

**From:** [james zega](#)  
**To:** [EP, SERO ECB](#)  
**Subject:** [External] Bishop Tube Public Comment  
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Dear Mr. Armstrong,

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