

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT
WASTE DISCHARGE INSPECTION REPORT

DATE 6-9-81

01742735 TIME 8:00 AM

ESTABLISHMENT BISHOP TUBE CO.	CASE	LOCATION (STREET/STATE ROUTE) MARLIN RD.	COUNTY CHESTER	MUNICIPALITY E. WHITELAND	PROGRAM W/
OPERATOR NAME CHESTER COUNTY, CR 1016- MR. MICHAEL 4364700	VALID CERTIFICATE POSTED YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	TELEPHONE NO.	POP SERVED	ACRES UNDER PERMIT	ACRES ALREADY MINED
RESPONSIBLE OFFICIAL VICTOR A BARRATO, PRESIDENT.	ADDRESS BISHOP TUBE CO FAIRFAX, PA 19355	TELEPHONE NO. 647 3450	TELEPHONE NO.	INDUSTRIAL PRODUCTS	
PERSON INTERVIEWED CHARLES M. THOMPSON	ADDRESS			¹ TUBING	² PIPE

TREATMENT PROCESS	NUMBER OF UNITS		REMARKS										VIOLATIONS	
	TOT	IN OP	<ol style="list-style-type: none"> (1) EMPLOYEES CHARGED PICKLING TANK WITH HF 690 AND HNO₃ 1290 LATE LAST NIGHT 6-8-81. (2) HEAVY FUMING FROM 3500 3500 GAL. ABLE TO GROW HF TANK VENT PIPE NOTCHED DAILY A.M. 6-9-81. (3) FIRE COMPANIES CALLED IN 1050' KOD TANK DOWN 700 GAL OF HF IN TANK DRAINED INTO A LINE OF WASTE ACID TANK, PLANT TO BAR LINE AND HOW WASTE CONNECTION OF HATFIELD, PA. HALL AWAY. (4) NO DISCHARGE OF HF TO GROUND SURFACE OR SURFACE WATERS. (5) SQUEE FUMES COMING FROM HNO₃ TANK VENT PIPE DURING INVESTIGATION, WILL USE DILUTION HF IN OPERATION. (6) RUSTIC WATER FROM HOSING DOWN TANK, RAN DOWN CREEK INTO STREAM. (7) WILL BE PREPARING A PPCP PLAN FOR WASTE OPERATION # PA0013047. 											
SAMPLING POINT <i>NO Samples</i>	W&W QUALITY REPORT NUMBER	PH	CHLOR RES	COLOR	ODOR	TEMP	D.O.	SPEC COND.	AVG. DAILY FLOW (MGD)	RECEIVING STREAM APPEARANCE				
										NAME	ABOVE DIS APP	BELLOW DIS APP		
										THIRTY MILE CREEK				

IDENTIFICATION					FAC NO. 1	FAC NO. 2	FAC NO. 3	FAC NO. 4	DATE OF INSPECTION		INSPECTING AGENCY	
1 C	CO	MUN	T	EST	14-16	14-16	14-16	14-16	17-22	23-25	WQI	
2 A	4-5	6-8	9	10-11	12-13				06/09/81			
3 X												
1	FACILITY NAME					DIS. VOL. (MGD)		COMPLIANCE		PERMIT COMP	OPER STAT	
2						49.52		FED	INT	FAC	OP	70
3			66	67	68	69						
4												

CENTRAL OFFICE

(USE BLACK INK ONLY)

PERSON INTERVIEWED (SIGNATURE)
Charles M. Thompson
TITLE AND DATE
Project Engr. 6/9/81
INVESTIGATOR (SIGNATURE)
Michael C. Harritt
TITLE AND DATE
WQI 6-9-81

810/2

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT
WASTE DISCHARGE INSPECTION REPORT

