

**COMMONWEALTH OF PENNSYLVANIA**  
Department of Environmental Protection  
Hazardous Sites Cleanup Program  
Hoff VC HSCA Site – Source Removal

New Hanover Township, Montgomery County, Pennsylvania

June 9, 2017

**STATEMENT OF DECISION**

The Commonwealth of Pennsylvania, Department of Environmental Protection (“Department”) files this statement on the basis and purpose of its decision in accordance with Section 506(e) of the Pennsylvania Hazardous Sites Cleanup Act, Act of October 1988, P.L. 756 No. 108 (“HSCA”), 35 P.S. Section 6020.506(e).

The Department’s selected response for the Hoff VC HSCA Site is the Removal of Waste from the Concrete Pit, and Associated Piping, Followed by Removal and Offsite Disposal of Contaminated Soil. The Department has determined that these actions are appropriate for a Prompt Interim Response under Section 505 of HSCA, 35 P.S. § 6020.505. The selected response is protective of public health and the environment because it mitigates the risks associated with direct contact with wastes in the Concrete Pit and prevents further migration of contaminants from the waste and soils into the aquifer at the Site.

**I. SITE INFORMATION**

**A. Site Location and Description**

The Hoff VC HSCA Site includes a former petroleum distributor where trucks were cleaned with Volatile Organic Compounds (VOCs). The Site is located at 334 Layfield Road in New Hanover Township (Property) and includes a resulting downgradient groundwater contaminant plume. The contaminants of concern at the Site include VOCs, Semivolatile Organic Compounds (“SVOCs”), 1,4-Dioxane, Pesticides, Polycyclic Aromatic Hydrocarbons, and Metals. The Site area consists of a mix of land uses, including residential properties immediately adjacent to the north and west of the Property, and industrial properties and farmland to the south and southwest.

**B. Site History**

An oil distributor, Swann Oil Company (“Swann”) operated at the Site from the 1960’s until the late 1980’s. In the early 1970’s the Swann was cited several times by the Pennsylvania Department of Environmental Resources and the Pennsylvania Department of Health for illegal discharges of hazardous substances from a truck-wash to an unnamed tributary to Swamp Creek

that flowed through the Property. Swann also had several oil and kerosene spills during its operation of the Site.

In the early 1990's, Shady Lane Estates, Ltd., a company owned and operated by Mr. Ethan Good, purchased the Property at the bankruptcy auction of Swann Oil Co. Good Oil Company, another business owned by Mr. Good, leased the Property from Shady Lane Estates, Ltd. until sometime in 1998. Good Oil Co. operated a home heating oil storage and retail fuel delivery facility on the Property. In 2010, the Property was transferred to the Green Lane Trust, a family trust of Mr. Good. The Good Oil Co. improperly removed many of the above ground storage tanks and underground storage tanks on the Property.

In 2011, the Department was informed of the presence of VOCs in a residential well by the Montgomery County Health Department. The Department conducted residential potable well sampling that detected hazardous substances in a number of wells, including VOCs, 1,4-Dioxane, oil, gasoline components, pesticides, and polycyclic aromatic hydrocarbons ("PAHs"). Residential properties with contaminated wells were provided bottled water and/or carbon filters by the Department. The Department conducted an Interim Response in 2013 that connected residential properties within the Site to the local public water supply. The Interim Response was completed in September 2014.

The Department began its groundwater investigation in early 2012, and installed and sampled monitoring wells in the Site area. The Department also sampled surface water and sediment from the unnamed tributary to Swamp Creek that flows through the Property and found hazardous substances. The Department conducted a Vapor Intrusion assessment at the Site from 2012 to 2014. The Pennsylvania Department of Health reviewed the indoor and sub-slab sampling data collected by the Department, and concluded there was a low risk associated with Vapor Intrusion in residential properties adjacent to the Property.

