Message

From: Yap-deffler, Yazmine [Yap-Deffler.Yazmine@epa.gov]
Sent: 4/13/2017 7:57:19 PM
To: Vallone, Christopher [Vallone.Christopher@epa.gov]; Hirsh, Steven [Hirsh.Steven@epa.gov]
Subject: FW: State Senator Daylin Leach - Bishop Tube Site ***pre-EPA/DEP call***

I'll be out next week - hope they don't schedule this next week. I'll let Sasha know to make sure you're on the invite list

Thanks,
Yaz

Yazmine J. Yap-Deffler, Acting Chief
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From: Brown, Kinshasa
Sent: Thursday, April 13, 2017 3:14 PM
To: Patterson, Patrick <patpatters@pa.gov>
Cc: Hartzell, Anderson <ahartzell@pa.gov>; Shankar, Sachin <sshankar@pa.gov>; bmcclennen@pa.gov; Cain, Virginia <vicain@pa.gov>; Dustin Armstrong <darmstrong@pa.gov>; Schena, Robert <roschena@pa.gov>; Koffi, LaRonda <Koffi.LaRonda@epa.gov>; Yap-deffler, Yazmine <Yap-Deffler.Yazmine@epa.gov>; Melvin, Karen <Melvin.Karen@epa.gov>
Subject: RE: State Senator Daylin Leach - Bishop Tube Site ***pre-EPA/DEP call***

My pleasure…I'm on it.

We are usually available Wednesdays and Thursdays in the am to 2pm. Do you know if those dates work for PADEP folks?

Sasha Brown
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From: Patterson, Patrick [mailto:patpatters@pa.gov]
Sent: Thursday, April 13, 2017 3:11 PM
To: Brown, Kinshasa <Brown.Kinshasa@epa.gov>
Cc: Hartzell, Anderson <ahartzell@pa.gov>; Shankar, Sachin <sshankar@pa.gov>; bmcclennen@pa.gov; Cain, Virginia <vicain@pa.gov>; Dustin Armstrong <darmstrong@pa.gov>; Schena, Robert <roschena@pa.gov>
Subject: RE: State Senator Daylin Leach - Bishop Tube Site

Sasha –

Our Acting Regional Director asked me to see if you would be kind enough to schedule an internal EPA/DEP Pre-Call to discuss Bishop Tube prior to the call with the Riverkeeper and the Senator? I believe he may have mentioned that to Karen when he spoke with her. This way, we are all up to speed going in.

Thanks in advance.

Pat

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From: Brown, Kinshasa [mailto:Brown.Kinshasa@epa.gov]
Sent: Thursday, April 13, 2017 2:02 PM
To: Patterson, Patrick <patpatters@pa.gov>
Subject: RE: State Senator Daylin Leach - Bishop Tube Site

Thanks Pat
I will add you to the invite. Feel free to share to in-house staff.

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From: Patterson, Patrick [mailto:patpatters@pa.gov]
Sent: Thursday, April 13, 2017 1:29 PM
To: Brown, Kinshasa <Brown.Kinshasa@epa.gov>
Subject: RE: State Senator Daylin Leach - Bishop Tube Site

Please let me know when you reschedule the call. We will have the appropriate folks available to participate.

Thanks

Pat

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From: Brown, Kinshasa [mailto:Brown.Kinshasa@epa.gov]
Sent: Tuesday, April 11, 2017 9:42 AM
To: Patterson, Patrick <patpatters@pa.gov>
Subject: Re: State Senator Daylin Leach - Bishop Tube Site

thanks Pat

From: Patterson, Patrick <patpatters@pa.gov>
Sent: Tuesday, April 11, 2017 9:40 AM
To: Brown, Kinshasa
Subject: RE: State Senator Daylin Leach - Bishop Tube Site

I figured they were looking for another audience. Let me see what Harrisburg says about this one. I will get back to you.