DATE 6-10-81
TIME 5:30

01742736

ESTABLISHMENT <i>Bishop Tube Co</i>	CASE <i>Malin Rd</i>	LOCATION (STREET/STATE ROUTE)	COUNTY <i>Chester</i>	MUNICIPALITY <i>E White</i>	PROGRAM <i>1W</i>																							
OPERATOR NAME <i>Chuck Thompson</i>	VALID CERTIFICATE POSTED <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	TELEPHONE NO.	POP SERVED	ACRES UNDER PERMIT	ACRES ALREADY MINED																							
SPONSIBLE OFFICIAL <i>Victor Barbato</i>	ADDRESS <i>same as above</i>	TELEPHONE NO.	INDUSTRIAL PRODUCTS																									
PERSON INTERVIEWED <i>Barbato, Levering, Thompson</i>	ADDRESS <i>tubes</i>	TELEPHONE NO.	VIOLATIONS																									
TREATMENT PROCESS	NUMBER OF UNITS TOT IN OP	REMARKS <i>Hydrochloric acid flowed into adjacent hydrofluoric acid tank (steel) creating a hole in bottom of HF tank. HF tank contained sludge, no liquid - reflux caused foaming. A berm was constructed down grade, began flushing tank w/ H2O, added limestone & then lime. Lime also added to collected liquid w/in berm. Tanks are undiked, are sitting on 31' base crushed rock substrate. As tank diminished, tank was scrapped, a rubber pad placed over leak. Vapor depressant foam added. Some of residue which flowed into HF tank unknown, few inches of sludge after HF tank. Clean up crew lost 3 hrs. Bishop Tube - been unable to locate a 55 steel vacuum truck. Material behind been needs to be removed immediately & disposed of in a manner acceptable to DEC - may be possible to add enough lime to create a thick slurry which could be flowed into tanks. If needed can empty a tank in the mill (towers) & discharge contents of HF tank into mill tank. Waste Concentrations contacted the out at 10 AM. to take sufficient samples tomorrow</i>	LAWS, REGULATIONS OR PERMIT NO. & COND.																									
SAMPLING POINT	W&W QUALITY REPORT NUMBER	PH	CHLOR RES	COLOR	ODOR	TEMP	D.O.	SPEC COND.	Avg. Daily Flow (MGD)	RECEIVING STEAM APPEARANCE																		
none										NAME ABOVE DIS APP BELOW DIS APP																		
IDENTIFICATION																												
1 C	CO	MUN	T	EST	CASE	FAC NO. 1	FAC NO. 2	FAC NO. 3	FAC NO. 4	DATE OF INSPECTION	INSPECTING AGENCY																	
2 A	45	68	9	10 11	12 13	14 16	14 16	14 16	14 16	06/08/81	WQI																	
3 X	<i>note for warren</i>										23 25																	
FACILITY NAME																												
<table border="1"> <tr> <td rowspan="2">DIS. VOL. (MGD)</td> <td colspan="4">COMPLIANCE</td> <td rowspan="2">PERMIT COMP</td> <td rowspan="2">OPER STAT</td> </tr> <tr> <td>FED</td> <td>INT</td> <td>FAC</td> <td>OP</td> </tr> <tr> <td>49.52</td> <td>66</td> <td>67</td> <td>68</td> <td>69</td> <td>70</td> <td>71.72</td> </tr> </table>											DIS. VOL. (MGD)	COMPLIANCE				PERMIT COMP	OPER STAT	FED	INT	FAC	OP	49.52	66	67	68	69	70	71.72
DIS. VOL. (MGD)	COMPLIANCE				PERMIT COMP	OPER STAT																						
	FED	INT	FAC	OP																								
49.52	66	67	68	69	70	71.72																						
1	2	3	4	REGIONAL OFFICE																								

PERSON INTERVIEWED (SIGNATURE)

Chuck M Thompson
TITLE AND DATE
Project Engineer 6/10/81

INVESTIGATOR (SIGNATURE)

Neely S S
TITLE AND DATE
WQS 6/10/81

1292

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT
WASTE DISCHARGE INSPECTION REPORT

DATE 6-10-81

TIME

9/18/82

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT
WASTE DISCHARGE INSPECTION REPORT

01742738

DATE 6-11-81
TIME 8-

ESTABLISHMENT <i>Bishop Tube Co - HNO₃</i>	CASE	LOCATION (STREET/STATE ROUTE) <i>Malin Rd.</i>	COUNTY <i>Chester</i>	MUNICIPALITY <i>E White</i>	PROGRAM <i>IW</i>
OPERATOR NAME <i>C. Thompson</i>	VALID CERTIFICATE POSTED YES <input type="checkbox"/> NO <input type="checkbox"/> <i>n/a</i>	TELEPHONE NO.	POP SERVED	ACRES UNDER PERMIT	ACRES ALREADY MINED
RESPONSIBLE OFFICIAL <i>V. Barbato</i>	ADDRESS <i>Malin Rd.</i>	TELEPHONE NO. <i>647-3450</i>	TELEPHONE NO.	INDUSTRIAL PRODUCTS	
PERSON INTERVIEWED <i>C. Thompson</i>	ADDRESS	1. <i>SS tubes</i>	2.		

TREATMENT PROCESS	NUMBER OF UNITS		REMARKS		VIOLATIONS
	TOT	IN OP	Sampled Little Valley Cut below Bishop Tube - Cool water discharge Line between 2 tanks has been disconnected so that tank is isolated. Initial leak before contact went ~ 10-20 gallons; still small drip-bucket underneath. White Co. owners pumped what they could from containment; residue will be absorbed + buried. Did not pump sludge out of HF tank - pump not adequate. HF tank & bags full - new tank should be in to be Augusted (will have top discharge)		
				<i>Continuous leak</i>	
				<i>Clean Stream</i>	
					LAWS, REGULATIONS OR PERMIT NO. & COND.