In 2014, the Department filed a cost recovery action against Mr. Good and his related businesses. In June 2016, during his deposition, Mr. Good informed the Department that a concrete pit used to collect waste water from truck washing remained at the Property and had never been remediated ("Concrete Pit"). In July 2016, Department personnel located the concrete pit, and found a dark, opaque liquid in the pit, which had a strong petroleum odor. Department personnel collected samples for VOC analysis, and preliminary results detected high levels of chlorinated solvents in the liquid. Subsequent waste sampling identified SOVCs, metals, and pesticides in the liquid waste in the Concrete Pit, and VOC soil contamination adjacent to the Concrete Pit. To eliminate risks associated with direct contact with the wastes in the concrete pit, and prevent further degradation to the groundwater beneath the Site, the Department initiated a Prompt Interim Response to remediate contamination in the concrete pit and adjacent soil. Since July 2016, the Department has removed 8034 gallons of liquid wastes from the Concrete Pit.

### C. Release of Hazardous Substances

Hazardous substances were improperly stored or disposed on the Property which is also the Source Area. The liquid waste material inside the Concrete Pit contains Lead and Endrin at concentrations greater than or equal to maximum concentration of contaminants for the toxicity characteristic under 40 CFR 261.24, and the liquid waste in the pit has been classified as D008 and D012 hazardous waste.

Exceedances of Statewide Health Standards ("SHS") for 1,1-Dichloroethane and Chloroethane under the Land Recycling and Environmental Remediation Standards Act, ("Act 2") are present in the soils adjacent to the concrete pit, and in the groundwater at the Site.

The conditions at the Site, including the Property, constitute a "release" and "threatened release" of hazardous substances within the meaning of Section 101(22) of CERCLA, 42 U.S.C. §§ 9601(22), and Section 103 of HSCA, 35 P.S. § 6020.103.

## **II. RESPONSE CATEGORY**

The Department has determined that an interim response action, as defined in Section 103 of HSCA, 35 P.S. § 6020.103 should be taken to remove the waste contained in the Concrete Pit, dispose of it offsite, and perform in-situ treatment and/or removal including offsite disposal of the adjacent contaminated soil, and constitutes a continuing release of hazardous substances to the environment. The Department has also determined that there is a reasonable basis for prompt action within the meaning of Section 505(b) of HSCA, 35 P.S. § 6020.505(b) in order to address the risks associated with the direct contact with the waste and to prevent exacerbation of the existing groundwater contamination. Under an interim response action, a response is expected to cost less than \$2 million and take less than 1 year to complete construction. The selected response is estimated to cost \$150,000 and is expected to be completed within 3 to 4 months. Additional response actions may be required to address groundwater contamination.

## **III. CLEANUP STANDARDS**

This selected response is not a final remedial response pursuant to Section 504 of HSCA, 35 P.S. § 6020.504 and therefore, is not required to meet the cleanup standards that apply to final remedial responses. In this case, the Department has determined that the response will comply with the soil cleanup standards for a final remediation under the Land Recycling and Remediation Standards Act (Act 2), as described in Section IV, below.

## **IV. APPLICABLE RELEVANT and APPROPRIATE REQUIREMENTS (ARARs)**

The following standards, requirements, criteria or limitations are legally applicable, or relevant and appropriate under the circumstances presented by the site. In addition to ARARs, other guidance documents and advisories, which are not promulgated regulations, and do not have the full authority of ARARs, are “to be considered” (TBC) in the selection and implementation of a response.

**Remediation Standards:**

Land Recycling and Environmental Remediation Standards Act (35 P.S. § 6026.101, et seq.) (“Act 2”)

25 Pa. Code, Chapter 250: Administration of Land Recycling Program

Subchapter C. Statewide Health Standards

Section 250.305. MSCs for soil

Subchapter G. Demonstration of Attainment

Section 250.702. Attainment requirements

Section 250.703. General attainment requirements for soil

Section 250.708. Postremediation care attainment

Appendix A

Table 3 – Medium Specific Concentrations (MSCs) for Organic Regulated Substances in Soil

A. Direct Contact Numeric Values

B. Soil-to-Groundwater Numeric Values

Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517 (“UECA”).

