DEP’s Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, PFAS Sampling, Who is conducting the cleanup?, Costs, Remediation Oversight, Timeline, Administrative Record, Soil Delineation, Hydrogeologic Study – Deep Bedrock, Remedy Selection, Pre-Remedial Design, Community Safety during Implementation, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns, Proposed Remedy Implementation – Engineering and Institutional Controls

Comment 94: January 31, 2022, written comments from W. E. “Pete” Goodman, III.
Sent: Monday, January 31, 2022 3:07 PM

Although I do not know you, I must question if Bishop Tube, for you, is a career? I have mentioned this to others who do know you and they seemed to think that was not the case. But as an outsider looking in, I wonder if that might be the reason for this site to get such delayed attention. DEP has had this site as a HSCA site since 1999 and it has taken until 2021 to get a proposed Remediation Plan – even though it isn’t a real plan. I’ll go into that later. If it is not you that is the problem then it must be the agency that you work for. Do you not have the resources to do your job in a timely manner? Are you not getting the support from your agency to make the hard decisions that are required and execute those decisions? Can you not assess financial liability to responsible parties and owners and get on with a real plan? I understand that negotiations would be preferable to court, but at some point in time action needs to be taken as we are talking health risks here for a community that is as far as I can tell still undefined for the long term. These chemicals are not going away and are continuing to cause health risks to the community.

The above discussion of course leads me to who actually is in charge? Is it DEP? If so, I am very concerned about that. I am concerned because of DEP’s lack of leadership, commitment and effectiveness in dealing with this HSCA site. After reviewing all of the interactions DEP has had with Constitution Drive Partners, L.P. (CDP) it would appear to me that DEP has been out negotiated at every step of the process. DEP has been unable to hold CDP’s feet to the fire. It would also seem that CDP has out played East Whiteland Township as they have been able to get a residential development plan approved on this toxic site. It is not only CDP who DEP is unable to manage but the responsible parties, Johnson Matthey, Inc. and Whittaker Corporation. DEP has seemingly been unable to coerce them to do what is necessary to have Bishop Tube cleaned up or even identify the extent of contamination. At this late point in time can you answer the following questions?

1. Why did it take so long to list the Bishop Tube site on the Pennsylvania Priority list of Hazardous Sites (PAPL)?
2. Why has it taken so long to get a proposed Remediation Plan?
3. Who has the responsibility to oversee, design and effect the Bishop Tube clean up?
4. What are CDP’s responsibilities with regard to the clean up?
5. What are Johnson Matthey, Inc. and Whittaker Corporation’s responsibilities with regard to the clean up? Individually? Collectively?

6. Is there a time line for when a remediation plan must be implemented?

I have been working as a stream and fresh water advocate for more than 20 years. 51 years ago, I lived along Little Valley Creek and was drinking water from a spring that fed the creek on Valley Store Station Farm, 169 Morehall Road. My young wife and I were probably drinking contaminated water at that time. I started following Bishop Tube in 2007 when I read a series of articles in the Daily Local. In my view nothing much of benefit to anyone who has been affected by the Bishop Tube contamination has happened since DEP took on the site from the EPA.

The first definition of a “plan” I came across is “a detailed proposal for doing or achieving something.” The Remediation Plan that DEP has put forward is hardly a plan. Although the plan document is long in its number of words, even with its profane use of anachronisms, it lacks critical details in identifying the contaminants of the site, the expanse of the plume and concentration, the remediation chemicals to be used and the final cleanup standards to be achieved. It also fails to say who is responsible for what portions of what needs be done, who is going to do those things and who is going to pay for those things. So, I must ask more questions.

1. What are the chemical contaminants on the Bishop Tube site? Is it not true that there are several contaminants that exist on site that are of concern and need to be remediated or removed before the site is safe for human habitation – a residential standard?

a. What of the presence of dense nonaqueous phase liquids (DNAPL) in deep bedrock?
b. What about the potentially dangerous Volatile Organic Compounds (VOCs) known to be present in the plume and on site?

c. Vinyl chloride - What is the plan supposed to do with this carcinogen?

d. Won't DNAPL be a continual source of contamination affecting the environment in an ongoing manner?

e. What about PFAS and PFOS? They are being monitored downstream of Bishop Tube in Valley Creek? Is Bishop Tube a source? What is proposed to be done about these chemicals?

f. What about the potential for production of daughter compounds?

g. What about heavy metals? Are they being dealt with at all in your plan?