SAMPLING POINT	W&W QUALITY REPORT NUMBER	PH	CHLOR RES	COLOR	ODOR	TEMP	D.O.	SPEC COND.	Avg. DAILY FLOW (MGD)	RECEIVING STREAM APPEARANCE
Little Valley @ Clossers	117142	68								NAME ABOVE DIS APP DIS APP
effluent	117143	~70								NAME BELOW DIS APP DIS APP

IDENTIFICATION					FAC NO. 1	FAC NO. 2	FAC NO. 3	FAC NO. 4	DATE OF INSPECTION		INSPECTING AGENCY	
1 C	CO	MUN	T	EST	CASE	14 16	14 16	14 16	14 16	17 22	23 25	06/11/81 DQI
2 A	45	68	9	10 11	12 13							
3 X												

16-15925-002832-30278-00071212
FACILITY NAME

DIS. VOL. (MGD) COMPLIANCE PERMIT OPER
FED INT FAC OP COMP STAT

49.52 66 67 68 69 70 71.72

1 1 1 76

PERSON INTERVIEWED (SIGNATURE)									
<i>Chet M Thompson</i> 6/11/81									
TITLE AND DATE									
Project Engineer 6/11/81									
INVESTIGATOR (SIGNATURE)									
<i>Marilyn Shuey</i> 6/11/81									
TITLE AND DATE									

REGIONAL OFFICE

FACILITY SAMPLE
 STREAM/RANDOM SAMPLE
 NETWORK SAMPLE

COMMONWEALTH OF PENNSYLVANIA
 Department of Environmental Resources
 Bureau of Laboratories
WATER OR WASTE QUALITY REPORT
 ALL CHEMICAL ANALYSES EXPRESSED IN
 MG/L UNLESS OTHERWISE SPECIFIED

LAB Number 11164
 Date Received 6/23/81

ESTABLISHMENT <i>Bishop Tube Co</i>		CASE <i>HNO₃</i>	FACILITY		CCLL NUMBER <i>01742739 142</i>	
COUNTY <i>Chester</i>		MUNICIPALITY <i>E White</i>	PROGRAM <i>W</i>	COLL NAME <i>M Shup</i>	TYPE TR <i>O</i>	310 ANALYSIS <i>50</i>
CARD (3) 1 2		ID CODE (ALL CARDS) 4-16 USGS-O 20-34 703011711412	LATITUDE 4-10 SAMPLE NUMBER 38-43 AGENCY 35-37 703011711412	LONGITUDE 11-18 STREAM NAME 44-57 LITTLE VALLEY	DATE 19-24 M D Y 06/11/81 8 8 30	TIME 25-28 Hr Min 6
						RELATIVE POINT 58
TRIBUTARY TO: <i>Valley</i>		ADDITIONAL LAB ANALYSES				
FULL DESCRIPTION WHERE SAMPLE TAKEN <i>Closes to Graden Center - below Bishop</i>		2 bottles ① fixed metals				

FIELD ANALYSES		LAB ANALYSES	
Type Sample	59-60	Chemist <i>J Cll Shup</i>	Date Analyzed <i>6/12/81</i>
Source of Sample	61-62	Color (00080)	Total Solids (00500)
Reason Sampled	63-64	Turb (00070)	Susp Solids (00530)
Composite Sample	Proportional Uniform 65	pH (00403)	Set Solids (00451)
	Temporal Spatial 66	Spec. Cond (00095)	Total Diss Solids (00515)
	Aliquots 67-68	Alk (00410)	NO ₂ N (00615)
Flow	Estimated Measured 69	pH4 (00436)	NO ₃ N (00620)
Condition	Above - 1 Normal 2 Flood - 5 Below - 3 No Flow - 4	pH8 Hot (00437)	NH ₃ N (00610)
Stream Flow CFS	(00061)	pH8 Cold (00435)	Klein-N (00826)
Stream Flow MGD	(50061)	T.O.C. (00880)	Hardness (00900)
Precip Flow MGD	(50060)	C.O.D. (00340)	Ca ⁺⁺ - diss (00915)
Gage Reading Ft.	(00065)	5-Day BOD (00310)	Mg ⁺⁺ - diss (00925)
Temp (C)	(00010)	T (00665)	SO ₄ (00945)
pH	(00400)	TD (00666)	Cl (00940)
D.C.	(00300)	Al-Tot ug/l (01105)	F (00951)
Hal	Cl (50060) Br (71871) I (71868)	Ca-Tot ug/l (01027)	MBAS (32280)
Spec Cond	(00094)	Cr-Tot ug/l (01034)	Phenols ug/l (00902)
Appearance	(46001)	Cu-Tot ug/l (01042)	Dr (32730)
Odor	(01330)	Fe-Tot ug/l (01045)	Cyanide (00720)
CUSTODY LOG			
How Shipped	PULP	Date	6/11
Legal Seal No.	52218-19		
Received by	<i>M. Shup</i>		
Condition of Seals	OK		