**Waste Management:**

Hazardous Sites Cleanup Act, Act of October 18, 1988, P.L. 756, No. 108, as amended, 35 P.S. § 6020.101, et seq. (“HSCA”)

Act 97 - Solid Waste Management Act, (35 P.S. §§6018.101 - 6018.1003)

25 Pa. Code, Chapters 260-270: Article VII. Hazardous Waste Management -*Incorporates by reference the Resource Conservation and Recovery Act (RCRA) (42 U.S.C.A., §§ 6901 - 6992) and the federal regulations in 40 CFR Parts 124, 260 – 270, 273, and 279.*

25 Pa. Code, Chapter 262a: Standards Applicable to Generators of Hazardous Waste

Subchapter A. General

Subchapter B. Manifest

25 Pa. Code, Chapters 287-299: Residual Waste Management

25 Pa. Code, Chapter 287: Residual Waste Management

Subchapter A. General

Section 287.2. Scope

Subchapter B. Duties of Generators

## **V. ANALYSIS OF ALTERNATIVES**

### **ALTERNATIVE 1: No Action**

Alternative 1 involves taking no action to address the Source Area. The no action alternative is evaluated under the HSCA to establish a baseline for comparison to other alternatives. Allowing the waste and contaminated soils to remain would result in the continued release and further offsite migration of hazardous substances into groundwater. Additionally, the waste in the concrete pit poses a direct contact risk.

#### **Compliance with ARARs**

The no action alternative would not address the contamination at the Source Area and therefore, would not address a source of the groundwater contamination plume and resulting effects to the used aquifer. As a result, this alternative is not considered protective of public health or of the environment and would not comply with ARARs.

#### **Cost Effectiveness**

The no action alternative would have no cost for implementation. Implementation of the no action alternative for this source area could increase the overall cost and time frame of a response to address groundwater contamination at the Site by allowing groundwater to be impacted and migrate from a continuing source of contamination.

### **ALTERNATIVE 2: Removal of Waste from Concrete Pit, Followed by In-Situ Treatment and/or Removal and Offsite Disposal of Contaminated Soil.**

This alternative involves the removal of the wastes in the concrete pit followed by treatment and/or disposal of contaminated soil found to exceed Act 2, statewide health standard ("SHS") for direct contact and soil-to-groundwater. Based on additional sampling, the Department would either treat the soil contamination in-situ or through removal and offsite disposal. Horizontal and vertical excavation limits would be determined through sampling and analysis and/or depth to

groundwater. Alternative 2 removes the contaminants from the Source Area and thus removes the risk of exposure to the waste and continued migration of contaminants to groundwater.

Compliance with ARARs:

Wastes removed during implementation of the remedy would be handled in accordance with applicable waste management regulations.

Confirmatory soil samples would meet the Act 2 SHS, including the standards for direct contact and soil-to-groundwater. If this goal cannot be attained due to the depth of groundwater or safety considerations, land use restrictions may be necessary in accordance with UECA. Similar restrictions will likely be required in to address potential exposures related to groundwater.

If further sampling and analysis determined that removal and transport were necessary, an erosion and sedimentation control plan will be prepared and implemented for the project to comply with water quality requirements. Additionally, air emissions from the excavation activities would be monitored.

Cost Effectiveness:

The total cost for Alternative 2 is estimated at \$150,000. Because waste will be removed from the Source Area, no future operations and maintenance costs are anticipated for this alternative.

If evaluated as a component of an overall site remedy (including groundwater), Alternative 2 is more cost effective than the no action alternative. Generally, removal and/or destruction of contaminants from the Source Area, where they are most concentrated, have the potential to reduce the overall cleanup lifespan and cost.

## VI. SELECTED RESPONSE

The Department has selected and is in the process of implementing the Removal of Waste from Concrete Pit, and Associated Piping, Followed by Removal and Offsite Disposal of Contaminated Soil.

This alternative addresses waste in the Concrete Pit, associated piping and the contaminated soil. The remedy involves the removal, offsite disposal of the waste in and adjacent to the Concrete Pit, and in-situ treatment and/or removal and offsite disposal of soils containing levels of hazardous substances exceeding the applicable Statewide Health Standards. The Department will collect confirmatory soil samples to ensure that its response actions will meet the Act 2 SHS, including non-residential direct contact MSCs and generic Soil-to-Groundwater for Residential, Used Aquifers. If this goal cannot be attained due to the depth of groundwater or safety considerations, land use restrictions may be necessary in accordance with UECA. An erosion and sedimentation control plan will be prepared and implemented for the project to comply with

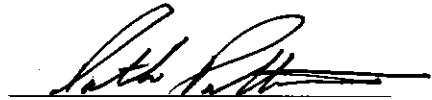
water quality requirements. Additionally, air emissions from the excavation activities would be monitored. This alternative is protective of public health and the environment, complies with ARARs, is feasible, effective, implementable, and permanent. Implementing Alternative 2 will effectively mitigate the ongoing release of contaminants.