2. When will DEP know the extent of the contamination plume?

3. How will you determine the extent of the plume?

4. Will you make the extent of the plume public knowledge?

5. When will DEP have a Final Plan?

6. Will the Final Plan address clean-up to a residential standard? Will it be to the strictest human health standard?

7. Will The Final DEP Plan plan address all of the issues raised in this letter?

8. The writer is assuming that DEP has the ultimate responsibility to construct a remedial action plan. Is that correct?

a. If correct, then we need answers to the following questions to include 1) who or what entity is responsible for performing the task, 2) who will actually be performing the task, 3) who will be supervising the performance of the task, 4) who will be performing assessments of the progress and completion and finally 5) who is paying for the task and will that funding be adequate to fully fund the task?

b. Who is responsible for evaluation of emerging contaminants, delineation of soils to residential standards, and completion of horizontal and vertical delineation of ground water impacts, particularly with respect to deep bedrock?

c. Who is to remove the existing crumbling structures?

d. Who is to remove the hot spot contaminated soil?

e. Who is to do the “DEP’s proposed remedy which includes In Situ Chemical Oxidation and/or In Situ Chemical Reduction (“ISCO/ISCR”), coupled with soil mixing to address unsaturated and

saturated soils impacted by Site COCs; in situ injection of ISCO, ISCR or bioremediation amendments in the two primary chlorinated solvent source areas...”? And why just two areas when CDP was to remove soil from three hot spot areas in a prior plan?

f. Who will be the entity that will oversee and pushes the plan to successful conclusion?

g. Once the site is remediated to a standard, who is going to monitor the site and plume for completeness of task and to assure the local community of no further chemical contamination? DEP’s plan is flawed due to assumptions made that cannot stand up to scrutiny. The plan is based on reports with assumptions that the soil on site will be removed when in fact that is not what is in the Plan. The underlying modeling assumes no continuing source of TCE present at the site despite acknowledging the presence of dense nonaqueous phase fluids (DNAPL) in the deep bedrock that will be a continuing source of contamination.

DEP must require that all contaminated soil be removed from the site to eliminate a long-term source of contamination. Ground water contaminants must be removed or rendered inert or immobile including soil and bedrock on and off of the site.

Little Valley Creek is a headwater tributary to Valley Creek. The entire Valley Creek Watershed is designated as Exceptional Value. As the state’s gate keeper for environmental protection, you know that a stream can only be as good as its headwaters. Little Valley Creek is being continuously contaminated by the contamination of Bishop Tube. You are not doing your job to protect Valley Creek. Where is your analysis of what the impacts of the chemicals on site and those proposed to be used on site are and will be on the flora, fauna and aquatic life of Bishop Tube and its plume. How will Little Valley Creek be protected during the remediation process?

The PA Constitution guarantees us, the residents of PA, the right to clean air, clean water, and a healthy environment. Your inaction to date delivers three for three – potential dirty air, dirty water and a much less than a healthy environment. The DEP delays in moving forward without a “time is of the essence” mind set has exposed countless residents to long term exposure to toxic chemicals. This is a grave health issue.

DEP has a responsibility to communicate with the community which is affected by the Bishop Tube contamination. Thus far in the process it has failed to adequately communicate its work, its decision, and even follow its own rules when public input was required. DEP must do better. It must proactively ensure the safety of residents and clearly communicate how these efforts will be developed and executed. DEP needs to ensure an adequate opportunity for public input into remedial decisions as additional information becomes available.

Respectfully Submitted,

W. E. Goodman, III

SEE PART II: DEP’s Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, PFAS Sampling, Who is conducting the cleanup? Remediation Oversight, Why has it taken so long?, Timeline, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Modeling, Hydrogeologic Study – Deep Bedrock, Vinyl Chloride, other VOCs, PAHS, and PCBs, Heavy Metals, Little Valley Creek, Remedy Selection, ISCO/ISCR Risks, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns,

Comment 95: January 31, 2022, written comments from Valley Forge Chapter of Trout Unlimited.