COMMONWEALTH OF PENNSYLVANIA
Department of Environmental Resources
Bureau of Laboratories
WATER OR WASTE QUALITY REPORT
ALL CHEMICAL ANALYSES EXPRESSED IN
MG/L UNLESS OTHERWISE SPECIFIED

11165

LAB Number

FACILITY SAMPLE

1 STREAM/RANDOM SAMPLE
2 NETWORK SAMPLE

Date Received

ESTABLISHMENT

Bishop Tube

CASE

FACILITY

01712740

COLL NUMBER
143

COUNTY

Chester

MUNICIPALITY

E White

PROGRAM

HW

COLL NAME

m Sheep

Date Received

CARD (3)

1

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ID CODE (ALL CARDS) 4-16

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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT
WASTE DISCHARGE INSPECTION REPORT

01742741

DATE 6-11-81

ER BWQ-32 REV. 4-77
NOTE: SEE COPY 2
BEFORE SIGNING

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL RESOURCES
BUREAU OF WATER QUALITY MANAGEMENT
WASTE DISCHARGE INSPECTION REPORT

DATE 6-12-81

01742742 TIME 1 15th

ESTABLISHMENT <i>Bishop Tube Co</i>	CASE	LOCATION (STREET/STATE/ROUTE) <i>Malin Rd</i>	COUNTY <i>Chester</i>	MUNICIPALITY <i>E White</i>	PROGRAM <i>1W</i>
OPERATOR NAME <i>C. Thompson</i>	VALID CERTIFICATE POSTED YES <input type="checkbox"/> NO <input type="checkbox"/> n/a	TELEPHONE NO. <i>647-3450</i>	POP SERVED	ACRES UNDER PERMIT	ACRES ALREADY MINED
RESPONSIBLE OFFICIAL <i>V. Barbato</i>	ADDRESS <i>Malin Rd, Frazer</i>	TELEPHONE NO. <i>647-3450</i>	INDUSTRIAL PRODUCTS <i>tubes (SS)</i>		
PERSON INTERVIEWED	ADDRESS	TELEPHONE NO.	VIOLATIONS		

TREATMENT PROCESS	NUMBER OF UNITS	REMARKS								
TOT	IN OP	down. Locks on valves now. Contains (C-Steel sludge bucket w/lid) encoute for contaminated earth. Earth must be picked up today. Haven't checked pH of discharge yet - this is important. These obtained bales for well sampling - check pH here also. Presently no seepage from tank farm. Rainfall will cause further seepage from tank farm - this must be collected (presented sum entering stream). Company has proposed digging out waste point of tank farm area, line bottom + nail tie side with plastic sheeting, place a sump pump w/in + discharge into collection pit - waste holding tank. Macadam will be washed down again before well from well be removed. Sump pump must be inspected periodically over weekend (during + after rain)								
SAMPLING POINT	W&W QUALITY REPORT NUMBER	PH	CHLOR RES	COLOR	ODOR	TEMP	S.O.	SPEC COND.	AVG. DAILY FLOW (MGD)	RECEIVING STREAM APPEARANCE
										NAME <i>Little Valley</i>
										ABOVE DIS APP
										BELLOW DIS APP

IDENTIFICATION					DATE OF INSPECTION				INSPECTING AGENCY				
1 C	2 A	3 X	CO	MUN	T	EST	CASE	FAC NO. 1	FAC NO. 2	FAC NO. 3	FAC NO. 4	17-22	23-25
			4-5	6-8	9	10-11	12-13	14-16	14-16	14-16	14-16	06/12/81	WQA
<i>not for waivers</i>													

1	2	3	4	FACILITY NAME	DIS. VOL. (MGD)	COMPLIANCE				PERMIT COMP	OPER STAT
						FED	INT	FAC	OP		
					49.52	66	67	68	69	70	71.72

(USE BLACK INK ONLY)

CENTRAL OFFICE

PERSON INTERVIEWED (SIGNATURE)
Charles M Thompson 6/13/81
TITLE AND DATE
Project Engineer 6/12/81
INVESTIGATOR (SIGNATURE)
Mark S 6/12/81
TITLE AND DATE
WQA 6/12/81

Sim - info + then to file

LAW OFFICES

01742527

161-Bishop Tube
E. Whiteland Twp.
Chester Co.