#### **VI. MAJOR CHANGES FROM PROPOSED RESPONSE**

In December 2016, the Department collected additional soil samples from borings adjacent to the Concrete Pit, and found that waste from the Pit had leaked into a gravel layer approximately eight (8) feet below the ground surface. The Department has determined that In-situ treatment of the waste would not be effective. Therefore, In-situ treatment is not included in the Selected Response. The contaminated soil, including this waste will be removed and disposed of offsite. Removal of the waste in the Concrete Pit in December 2016 revealed piping associated the Concrete Pit that also contained waste. The selected response includes the removal of this waste.

#### **VII. DEP APPROVALS**

FOR THE COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Patrick Patterson  
Regional Director

6-13-17

Date

DEPARTMENT OF ENVIRONMENTAL PROTECTION  
Hazardous Sites Cleanup Program

RESPONSE TO COMMENTS

Hoff VC HSCA Site

June 9, 2017

Notice of the establishment of an Administrative Record concerning the proposal of the Prompt Interim Response at the Hoff VC HSCA Site ("Site") was published in the *Pennsylvania Bulletin* on November 5, 2016. The Administrative Record was available for public review at the New Hanover Township Building and at the Department's Southeast Regional Office in Norristown. The Department accepted comments on the Administrative Record between November 5, 2016 and February 3, 2017 and conducted a public hearing on December 6, 2016, at the Boyertown Junior High East School. During the hearing, the Department accepted oral comments on the Administrative Record. The Department has compiled all comments, both oral and written, received during the comment period. The name of each commenter is listed below:

- |                             |                          |                |
|-----------------------------|--------------------------|----------------|
| 1.) William Snook           | 2.) Christopher Mullaney | 3.) Bob Meyers |
| 4.) Irving and Nancy Fisher | 5.) Celeste Bish         |                |

**Each commenter, the source or sources of the comment and the Department's response are listed below:**

**Commenter #1:** Oral Comment from Mr. William Snook, given at the public meeting on December 6, 2016, transcribed on pages 15 of the hearing transcript:

Mr. Snook expressed that the waste removed from the Concrete Pit was handled as a characteristic waste, should have been handled as a listed waste due to concentrations of contaminants detected in the waste. Mr. Snook expressed that the method of disposal, incineration was proper.

**Response to Comment:** Characteristic wastes exhibit any one or more of the following properties: ignitability, corrosivity, reactivity or toxicity. Lead and Endrin concentrations exceeded the regulatory level found in *Table 1 – Maximum Concentration of Contaminants for the Toxicity Characteristic* in 40 CFR §261.24, and the waste in the Concrete Pit was disposed of appropriately.

**Commenter #2:** Oral Comment from Mr. Christopher Mullaney, given at the public meeting on December 6, 2016, transcribed on pages 16-18 of the hearing transcript:

Mr. Mullaney expressed concern about the amount of time to find, and circumstances of the discovery of the Concrete Pit.



**Response to Comment:** The Department has conducted an extensive investigation of the Site. The Department reviewed historical documentation of releases at the Site, interviewed local residents, former employees that worked at the Site, and reviewed groundwater data. The Department then investigated several of potential source areas using techniques including ground penetrating radar, electromagnetic scans, passive soil gas sampling, and soil sampling. In a 2016 deposition, the property owner of 334 Layfield Road informed the Department of the Concrete Pit. The Department then confirmed the location identified by the property owner and initiated a Prompt Interim Response to address the waste in the Concrete Pit and adjacent contaminated soil.

Mr. Mullaney requested that the Department investigate the underground piping leading to and from the Concrete Pit.

**Response to Comment:** As described in the Statement of Decision (“SOD”), the Department will investigate and remediate the piping to the Concrete Pit as necessary.

Mr. Mullaney requested the Department investigate contamination properties owned by Gibraltar Rock Inc.

**Response to Comment:** The Prompt Interim Response which was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil. The Department’s investigation of the Site area is ongoing.