Sent: Monday, January 31, 2022 3:12 PM

I again reiterate that we at Valley Forge Chapter of Trout Unlimited are very disappointed in the DEP's proposed Remedial Response Plan.

The Pennsylvania Constitution guarantees the residents of Pennsylvania the right to clean air, clean water and a healthy environment. The DEP's inaction to date is denying us of these fundamental rights.

The Remediation Plan is not a plan but rather a lengthy idea of how DEP might move forward. It lacks a starting point since further investigations are necessary. It lacks clarity in the process moving forward and since the contaminants are still unknown the remedial chemicals cannot be prescribed. There is no time line. There is no standard specified to which the site is to be cleaned up. There is no plan. We will need additional information on the specifics of the so called "remedial plan" before we can provide meaningful comments on the it.

Little Valley Creek has been designated as "Exceptional Value" under Pennsylvania state law. Exceptional Value designation entitles Little Valley Creek and associated wetlands to a higher legal standard of protection. The proposed remediation fails to meet DEP's legal obligation, or that of the responsible parties, to meet the applicable Exceptional Value legal standards and protections that apply to the Little Valley Creek and associated wetlands. Rather than consider these as mandatory legal standards to be achieved, the DEP considers them as standards simply "to be considered." This is a violation of state law.

There is a lack of information on the risks to the biota (plant life, wildlife and aquatic life) at this site, in and around Little Valley Creek and downstream, including in the receiving streams of Valley Creek and the Schuylkill River. The municipality's technical expert stated at the East Whiteland public hearing on 11/5/21 that the chemicals, not specified to date, to be used to decontaminate the soils through chemical oxidation and/or in situ chemical reduction, coupled with soil mixing, could affect the environmental biota at the Bishop Tube site and downstream. This concern has received no attention in any DEP analyses and response reports. We have a right to know what the impact will be on the natural environment there. The issues of the long-term heavy metals effects on aquatic life are not discussed. How is DEP going to handle the presence of residual DNAPL in the deep bed rock?

Pre-remedial investigations should evaluate the site for the presence of emerging and newly regulated contaminants (such as PFAS compounds which are known to exist in Valley Creek.) (Is Bishop Tube a source?) and fully delineate the impacts in soil and ground water to the most stringent applicable MSC's or another applicable standard.

DEP must require that all contaminated soils be removed from the Bishop Tube site to remove a long-term source of contamination. In addition, all groundwater contaminants of concern must be removed, or rendered completely inert or immobile for an indefinite period, including in soil and bedrock on and off the site. In locations where this is impossible, the remedy must prevent any contaminant of concern from becoming or continuing to be a contamination source. DEP also must ensure that any remedy chosen protects and does not further degrade the Little Valley Creek. DEP must ensure that any remedy selected address all toxic contaminants of concern identified including, but not limited to, Trichloroethene (TCE), Vinyl Chloride, and Hexavalent Chromium. We need to know how DEP is going to manage the technical and financial challenges of the Plan? DEP must explicitly consider the fact that the site has been approved for residential use by the township. It would appear that it has not done so.

Respectfully,

Pete Goodman

Environmental Chairperson
On Behalf of our Board of Directors and more than 850 members

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, PFAS Sampling, Cost, Little Valley Creek Designation, Timeline, Hydrogeologic Study – Deep Bedrock, Vinyl Chloride, other VOCs, PAHS, and PCBs, Ecological Risk Assessment (“ERA”), Remedy Selection, ISCO/ISCR Risks, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns,

Comment 96: January 31, 2022, written comments from Jim Sweeney.

Sent: Monday, January 31, 2022 4:32 PM

The people living near Bishop Tube are not zealots. They are not extremists. They are entirely reasonable. They have every right to be anxious and concerned, given the history of this site and what’s occurred here. Please do the right thing concerning this potential development. Please do not allow this to move forward without getting all the necessary facts first. Please consider the well being of local residents and the environment over the desires and pushiness of a zealous developer. Don’t let this become your ‘Love Canal’. Please...