WOLF, BLOCK, SCHORR AND SOLIS-COHEN

ROBERT B. WOLF
DONALD BEAN
BERNARD M. BORISH
FRANKLIN POUL
DANIEL C. COHEN
ESTHER C. OSWALD
ALVIN H. DORNEY
DAVID J. KAUFMAN
CARL W. SCHNEIDER
MICHAEL M. DEAN
MICHAEL J. TEMIN
CHARLES G. KOPP
MARVIN KATZ
LEONARD J. COOPER
STEVEN A. ARBITTIER
HENRY F. MILLER
JAMES S. BURNS
HENRY A. GLADSTONE
H. ROBERT FIEBACH
GERALD J. MCCONOMY
BERNARD CHANIN
HAROLD J. KOBRE
ROBERT C. POWELL
WILLIAM P. THORN
PAUL E. SHAPIRO
DONALD K. JOSEPH
MICHAEL M. SHERMAN
JAMES S. BURNS
JAMES S. BURNS
ROBERT MCL. BOOTE
JEFFREY M. COLE
IAN A. L. STROGATZ
DAVID R. GLYN

LOUIS J. COFFMAN
MITCHELL E. PANZER
RAYMOND J. BRADLEY
FRANKLIN H. SPITZER
ROBERT E. WACHS
ANTHONY S. MINISI
ALBERT S. GOODMAN
ALLAN H. REUBEN
HOWARD GITTIS
SEYMOUR KURLAND
GEORGE M. BRANTZ
ROBERT M. COAL
RAGAN A. HENRY
ALAN H. MOLOD
EDWARD M. GLICKMAN
LOWELL H. DUBROW
E. GORDON FRIEDMAN
JOSEPH M. MANNO
RONALD M. WIENER
WILLIAM J. MOREHOUSE
DANIEL PROMISLO
LEONARD J. BUCKI
WILLIAM M. ROSSOFF
IVAN I. LIGHT
JAMES A. ROSENSTEIN
LOUIS COFFEY
JUDITH R. COHN
MARK A. ALBERT
ERIK M. RUMY*

DAVID M. DORET
DENNIS L. COHEN
GREGORY T. MAGARITY

TWELFTH FLOOR PACKARD BUILDING

PHILADELPHIA, PA. 19102

(215) LOCUST 9-4000

TELEPIPER: LO 9-1069

TWX: 710-670-1927

WOLBLORR PHA

IN WASHINGTON:

NINTH FLOOR

1100 CONNECTICUT AVENUE, N. W.

WASHINGTON, D. C. 20036

(202) 861-0870

CABLE ADDRESS

WOLBLORR WASHDC

DONALD J. CASSIDY
FAITH R. WHITTLESEY
MICHAEL J. HENRY
ALAN S. KAPLINSKY
NELSON A. DIAZ
MARC E. GOLD
HELEN M. CALA
STEVEN B. KING
HENRY L. SHRAGER
MYRON A. BLOOM
TERREN M. GELBERG
HOWARD GOODMAN
ROBERTA D. LIEBHOLD
DAVID P. BUCHHOLTZ
MORRIS P. HERSHMAN
BRUCE S. KATCHER
SANDER A. KATCHER*

LEONARD J. KATCHER
LEWIS J. GANTMAN
BARRY M. KLAYMAN
DIANE J. SIGMUND
DAVID F. SIMON
JAMES A. GROSS
BRIAN J. HERTZ
CHAIM HELFGOTT**
SANDRA A. BLOCH
BURT M. RUBLIN
MICHAEL J. DELAURENTIS*
EDWARD J. MCKERON
LESLIE E. KIVITZ
DONALD M. MILLINGER
MELVYN J. TARNOPOL
DENISE D. COLLIER
ROBERT I. FRIEDMAN
KENNETH J. WARREN
M. RICHARD KOMINS
MARK T. SCHIEBLE

GERALD N. FRIEDMAN
ALBERT C. BRASLOW
JOHN S. ROBERTS, JR.
ARTHUR A. ZATZ
JAMES L. WINSTON*
ANN GEARIN
PHILIP GARNER
BARRY F. SCHWARTZ
STEPHEN LEVIN
MICHAEL A. BUDIN
ROBERT A. BLACKBERG
ELIZABETH M. LEE
DONALD M. SCHAEFFER
JOSEPH S. FINKELSTEIN
MATTHEW H. KAMENS
STEVEN E. SMATHERS
LOIS A. FRIEDMAN
DEBRA LYNN GREENSTEIN
BERNARD LEE
STANLEY B. EDELSSTEIN
JASON M. SHARTEL
ARTHUR M. BLOCH
M. NORMAN GOODMAN
ALAN I. GOLDBERG
JEFFREY S. SALZ
MARK L. ALDERMAN
LESLIE D. BRAM
NANCY A. BLACKBERG
BRYNN L. MACIVER
LAWRENCE B. PITK
SHELLEY J. WINKLER
MARK J. AMRHEIN
STEVEN I. INGEL*