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From: Brown, Kinshasa [mailto:Brown.Kinshasa@epa.gov]
Sent: Tuesday, April 11, 2017 9:38 AM
To: Patterson, Patrick <patpatters@pa.gov>
Subject: Re: State Senator Daylin Leach - Bishop Tube Site

Hi Pat,
So the Riverkeeper still wishes to keep the call with the EPA. I plan to reschedule the call with MP as well. Could you and a programmatic person join us on the call? Are you comfortable doing so?
Sasha

On Apr 10, 2017, at 2:32 PM, Patterson, Patrick <patpatters@pa.gov> wrote:

> I think it is certainly proper for you to refer that to us. I had a 30 minute call with M.P. to give her an update on the project from our perspective, so I'm guessing she is looking for the federal take on this. She has my number and email so if you do wish to refer it just send her through to me. If she wants technical discussion, I will have the project officer talk with her as well.
>
> Just confirming though…did you also have a member of congress reach out to you on this one per your initial email? If so…who was that? I'm guessing it's Meehan's district.
>
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From: Brown, Kinshasa [mailto:Brown.Kinshasa@epa.gov]
Sent: Monday, April 10, 2017 2:25 PM
To: Patterson, Patrick <patpatters@pa.gov>
Subject: RE: State Senator Daylin Leach - Bishop Tube Site

Ohh rats, sorry about that Pat.
See the article I meant to send below. Yes. M.P. Tomei from Leach's office reached out to me and my HSCD director. The Riverkeeper reached out to the HSCD division director so I scheduled a call to in order to ensure message is consistent. Let me know if you thinks it's best that you handle the inquiry…
Sasha

On toxic site abandoned for decades, developer sees townhouses sprouting in Chesco

Updated: April 10, 2017 — 6:23 AM EDT
by **Michaelle Bond**, Staff Writer

Asleep after a long day at her social-work job, Peggy Miros was jolted awake by a booming voice through a loudspeaker urging her and her neighbors to evacuate their homes.

A cloud of toxic gas had formed when chemicals accidentally combined at the steel tube manufacturer next to her housing development in East Whiteland Township, Chester County, in the early morning hours of June 9, 1981. In the sultry air, a steady southwest breeze exported the chemical mist toward General Warren Village, 500 yards away, before the cloud dissipated. Some of Miros' neighbors went to the hospital with nausea and skin irritation.

"It was pretty scary," said Miros, who evacuated with her husband, 11-year-old son, and 8-year-old daughter. "We were told to get out of Dodge." They were able to return after a few hours, only to be evacuated again 13 hours later.

The EPA later found trichloroethylene (TCE), a degreasing agent linked to cancer, in the property's groundwater. The former Bishop Tube Co. site, which produced stainless steel tubes from the 1950s until 1999, now is host to graffitied and dilapidated buildings, shattered windows, cracked concrete, and overgrown vegetation, one of more than 450,000 contaminated "brownfields" across the nation.

<image002.jpg>

But a prominent local developer says he can make something flourish there: townhouses. J. Brian O'Neill wants to build 228 of them, telling skeptical residents he is their best hope to finally clean up the property, which has languished as the state Department of Environmental Protection has worked to force previous owners of the property to pay for cleanup.

Eight years ago, the department oversaw removal of some of the soil contamination at the site, a spokesman said. Contaminants remain in the surrounding soil, groundwater, Little Valley Creek, and indoor air at the site.

O'Neill said he has developed 100 so-called brownfields from Boston to Washington and will meet state residential standards for contamination levels at this site. He and Constitution Drive Partners LP, an affiliate of O'Neill Properties Group, bought the site in 2005 after offering the only bid, according to the county entity that held the title to the property at the time.

Given the site's history, residents are wary of plans for the property. Neighbors say they fear their families and any new residents could be harmed if workers disturb the polluted soil without removing every bit of contamination.

Last month, 40 people gathered for the first time in the home of one of their neighbors to plan a coordinated effort to oppose the project.