Jim Sweeney

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards,

Comment 97: January 31, 2022, written comments from Roux Associates, Inc. (“Roux”) on behalf of Johnson Matthey Inc. and Whittaker Corporation (collectively, the “Bishop Tube Team”).

- See Appendix K.

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Current Exposure Pathways vs Future Exposure Pathways, Cancer Cluster, Suggested AOA Revisions, PFAS Sampling, Administrative Record, Soil Delineation, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Deep Bedrock, Vinyl Chloride, other VOCs, PAHS, and PCBs, Heavy Metals, Remedy Selection, ISCO/ISCR Amendments, ISCO/ISCR Risks, Pre-Remedial Design, Proposed Remedy Implementation, Proposed Remedy Implementation – Contaminant Migration Concerns,

Comment 98: January 31, 2022, written comments from Molly Atz on behalf of Maya van Rossum, the Delaware Riverkeeper, and the Delaware Riverkeeper Network.

- See Appendix L.

SEE PART II: DEP’s public comment process, Source Property Land Use and the Appropriate Cleanup Standards, AOA Compliance with Law, PFAS Sampling, Little Valley Creek Designation, Hydrogeologic Study – Extent of Contamination, Hydrogeologic Study – Modeling, Hydrogeologic Study – Deep Bedrock, Vinyl Chloride, other VOCs, PAHS, and PCBs, Risk Assessment, Ecological Risk Assessment (ERA), Remedy Selection, ISCO/ISCR Amendments, ISCO/ISCR Risks, Proposed Remedy Implementation – Engineering and Institutional Controls

Comment 99: January 31, 2022, written comments from John Preston.
- See Appendix M.

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards, Who is conducting the cleanup? Remediation Oversight, Remedy Selection, Community Safety during Implementation,

Comment 100: January 31, 2022, written comments from Nicholas/Debra/Michael Mobile.
Sent: Monday, January 31, 2022 6:50 PM

Below are just a few of the questions or concerns that we have about the DEP proposal for the clean up at Bishop Tube. It needs a lot more work before it can be supported.

Remediation goals must be consistent with residential use of the Bishop Tube site.

The property is zoned residential, but this is not addressed in the remedial approach.

A residential standard has previously been identified by DEP consultants as a possibility, but the methods to achieving this have not been identified.

While responsibility for remediation may fall to different parties at different times, the DEP is responsible for ensuring the remediation protects human health and the environment.

More stringent residential standards should be applied throughout the process when designing, monitoring, and evaluating remedial actions.

The DEP must provide additional clarity regarding the pre-remedial investigations that are still required.

Additional evaluations are needed which will have a significant impact on the remedial design and outcome.

Some of the topics requiring additional data include, the evaluation of emerging contaminants including PFAS compounds, delineation of soils to residential standards, and completion of horizontal and vertical delineation of groundwater impacts, particularly with respect to deep bedrock.

The DEP must make sure that the public has the opportunity for input into remedial decisions as additional information becomes available.

The DEP must inform the community how technical and management challenges to remediation will be met.

Prior clean up attempts at Bishop Tube were unsuccessful. Better management techniques and ongoing performance assessment should be outlined within the plan.

The community needs clarification concerning areas such as duration of remediations efforts, potential for production of additional toxic compounds, and protection of the Little Valley Creek.

The DEP must provide the public additional information on how it intends to evaluate and address the presence of DNAPL within the deep bedrock aquifer.

The DEP should inform the public, regarding how remediation will be financed and whether this may limit remedial activities.

The DEP must make more of an effort to ensure safety of residents and clearly communicate how these efforts will be developed and executed.

The DEP must address community concerns and provide close oversight and ensure adequate communication with the community throughout the remedial process.

The DEP needs to address topics including the ongoing monitoring, the evaluation of off-site vapor intrusions, risk assessment for expected future residential use, development and implementation of safety measures during remediation, and expectations for development.

The Township and community must have an opportunity for input into important decisions about remedial implementation.

There is a need for timely and rigorous oversight by the DEP and the Township should not have the role of managing environmental risk.