LISA A. HERMAN

BLAKE D. RUBIN

CAROLE SHERMAN LEIS

*NOT ADMITTED IN PENNSYLVANIA

**ALSO ADMITTED TO BAR OF ISRAEL

COUNSEL

ALFRED L. WOLF
HELEN SPIGEL SAX
NATHAN SILBERSTEIN

SAMUEL H. LEVY
MORRIS L. FORER
JOSEPH BRANDSCHAIN

July 10, 1981

DIRECT DIAL NUMBER:
(215) 977-2146

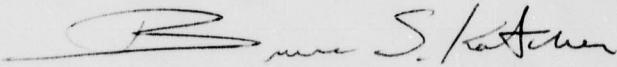
Marilyn Shup *M*
Frank Holmes
Department of Environmental
Resources
Region I - Norristown
1875 New Hope Street
Norristown, PA 19401

Re: Bishop Tube

Dear Marilyn and Frank:

Although it is my understanding that the incidents of June 9 and 10 are being handled primarily through Dick Ruhl in the Air Quality Division, because of your interest in this matter and in order to keep you fully advised as to our progress, I enclose a copy of Vic Barbato's letter of July 10, 1981 to Harold Jeunet, Chairman of the East Whiteland Township Board of Supervisors.

Sincerely,



Bruce S. Katcher
For WOLF, BLOCK, SCHORR and SOLIS-COHEN

BSK:bam
Enclosure

cc: Victor Barbato

Open-Shop
File

LAW OFFICES

WOLF, BLOCK, SCHORR AND SOLIS-COHEN

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TWELFTH FLOOR PACKARD BUILDING

PHILADELPHIA, PA. 19102

(215) LOCUST 9-4000

TELECOPIER: LO 9-1069

TWX: 710-670-1927

WOLBLORR PHA

IN WASHINGTON:

NINTH FLOOR
1100 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20036

(202) 861-0870
CABLE ADDRESS
WOLBLORR WASHDC

DONALD J. CASSIDY
FAITH R. WHITTLESEY
MICHAEL J. HENRY
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SHELLEY J. WINKLER
MARK J. AMRHEIN
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LISA A. HEYMAN
BLAKE D. RUBIN
CAROLE SHERMAN LEIS

COUNSEL

ALFRED L. WOLF
HELEN SPIGEL SAX
NATHAN SILBERSTEIN

SAMUEL H. LEVY
MORRIS L. FORER
JOSEPH BRANDSCHAIN

July 10, 1981

*NOT ADMITTED IN PENNSYLVANIA
**ALSO ADMITTED TO BAR OF ISRAEL

DIRECT DIAL NUMBER:
(215) 977-2146

7/10/81
work
7/20/81
SWM/MLC
RP
(cutter w/ly)

Mr. Leon T. Gonshor
Regional Director
Department of Environmental
Resources
1875 New Hope Street
Norristown, PA 19401

Re: Bishop Tube Company

Dear Leon:

The enclosed letter was sent by Vic Barbato, President of Bishop Tube Company, to Harold Jeunet, Chairman of the East Whiteland Township Board of Supervisors on July 10, 1981, in accordance with our promise to provide the Township with written notification of the steps that have been taken and will be taken to ensure that the incidents of June 9 and 10 would not reoccur. As agreed at our meeting with DER on June 17, the Company also sent copies of the letter to Ral Kona and Dick Ruhl, whom we understand are monitoring the situation directly for DER. Because you were unable to attend that meeting I wanted to make sure that you also received a copy so that you would be aware of Bishop's progress.

Sincerely,

B. S. Katcher

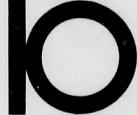
Bruce S. Katcher
For WOLF, BLOCK, SCHORR and SOLIS-COHEN

BSK:bam
Enclosure
cc: Victor Barbato

Bishop Tube Co.

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ROUTE 30 AND MALIN ROAD
FRAZER, PENNSYLVANIA 19355



PHONE: (215) 647-3450 TWX 510-668-5428 TELEX 83-4511

July 10, 1981

Harold F. E. Jeunet
Chairman, East Whiteland Township
Board of Supervisors
East Whiteland Township
Pennsylvania

Dear Mr. Jeunet:

As you are so well aware, on Tuesday, June 9, and again on Wednesday, June 10, fumes were emitted from a vent of a tank at Bishop Tube Company which caused the East Whiteland Volunteer Fire Department to decide it was appropriate to evacuate the General Warren Village for a period of time. Vents, of course, are a natural safety feature of these tanks and, fortunately, they worked well. Unfortunately, other problems arose that caused all of us to have a hectic period.

It is the purpose of this letter first and foremost to assure you of Bishop's concern for the safety of its employees and the residents of General Warren Village and, secondly, to fulfill my personal promise to you on Friday, June 12 to provide you with written notification of the steps we have taken and will be taking to insure that the problem which occurred will not reoccur.

