UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

FEB 27 2009

Ms. Charlene Drake
Director of Operations
React Environmental Professional Services Group, Inc.
P.O. Box 5377
6901 Kingsessing Ave, Suite 201
Philadelphia, PA 19123

Dear Ms. Drake:

This letter is in response to React Environmental Professional Services Group, Inc. ("React") notification and certification, dated February 17, 2009, provided to the U.S. Environmental Protection Agency Region III (EPA) pursuant to the requirements of the *Self-implementing on-site cleanup and disposal of PCB remediation waste* regulation, 40 C.F.R. § 761.61(a). This notification and certification was received by EPA on February 20, 2009, and was submitted by you regarding React's plan to cleanup and dispose of polychlorinated biphenyl (PCB) waste located at the Former Schmidt's Brewery site ("Schmidt's" or "Site") located at 2nd and Girard Streets in Philadelphia, Pennsylvania.

EPA has reviewed React's cleanup plan for the Schmidt's site and finds that it is consistent with the requirements of 40 C.F.R. § 761.61(a). EPA hereby approves the PCB cleanup plan for the Schmidt's site submitted with React's notification and certification, dated February 17, 2000. This approval is subject to the conditions and limitations set forth in 40 C.F.R. § 761.61(a). The approved plan may be modified only in accordance with the procedures described at 40 C.F.R. § 761.61(a)(3)(ii).

This approval is only for the First Phase of the planned project at the Site, and, as such, only grants approval for remediation of soils on Lots II and III. A future plan will need to be submitted and approved for Lot I remediation. No remediation can occur on Lot I at this time.

EPA's approval of React's plan does not in any way constitute a finding by EPA that the Schmidt's site will be safe or appropriate for any future use, does not insulate the owner or occupant of the property from action under any applicable law, and does not relieve React, or any other owner or operator of the Schmidt's site of its continuing responsibility to comply fully with 40 C.F.R. Part 761. EPA emphasizes that these regulations include several conditions and limitations that apply to persons performing a PCB cleanup activity subject to 40 C.F.R. § 761.61(a). Among other things, the regulations state that "[c]omplete compliance with 40 C.F.R. § 761.61 does not create a presumption against enforcement action for penalties for any unauthorized PCB disposal." 40 C.F.R. § 761.50(b)(3)(ii)(B). Further, "[a]ny person storing or disposing of PCBs is also responsible for determining and complying with all other applicable Federal, state, and local laws and regulations." 40 C.F.R. § 761.50(a)(6).

EPA is requesting that a brief summary of the completed cleanup activities, including but not limited to: characterization and confirmation sampling analytical results; copies of the accompanying analytical chains of custody; field and laboratory quality control/quality assurance checks; copies of manifests; copies of certificates of disposal or similar certifications issued by the disposer; copies of the deed restrictions; and, total amounts of PCB waste disposed, be submitted within ninety (90) days of completion to:

Kyle J. Chelius
U.S. Environmental Protection Agency
Region III (3LC61)
Land and Chemicals Division
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

Any questions concerning this approval or the self-implementing site cleanup plan review should be directed to Kyle J. Chelius at (215) 814-3178.

Sincerely,

Abraham Ferdas, Director
Land and Chemicals Division

cc: David Crownover, PADEP