The DEP should facilitate a timely remediation through active management and oversight.

The DEP should address stormwater management oversight to be put into place during the remedial process.

DEP must be responsible to ensure the safety of the public and the environment. The township does not have the resources or the expertise.

The Mobile Family
42 Village Way,
Malvern, PA 19355

Sincerely,
Nicholas/Debra/Michael Mobile


42 Village Way
Malvern, PA 19355

SEE PART II: DEP's Community Outreach, Source Property Land Use and the Appropriate Cleanup Standards, PFAS Sampling, Who is conducting the cleanup?, Remediation Oversight, Soil Delineation, Hydrogeologic Study – Deep Bedrock, Little Valley Creek, Pre-Remedial Design, Community Safety during Implementation, Proposed Remedy Implementation

Comment 101: January 31, 2022, written comments from Debra J. Mobile.

Sent: Monday, January 31, 2022 8:52 PM

I am particularly concerned about the lack of communication that continues to exist between the DEP and the community at large. It seems that after reviewing your current proposal, there are no steps aimed to improve that communication.

When the original proposal was released back in September the community was not afforded an opportunity to ask questions and receive answers about its' contents. We were led to believe that the DEP was exploring options to find a venue to meet with the citizens of East Whiteland Township. In stead of meeting with the community to discuss the merits of the proposal and answer questions, the DEP chose to move directly to a hearing at an early point in the review process. This hearing was scheduled so quickly that even the township's consultants had not enough time to review the thousands of pages of data. Community members and township supervisors asked repeatedly to meet with the DEP before the hearing, yet our requests were denied.

The DEP indicated that all questions which arouse from the hearing would be answered at a later time, after the response period ended on January 31st. Once again the community was denied the opportunity to have an open dialog with the DEP in order to help them determine the merits of the proposal which is currently on the table. The DEP must ensure that adequate opportunity for public input into decisions as additional information becomes available.

The proposal has a large number of gaps within specific actions. It calls for additional testing in a number of areas as well as the use of chemicals and techniques which are not yet specified. However there are no methods within the proposal to communicate the data or update the methods to the public at large. The DEP must develop a plan which included methods of communication as well as opportunities for the community to give input into the on-going phases of the project.

The community has serious concerns about their safety during the attempts to clean-up the Bishop Tube site. The current proposal offers no indicators of how that safety is to be ensured. The DEP must provide information about the provisions which will be taken to protect the public. The areas addressed should include, but are not limited to, ongoing methods used to monitor air quality, methods used to monitoring for clean up effects on ground water run-off, frequency of safety testing, security plans for the site and equipment, methods of communication with the community, and the hierarchy off individuals who will be responsible for communication within the DEP. The DEP must provide close oversight and ensure adequate communication with the community throughout the remedial process.

The current proposal fails to give the community an adequate overview of the project. The DEP needs to provide a timeline by which the community can evaluate the progress. The DEP will need to provide a method of communicating the progress which has been made with regard to the timeline and/or scope and sequence of the project. The DEP needs provide a hierarchy by which the community can continually get answers to questions, provide input, report problems, and communicate particularly when there is an emergency. The proposal should inform the public how the remediation will be financed and how additional safety procedures will be financed. Township cannot take on the DEP's role of ensuring the safety of the public and environment.

Debra J Mobile
(she/her)

42 Village Way
Malvern, PA 19355

SEE PART II: DEP’s public comment process, DEP’s Community Outreach, Who is conducting the cleanup? Timeline, Community Safety during Implementation

Comment 102: January 31, 2022, written comments from Ronald Smith.

Hard copy received January 31, 2022:

Dated: January 25, 2022

Regarding the Bishop Tube environmental catastrophe in East Whiteland Township:
Crime against nature!
Insane development plan puts residential housing on a toxic site!
Insufficient and vague remediation plan ensures lack of accountability and failure.
Echoes of the Flint River water crisis and the betrayal of public trust.
Failure of township and state authorities to protect constituents.
Protect us Mr. Armstrong. Protect us!

Ronald Smith
16 Fahnestock Road
Malvern, PA 19355

SEE PART II: Source Property Land Use and the Appropriate Cleanup Standards,