General Comments

As you know, notwithstanding the fact that you had obtained a court Order without notice to us which essentially shut down our business, we willingly went forward with our previously scheduled meeting the next day with you and representatives of the various interested groups (police, fire, residents, and your expert). While a major purpose of ours at that meeting was to convince you to modify that Order, another purpose was to try to convince you that we,

too, had been very concerned about these incidents. My key personnel and I, like you, the residents, others from the township, the volunteer fire department and other governmental representatives operated on few hours of sleep during the week of June 8. We were concerned about the residents, about our employees and also about the continuation of our business, a business that has been located at the same place for thirty years and prior to almost all, if not all, of the development of the General Warren Village as a residential area.

We tried to communicate that concern to all of those at the meeting of June 12. If you recall when our attorney started that meeting, he was somewhat surrounded by an understandably unfriendly group of ten people. In addition to yourself, that group consisted of two attorneys representing the Township, the chief of police, the assistant chief of the fire department, another policeman, an expert environmental engineer and lastly, but far from least, two representatives of the residents. At that time (under very short time period restraints) we tried to forthrightly set forth the facts of what had been done to stop the problem at that time. We discussed with you our willingness to take further steps and have set forth those steps in this letter, as we agreed we would. At the meeting I think we convinced you of our bona fides and good faith -- at least it seemed that way as we all shook hands at the end of that long morning.

Our cooperation is reflected in the facts that follow in this letter. As you know, we negotiated with your counsel two court Orders after that meeting and voluntarily agreed to appear at a meeting on Wednesday, June 17 with the Commonwealth of Pennsylvania Department of Environmental Resources, you, and many of those at our Friday meeting. I am told, although I was not present that our representatives followed my instructions and again were open and forthright in answering the questions put to them. Indeed I am told that the Department person conducting the meeting sought as a guideline at the beginning of the meeting the requirement that the meeting would end if our representatives did not answer questions, and, at the end, he openly agreed that his guidelines had been met.

In addition to the steps taken by the police and volunteer fire department, both of whom operated as dedicated public servants in the line of duty, for which we are most grateful, Bishop took the following steps during these episodes or immediately thereafter.

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1. All of the acid in the hydrofluoric acid tank was drained out of that tank and into a pickling tank inside the plant itself. That pickling tank was subsequently emptied and the liquid processed without any further problems.

2. Bishop first placed a water hose into the tank in an effort to reduce the venting. It then opened the tank by ripping off a cover bolted to the tank and poured bags of limestone it acquired on an emergency basis into the tank in order to neutralize any acid that may have been in the tank. Because holes developed in the bottom of the tank allowing some of the waste water to leak out of the tank, we immediately established an earthen dam around the tank enclosure. We believe we prevented any of the liquid from entering the tributary of Little Valley Creek that runs nearby the plant. A back hoe was brought in to make that dam larger. Subsequently that dam has been removed and the dirt placed into a container certified for waste disposal; the container was then hauled away by a professional hauler for permanent disposal at an approved waste disposal land fill.

The above actions were taken to protect the environment. More importantly, Bishop acted to make sure that there would be no problem with future incidents. It is and was acutely aware of, and concerned about, the inconvenience and anxiety felt, as well as the safety of, both the residents of the nearby village and its own employees.

3. A ten-foot section of pipe connecting the two storage tanks was removed and a blind flange placed on the ends of the remaining pipes. This means that the two tanks were totally unconnected from each other and there was, and continued to be, no way to have the liquids flow from one tank to the other.

4. The one tank which became inoperative remained so with only a limestone sludge in it. This sludge had been neutralized to a pH of approximately 4, a very mildly acidic solution. We promised in the interim that this tank would not be used other than to hold the solution. As you know, we agreed to a court order with its contempt sanctions prohibiting further use, and have obeyed that order. Just last week the solution was properly disposed of and the tank was cleaned, removed and also properly disposed of.

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5. Prior to our meeting on Friday, June 12, we removed the vent from one of the two tanks. (You will note that those vents had at all times for safety reasons vented, into a terra cotta stone floor for absorption.)

6. Also prior to our Friday June 12 meeting, we installed a chain lock system on the valves from each of the tanks and instituted a double check system. Henceforth, whenever either of the tanks is to be used, the pickling operator will have to obtain a key which he will not maintain and will only open the valves upon supervision of his supervisor.

7. We began using acid in drums to replace that from the tank we could no longer use. This is a more expensive procedure, since we are not able to buy and store in bulk. Absent emergencies or unusual circumstances these drums will be bought as needed and in amounts as needed so that we may avoid to the extent reasonable any storage. To the extent there is storage we have agreed to a court order subject to contempt sanctions for its violation requiring that these drums be stored inside the plant. I would also point out that this is not a new procedure to Bishop. At times of chemical shortage, we have used this method of mechanical handling in the past.

8. We have further agreed that the only mixing of acids will be in the pickling vat tanks on the lower level inside the plant (with the exception of laboratory use). The agreement concerning mixing acids is subject to the court Order.