**Commenter #3: Oral Comments from Mr. Bob Meyers, given at the public meeting on December 6, 2016, transcribed on page 18 of the hearing transcript:**

Mr. Meyers expressed that the Department should expand the site investigation outside of the 334 Layfield Road property.

**Response to Comment:** The Prompt Interim Response which was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil. The Department’s investigation of the Site is ongoing.

Mr. Meyers expressed concern that actions at nearby properties could be approved before the Site is cleaned up.

**Response to Comment:** This comment is outside the scope of the Prompt Interim Response which was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil.

**Commenter #5: Written Comments from Ms. Celeste Bish received January 30, 2017 (Attachment 1):**

**Response to Comment 1:** The Department takes into account, and responds in writing to public comments it receives on a proposed response under the Hazardous Sites Cleanup Act (“HSCA”). When selecting a response, the Department considers eight criteria: 1.) Protection of Human Health and Environment, 2.) Compliance with Applicable and/or Relevant and Appropriate Regulations, 3.)

Feasibility, 4.) Effectiveness, 5.) Implementability, 6.) Permanence, 7.) Cost, and 8.) Community Acceptance.

**Response to Comment 2:** Under Section 503 of HSCA, the Department has a right to access information relevant to the identification, nature, and quantity of materials which have been or are generated, treated stored, transported to, or disposed of at a Site. The Department sent the property owner of 334 Layfield Road an information request letter, pursuant to Section 503 of HSCA on November 07, 2011, and the owner did not identify the Concrete Pit in the response to the Department. The Department follows the procedures proscribed by HSCA.

**Response to Comment 3:** The Department interviewed local residents at, and in the vicinity of the Site and former employees, including Mr. Miller, that worked at 334 Layfield Road during the course of its investigation. None correctly identified the location of the Concrete Pit which was the subject of the Prompt Interim Response. The location of the Concrete Pit was disclosed to the Department during a deposition by the property owner of 334 Layfield Road.

**Response to Comment 4:** This comment is outside the scope of the Prompt Interim Response which was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil. The Hoff VC HSCA Site was not, and is not currently a federal Superfund Site. The Department does not regulate private potable wells, and the monitoring of water quality is the responsibility of the owners of these wells.

**Response to Comment 5:** The Department acknowledges this comment. The list of contaminants found in the Concrete Pit can be viewed at:  
<http://www.dep.pa.gov/About/Regional/SoutheastRegion/Community%20Information/Pages/Hoff%20VC-Gibraltar%20Rock.aspx>

**Response to Comment 6:** The Department will complete the Prompt Interim Response as described in the Statement of Decision ("SOD").

**Commenter #4: Written Comment from Mr. Irving and Ms. Nancy Fish received February 2, 2017 (Attachment 2):**

**Response to Comment:** The Prompt Interim Response which was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil. The Department's investigation of the Site area is ongoing.

**Commenter #2: Written Comments from Mr. Christopher Mullaney received February 3, 2017. Revised comments received on February 10, 2017 (Attachment 3).**

**Response to Comments #1-24, 28-31, 34-35, 37-38:** These comments are outside the scope of the Prompt Interim Response which was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil.

**Response to Comment #25:** The public notice of the Prompt Interim Response was published in the PA Bulletin on November 5, 2016. The Department has discussed the investigation of the Site with Representative Toepel and Senator Mensch.

**Response to Comment #26, 32:** The Prompt Interim Response was initiated to address risks associated with the wastes in the Concrete Pit, and adjacent contaminated soil. The Prompt Interim Response, as described in the SOD, will address these risks.

**Response to Comment #27:** The Administrative Record for the Prompt Interim Response is available for public review at the New Hanover Township Building. The Department has discussed the investigation of the Site with Representative Toepel and Senator Mensch.

**Response to Comment #33:** The Department has conducted an extensive investigation of the Site. The Department reviewed historical documentation of releases at the Site, interviewed local residents, former employees that worked at the Site, and reviewed groundwater data. The Department then investigated several of potential source areas using techniques including ground penetrating radar, electromagnetic scans, passive soil gas sampling, and soil sampling. In a 2016 deposition, the property owner of 334 Layfield Road informed the Department of the Concrete Pit. The Department then initiated a Prompt Interim Response to address the waste in the Concrete Pit and adjacent contaminated soil.