"These people know what they're talking about and they have a right to be concerned," said Maya K. van Rossum, leader of the Delaware Riverkeeper Network, who became involved after residents asked her for help.

Some residents oppose any construction at the site and favor making it open space. Some do not want more homes but are open to other uses. Most just want the site cleaned up as thoroughly as possible.

O'Neill initially proposed industrial or commercial plans for the site. But, he said, he shifted to fill what he saw as a need for housing for people working in office parks throughout the Great Valley corridor. In 2014, East Whiteland officials rezoned the property from industrial to residential.

The developer said he plans to dispose of contaminated soil to meet residential standards, which are more strict than for other uses. He said he is "working hand in hand with the DEP every day" and cleaning up the site will cost "millions," although he does not have a final figure.

The federal Environmental Protection Agency monitors the site, which also is part of a Pennsylvania program formed through the Hazardous Sites Cleanup Act of 1988. The program provides funding and authorizes the Department of Environmental Protection to force those who contaminate land to clean it up or reimburse the state for cleanup.

DEP took to court two former property owners, Johnson Matthey Inc. and Whittaker Corp., which installed monitoring wells, "a process that can take a significant amount of time," according to a department spokeswoman. They also submitted remediation reports to the department in 2010 and 2015. DEP expects them to submit a feasibility study this summer that it will use to select the best remedy in addition to O'Neill's efforts.

One problem plaguing state and federal cleanup programs has been lack of money. Federal grant money, an important source for the states, has decreased. Two weeks ago, U.S. Reps. Frank Pallone Jr. (D., N.J.) and Paul Tonko (D., N.Y.) introduced a bill that would increase EPA funding for cleaning and redeveloping contaminated former industrial sites. Such bills have been unsuccessful in the past.

In the meantime, some township officials agree with O'Neill that the developer's cleanup plan will be the fastest route to remediation.

Bill Holmes, chair of the township's Board of Supervisors, told residents at a March 8 meeting that officials were not impeding the project because of the developer's promise to start cleaning up contamination soon.

"And if we oppose, we lose the leverage we have as far as the environmental conditions, which for me, was the most important part in the first place," he said.

O'Neill said he expects zoning approval this month.

David Worst, who worked at the plant from 1972 to 1989 and was a union president, is one of the people who hopes that doesn't happen. After the DEP began looking into the site, Worst walked the property and pointed out areas he knew were contaminated.

"We fought for over a decade to stop light industrial [uses]," said Worst, who said he was "appalled" at the prospect of people living on top of the site, even with the promise of a cleanup to residential standards.

"Our objective was to have this cleaned up [completely]," Worst said. "And once it's cleaned up, then we talk about what to do with it."

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From: Patterson, Patrick [mailto:patpatters@pa.gov]
Sent: Monday, April 10, 2017 2:18 PM
To: Brown, Kinshasa <Brown.Kinshasa@epa.gov>
Subject: RE: State Senator Daylin Leach - Bishop Tube Site

Is there another article? The one you attached is our press release about the EJ listening sessions.

I have spoken to Sen Leach's staffer about this project and we have been in touch with the Riverkeeper as well. Who was the congressional inquiry from?

Pat

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From: Brown, Kinshasa [mailto:Brown.Kinshasa@epa.gov]
Sent: Monday, April 10, 2017 2:13 PM
To: Patterson, Patrick <patpatters@pa.gov>
Subject: Re: State Senator Daylin Leach - Bishop Tube Site
Importance: High

http://www.ahs.dep.pa.gov/NewsRoomPublic/articleviewer.aspx?id=21168&typeid=1

Hi Pat,

Has Daylin Leach's office reach out to you regarding this site? We have been contacted by his staffer and by the Riverkeeper. We are having a call to update them both on the status of the site. I'd like you and/or staff (Ragesh, maybe) to consider participating in light of the article reference above and the congressional inquiry, Riverkeeper inquiry.

Let me know what you think as I know the state has primacy on this one to date.

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