As we have explained to you the pickling process is in an old, extensively used process in the steel industry and the related galvanizing industry. On a national scale the process emanates from the 1800's. It involves first placing water in a vat which serves as a diluent of any acids that are placed into the tank thereafter. Thus when acids are mixed it will only be after water is placed in the vat in accordance with the practice that has been used at Bishop for thirty years.

We did make an exception for laboratory use but that too would be done only by first using water as a diluent -- again a procedure used for many years.

9. A new tank is on order to replace the old one but will not be delivered until August. We had already determined prior to our meeting with you on June 12 that a

separate line to the pickling vats from that tank would be installed and that that line would be maintained separately from the other line. We have agreed to place that separate line installation and maintenance into a court order and further agreed in the court order to give you notice of the installation prior to effectuating its use. Although not subject to court order or other government compulsion, we have also agreed to supply drawings to the Department of Environmental Resources prior to use of the new tank and separate line. Those engineering drawings were requested by the Department at our meeting of June 17. Without even consulting me, our attorneys agreed to supply the drawings. I willingly concurred in that decision after I heard of it.

10. All claims made to us by the residents for their out of pocket expenses relating to these incidents are in the process of being investigated and paid. My last information is that eighty percent (80%) of the claims made have been paid - eighteen out of twenty-three. As to the remaining five, there are complications but we are further informed that our representatives are actively seeking to resolve the remaining ones. You will note that no releases have been sought as a condition of those payments.

In addition to the above, we will be doing the following:

11. In accordance with your idea very forcefully and convincingly made firstly at our June 12 meeting, and, then again, I am told, at the meeting with the Department of Environmental Resources on June 17, we will be investigating the possibilities of a mechanical fail safe device so that even with the separate lines there would be no introduction of acids into the pickling tanks without water first being there. However, I want you to know that the incident which this is designed to prevent has not occurred in the thirty years since Bishop has been at this location to the best of my knowledge. Certainly I recall nothing in the nine years I have been at Bishop. The vats are in full view of employees, whose own health and safety are involved in preventing this mistake. The self interest of these persons is a strong factor against its happening. Nonetheless, if your suggestion proves to be feasible on a cost benefit ratio, giving significant import to the psychological benefits as well as the actual ones, we would install such devices.

12. You also suggested for the first time at the June 17 meeting with Department of Environmental Resources that valves for the tanks be located solely inside the

plant, not outside where the tanks are located. While in the first instance this seems to be a beneficial suggestion, our present technical information is that it would not be functionally practical. However, at the same time we investigate the installation of mechanical devices we will also raise this question and explore whether it too is feasible. A potential compromise solution may develop.

13. In the event that there ever is a spill located at the storage tanks, we are investigating now the feasibility of implementing an improved catch basin so that the earthen dam proceedings used on an emergency basis will not have to be used. We will also switch the temporary chain locks to a more substantial locking system on the valves and we will investigate the feasibility and desirability of erecting a fence around the tanks to restrict access to authorized personnel.

14. As you know, we are in the process of preparing a Preparedness, Prevention, and Contingency Plan (called a PPC) to update our Pollution Incident Prevention Plan (PIP). We have already committed as of our June 12 meeting to meet with John Meyers, Assistant Chief of the Fire Department prior to the finalization of this plan. It is intended that he will have input with regard to emergency plans as well as maintenance suggestions. At the June 17 Department of Environmental Resources meeting you asked if we would also include the fire marshall of the township since Mr. Meyers is with the volunteer fire department, a separate entity neither funded nor governed by the township. We agreed to include him and will do so.

15. In order to prepare and implement an appropriate PPC plan, we have hired a registered professional environmental engineer as a consultant. He and his firm will work with us and the Department of Environmental Resources to develop that plan. We will also ask him to review the various items contained in this letter for his input as to any improvements thereon.

We hope you are satisfied that our attempts to solve these problems are genuine. While we are not legally obligated to carry out most of those steps outlined here I can assure you that Bishop will do its utmost to live by the words of this letter, and I can assure you personally that its utmost is sufficient to accomplish what it has set out to do in this letter. If there is anything further that a responsible public official or responsible resident can suggest to us as a means of further securing the safety as

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well as the emotional security of the residents and the Township, we will be happy to consider and investigate such suggestions with reasoned good faith and implement them if we can.

I hope that we have met our promise to send you a full and complete letter of what we have done and what we intend to do.

Sincerely yours,

Victor Barbato
President, Bishop Tube Company

VB/lr

cc: John F. Finn, Vice Chairman, Board of
Supervisors
Florence D. Hunt, Member, Board of
Supervisors
J. Donald Reimenschneider, Township Manager
Ral N. Kona, Air Pollution Control Engineer
Department of Environmental Resources
Richard L. Ruhl, Air Pollution Control Engineer
Department of Environmental Resources