**Response to Comment #36:** As was stated during public hearing on December 6, 2016, the additional soil testing in the vicinity of the Concrete Pit was required before any action to address the soil contamination could be initiated. That testing was conducted on December 21, 2016. The contaminated soil will be removed as described in the SOD.

**Attachment 1**

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January 28, 2017

Colin R. Wade, EP Specialist  
Dept. of Environmental Protection  
Southeast Regional Office  
2 E. Main St.  
Norristown PA 19401

Re: Hoff VC Prompt Interim Response Comment

Dear Mr. Wade:

At a public hearing held by the DEP in Gilbertsville, PA, on December 6, 2016, you informed the residents and interested parties of the clean-up action taken at the Hoff VC site in New Hanover Township. That evening it was announced that "the Department believed there to be a potential and immediate threat to human health and the environment". On behalf of this entire community, I want to thank you for taking immediate action!

**Comments:**

- 1) I appreciate the explanation of "due process" at the start of the Dec. 6 meeting. Our due process rights are "notice – and an opportunity to be heard". Unfortunately, that's as far as it goes. Due process only allows the citizens' concerns, fears, objections, etc. to be voiced by them, allows them to vent (so they feel better), but nothing changes and the citizens actually have no choices in the decision-making that affects their health and welfare.
- 2) The concrete pit was identified in July 2016, but only after a deposition was given by the property owner. I wonder what attempt was made by your office to question the property owner prior to the deposition? Something needs to change. Human health and lives are at stake. The Hoff VC site was identified in 2011, and five years later the concrete pit was discovered only due to a sworn deposition? The DEP's procedures must change, don't you agree?
- 3) I believe it was mentioned, off the record, that your office questioned Good Oil employees and others in an attempt to locate sources of contamination at this site. Obviously, you did not talk to area residents, specifically the homes surrounding the Good Oil business, the homes who had well-water in 2011 (and possibly years prior) that was "undrinkable".

Mr. William Miller, whose house at 325 Layfield Road is directly across from the Good Oil Co. entrance, mentioned the concrete pit to me years ago. He mentioned the truck-washing pit long before 2011. A few years before 2011, Mr. Miller notified the New Hanover Board of Supervisors that "oil" was running south on Layfield Rd to the intersection of Layfield and Hoffmansville Rd. Someone (possibly the DEP) found that an underground oil tank at an apartment building next to the Good Oil Co. entrance was leaking and the oil was seeping along Layfield Road. *Why didn't your office talk to Mr. Miller? He had lived at that location all of his life.*

When Good Oil Co. was still in business, Mr. William Miller saw earth-moving equipment doing work behind the company office, so he crossed Layfield Rd and took photos of the work. He reported the activity to the New Hanover Twp Board of Supervisors and eventually Ethan Good was fined (by the DEP?) for interfering with the Swamp Creek tributary behind his business. *Again, why didn't you consult the neighbors when looking for sources for the Hoff VC contamination?*

FYI – William Miller passed away in June 2016 – with Stage-4 cancer (last stage prior to death). When he was diagnosed, his oncologist did not recommend any treatment – it was already too late. Mrs. Miller also has cancer and several people drinking the contaminated water from the Hoff VC site have died of cancer since 2011.

- 4) The DEP made a huge mistake with the contamination discovered on the Swann Oil property in the 1970's. Sometime around 2000-on, the site was listed as a federal Superfund Site. I believe the Hoff VC Prompt Interim Response Administrative Record mentioned, or information gained from your office stated that all leaking underground oil tanks had been removed from the site. *That's great, but why didn't the DEP order the testing of private wells surrounding the property or advise the surrounding neighbors to have annual or semi-annual tests conducted on their well water?*
- 5) At the Dec. 6, 2016 public hearing, your office promised to list all of the contaminants found in the concrete pit on your website. I thank you for doing so. The list is astounding.
- 6) It is my hope that you will use the best technology available, and move as quickly as possible, to locate and remediate the remaining sources of contamination from the Hoff VC site.

