

From: [EP, SERO ECB](#)
To: [EP, SERO ECB](#)
Subject: Bishop Tube HSCA Site Date Community Update
Date: Friday, March 13, 2026 10:36:07 AM



Pennsylvania
Department of Environmental Protection

The Pennsylvania Department of Environmental Protection (DEP) would like to provide you with an update regarding the Bishop Tube HSCA Site (the Site), located in East Whiteland Township, Chester County.

- **DEP entered into a proposed consent decree with Whittaker Corporation (Whittaker), Johnson Matthey Inc. (JMI), Marcegaglia USA, Inc. (Marcegaglia), and Constitution Drive Partners, L.P. (CDP) to fund remediation efforts of the Site.**
- On March 14, 2026, DEP will publish notice of the proposed consent decree in the *PA Bulletin* and the *Daily Local News*.
- The companies have agreed to establish a qualified settlement trust fund to finance the Remedial Response Action at the Site:
 - JMI and Whittaker jointly agreed to pay \$7,335,000;
 - CDP has agreed to pay \$1,250,000; and
 - Marcegaglia has agreed to pay \$400,000.
- JMI, Whittaker and Marcegaglia agreed to establish a reserve of \$2,500,000 for any additional response activities which may be necessary based on the current Data Gap Pre-Design Investigation.
- CDP will be the site remediator (referred to as the Settlor Work Party in the proposed consent decree), to utilize the money in the trust to perform Remedial Response Action activities in accordance with DEP's Statement of Decision for the Site. Among other things, the consent decree provides for DEP oversight and approval of CDP's work and establishes deadlines for the submittal of work plans and reports. CDP will hire licensed environmental professionals and use accredited laboratories to analyze all samples.
- DEP's role is to ensure the Site is remediated to a combination of background,

statewide health, and site-specific standards in accordance with the Land Recycling Program.

- A listing of the Key Provisions of the consent decree, including a schedule of the deadlines is linked [here](#) and is available on DEP's website.
- An electronic copy of the consent decree and the proposed Qualified Settlement Fund Agreement (Appendix D to the consent decree) is linked [here](#) and is available to review on the DEP's website.
- DEP will receive and consider comments relating to the proposed consent decree and the proposed qualified settlement fund agreement until **May 14, 2026**.

- **How to submit comments:**

- by mail to

Dustin A. Armstrong
Environmental Protection Specialist
Pennsylvania Department of Environmental Protection
2 East Main Street
Norristown, PA 19401

- by email to RA-EP-SEROECB@pa.gov and darmstrong@pa.gov . Please include "Bishop Tube Consent Decree Public Comment" in the subject of the email.
- Further information or a copy of the Consent Decree can be obtained by contacting Dustin Armstrong at darmstrong@pa.gov.
- DEP also has the following updates regarding the ongoing predesign investigation activities:
 - The soil sampling activities were completed on March 6, 2026.
 - The monitoring well installation activities began on March 10, 2026.

DEP will send "Community Updates" via email when new information on the Site becomes available. DEP appreciates your patience while DEP and the companies negotiated this complex agreement. If you would like to be removed from this distribution list, please contact RA-EP-SEROECB@pa.gov. Please include "Bishop Tube Updates" as the subject of your e-mail.

DEP's website for the Site: <https://www.pa.gov/agencies/dep/dep-regions/southeast-regional-office/bishop-tube> * *Please note the website address has changed.*