Sincerely,

*Celeste Bish*

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Celeste Bish  
2504 Finn Road  
Perkiomenville PA 18074

**Attachment 2**

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January 30, 2016

RECEIVED  
HSCA PROJECT OFFICER  
2/1/16 11:19 AM

Mr. Colin Wade  
HSCA Project Officer  
Penna. DEP - Southeast Regional Office  
2 East Main Street  
Norristown, PA 19401

Re: Hoff VC Prompt Interim Response Comments

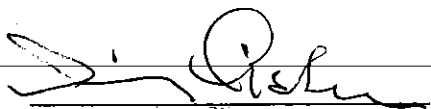
Dear Mr. Wade,

We have been concerned since 2011 when we heard about the contamination at the former Good Oil Company. Our property is bordered by the Scioto Creek, downstream from the area of concern.

We are glad to hear you have finally discovered one of the sources of contamination on the Good property and are in the process of cleaning up many of the hazardous substances. We are counting on your office to keep our township informed of the ongoing progress at the site of the concrete pit.

We are at the mercy of your state agency when something like this happens, and too many homes and lives have already been impacted by the Swann Oil & Good Oil companies. Please continue to search for more sources of this blight in our neighborhood. We will be living on-edge until the remediation of all pollution is completed.

Respectfully,



Irving Fisher  
P.O. Box 476  
Frederick, PA 19435



Nancy Fisher  
P.O. Box 476  
Frederick, PA 19435



**Attachment 3**

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**Mullaney Law Offices**  
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CHRISTOPHER P. MULLANEY

GERALD J. MULLANEY, SR. (1939-2012)

February 3, 2017

SENT VIA EMAIL TO [cowade@pa.gov](mailto:cowade@pa.gov)

Mr. Collin R. Wade  
Pennsylvania Department of Environmental Protection  
2 E. Main Street  
Norristown, PA 19401

RE: Comments to the Proposed Prompt Interim Response  
Hoff VC HSCA Site (New Hanover Township, Pennsylvania)

Dear Mr. Wade:

Please be advised I represent Ban the Quarry - Paradise Watchdogs, which is comprised of residents from New Hanover Township, most of whom live in proximity to the Hoff VC HSCA Site. The comments are submitted pursuant to the Public Notice provided in the PA Bulletin.

1. In the early 1970's the Swann Oil Company was cited several times by the PA DER for illegal discharges of hazardous substances. This is now known as the Hoff VC HSCA Site.
2. Directly south east of the lands identified by the DEP as the source property lies an 18 acre parcel which was purchased by Gibraltar Rock who has made application to the Township to use the property as a quarry.
3. This property is identified as Parid #47-00-02517-00-1 with a tax map ID of 47025-12. It is now publically known as part of the "GR4" Application before the New Hanover Township Zoning Board.
4. This property is part of the "site" as defined by Section 103 of HSCA, 35 P.S. 6020.103.
5. The HSCA Response Justification Document dated August 16, 2011, shows the Hoff VC Site overlapping the Gibraltar property.

6. Ban the Quarry-Paradise Watchdogs submit that Gibraltar Rock is a responsible party under HSCA.

7. At the public hearing on March 29, 2016, the DEP admitted contamination has been found on Gibraltar Rock property.

8. Despite competent concrete evidence to the contrary, the DEP denies any chemicals from Hoff VC Site are already present in the proposed quarry and in test wells 100 feet from the proposed pits.

9. Most of the chemicals found on the Gibraltar property and nearby parcels were also found at the Hoff VC site.

10. Gibraltar and DEP admit they do not have the most recent 1 to 2 year trend data with respect to the plume at Hoff VC Site.

11. It can be said with certainty that the toxins at Hoff VC Site are migrating to the Gibraltar property.

12. The only way the toxins could get to the Gibraltar properties is through the GR4 property.

13. Instead of condemning the GR4 property immediately east/southeast of the Hoff VC Site, the DEP permitted Gibraltar Rock to purchase the property for quarrying and has raised no objection to its intent to quarry this property.

14. There has been and there remains the potential ongoing release and/or threatened release of hazardous substances on the site.

15. Objectors incorporate by reference the Leidos Report conducted at the Hoff VC HSCA Site and all subsequent ground water and surface water tests, including testing done by Eurofins.

16. The extent of the plume at Hoff VC Site is not known because the Leidos testing was not conducted immediately northeast, east and southeast of the Hoff VC Site.

17. The DEP admits it does not know the full extent of the plume nor the point of origination, only that "we have a good sense of where it is".

18. Although your agency claims to have identified the perimeter plume and has indicated it is stable, there is insufficient history, testing and/or modeling to determine whether, in fact, your agency is correct or whether it is mere speculation.

19. Your agency has failed to indicate the future extent and duration and geographic scope of ongoing and future testing of the contaminated plume.

20. The DEP has failed to make the test results by Gibraltar Rock of GR4 part of the official records for the DEP.

21. The source of 1,4 Dioxane has not been found however it must be located between the site property and GR1 and GR2. This means it could be located in GR4.

22. The DEP admits that 75% of the 25 toxic pollutants at the Hoff VC Site are known carcinogens.

23. At the public meeting, the DEP failed in their presentation to disclose the types of toxic chemicals found in the concrete tank or that there were new chemicals present and not found nor that 1,4 Dioxane was not found.

24. Some of the chemicals found in the concrete tank are newly discovered chemicals on the site. The quantity of these newly discovered chemicals in the ground water spreading out in the aquifer and towards the quarry is unknown.

25. No mention was made to the public nor State Representative Marcy Toepel about the discovery of the concrete tank containing thousands of gallons of toxic chemicals until a report was filed 3 months later. Despite repeated requests by the State Representative to the DEP to keep her informed of any site developments so that she can properly represents her constituents, she did not learn of the concrete tank until she read about it in The Mercury newspaper.

26. DEP admits the concrete pit had a leak and admitted there could be contaminated soils underneath the tank but has decided to not remove the tank nor the soil underneath the tank.

27. Despite promises from the DEP, there continues to be a lack of information and full disclosure to the residents of New Hanover Township. Moreover, the DEP has failed to provide adequate information to Representative Marcy Toepel and Senator Robert Mensch notwithstanding their repeated requests.

28. Your agency has not been completely forthcoming with all of the testing results over the past many years from the commercial site source pollutant in this matter.

29. The DEP has failed to show on a chart or explain to the public clearly and concisely the various depths of the testing wells so the public can see where the contaminants are located.

30. You have failed to request anyone from the Pottsville District Mining Office to provide input, comment and information concerning this contaminated site.

31. Although the DEP has restricted local residential homes within the contaminated area from pumping of any ground water, no such restrictions have been placed on adjacent parcels, including the lands of Gibraltar Rock which are immediately adjacent to the Hoff VC Site.

32. Although you have proposed a prompt interim response for this alleged contaminated site, you admit that you have not determined the exact source or sources of the contamination prior to the public hearing.

33. Although DEP has been at the site since the 1970's and more intensely since 2011, it failed to find 8,000 gallons of toxic waste until July of 2016. The source of 1,4 Dioxane is still unknown, however, the DEP wants to terminate and end any further remediation by proposing this prompt interim response.

34. Despite requests that DEP halt, suspend and/or take legal action to enjoin Gibraltar Rock from any further efforts to begin a quarry prior to the complete remediation of the contaminated soils and aquifer, the DEP has permitted Gibraltar Rock to continue its pursuit in starting to quarry contaminated and toxic soils and rock.

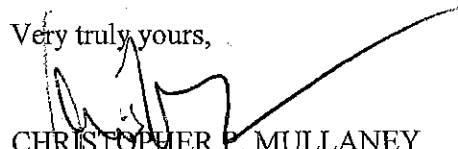
35. Despite requesting DEP expand its search radius to locate additional sources of pollutants, especially 1,4 Dioxane, the DEP refuses to do so. Instead, the DEP has attempted to put a lid on their investigation.

36. Although it was determined that 8034 gallons of toxic chemicals were removed from the concrete tank, there was no mention of the amount of soil removed. The DEP admitted there is no way to tell how much contamination is headed toward the quarry. Therefore, any interim response was only a partial, incomplete response.

37. The above comments disclose facts and considerations which indicate that this proposed prompt interim response is inappropriate, improper and not in the public interest. This is merely a band-aid to the problem. The entire site needs to be appropriately studied and remediated.

38. Due to the continued lack of disclosure by the DEP and the lack of urgency in remediating the entire site and surrounding aquifer, the public is losing confidence and trust that the DEP is actually protecting the environment and the citizens of this Commonwealth.

Very truly yours,



CHRISTOPHER P. MULLANEY

CPM/rb

cc: Ban the Quarry - Paradise Watchdogs