



FINAL DECISION
AND
RESPONSE TO COMMENTS

BethWorks Now/Sands BethWorks Retail LLC
ArtsQuest/PBS-39 Parcels

On the Former:
Bethlehem Steel Corporation
Bethlehem Structural Products
Bethlehem, Pennsylvania 18252

EPA ID NO. PAD 990824161

September 30, 2009

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

FINAL DECISION AND RESPONSE TO COMMENTS

UNDER THE RESOURCE CONSERVATION AND RECOVERY ACT AS AMENDED BY THE HAZARDOUS AND SOLID WASTE AMENDMENTS OF 1984

Issued: Sands BethWorks Retail LLC – Former Bethlehem Steel Corp.
Bethlehem Structural Products
ID Number: PAD 99 082 4161 (Parcels 1, 2, 3, and 4)
Facility Address: Bethlehem, PA 18252

I. PURPOSE

The United States Environmental Protection Agency (“EPA”) is issuing this Final Decision and Response to Comments (“Final Decision”) under the authority of the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (“RCRA”) of 1976, and the Hazardous and Solid Waste Amendments (“HSWA”) of 1984, 42 U.S.C. §§ 6901 to 6992k, regarding four (4) parcels (collectively “Parcels” or individually “Parcel”), totaling approximately 4.94 acres, at the Sands Retail, LLC tract (BW Tract) of the former Bethlehem Steel plant. This former steel plant was owned and operated by the Bethlehem Steel Corporation - Bethlehem Structural Products (“BSC”) and is located in the City of Bethlehem and Lower Saucon Township, Northampton County, Pennsylvania (hereinafter referred to as the “BSC Facility” or “Site”).

On August 10, 2009 EPA issued a Statement of Basis (“SB”) which described EPA’s proposed Final Remedy for the Parcels. The SB is hereby incorporated into this Final Decision by reference and made apart hereof as Attachment A. The SB described the information gathered during the environmental investigations of the Parcels, and explained EPA’s proposed Final Remedy for the Parcels. Consistent with public participation provisions under RCRA, EPA requested comments from the public on the proposed Final Remedy. The public comment period began August 10, 2009 and ended September 09, 2009. Comments received during this public comment period, as well as EPA’s response to such comments, are summarized in Section III (Public Comments), below.

The purpose of this Final Decision is to describe the Final Remedy selected by EPA for the Parcels.

II. THE SELECTED FINAL REMEDY

EPA has determined that the Final Remedy protects human health and the environment and is consistent with EPA’s nine criteria for remedy selection, which are discussed in the

Corrective Action Advanced Notice of Proposed Rulemaking, 61 Fed. Reg. 19432 (May 1, 1996) and set forth in Section V (Evaluation of Criteria) in the SB.

EPA has selected to use compliance with and maintenance of Institutional Controls (ICs) as the Final Remedy for the Parcels. These ICs would prohibit use of groundwater as a drinking water supply and restrict land use to non-residential activities. These ICs on land and groundwater use will protect human health and the environment. The ICs may include but not be limited to the following components:

1. UECA

a. For each Parcel, an environmental covenant shall be drafted and recorded in a manner that complies with the Pennsylvania Uniform Environmental Covenants Act (UECA), 27 Pa.C.S. §§6501-6517 (February 2008). The environmental covenant shall include, but not necessarily be limited to, the following restrictions and requirements:

- (1) the Parcel shall not be used for residential or agricultural purposes or as unpaved playgrounds, campgrounds, day care centers, hospitals or cemeteries unless EPA provides prior written approval for such use;
- (2) the groundwater at and under the Parcel shall not be used for any drinking or agricultural purpose unless EPA provides prior written approval for such use;
- (3) no new wells will be installed on the Parcel unless EPA provides prior written approval to install such wells;
- (4) in the event the Parcel's owner(s) intends to sell part or all of the Parcel, the owner(s) shall notify EPA at least thirty (30) calendar days prior to such sale and provide written documentation to EPA which demonstrates that the prospective buyer is aware of the restrictions placed on land and groundwater use;
- (5) the Parcel's owner(s) and each subsequent owner shall submit to EPA and PADEP, written documentation concerning proposed changes to the use of the Parcel property, the filing of applications for building permits, and/or proposals for any site work affecting the contamination on the Parcel property;

b. Each Parcel shall be surveyed and described in the environmental covenant as prescribed below:

- (1) Each Parcel and each use and activity limitation area shall be surveyed by a licensed professional surveyor, who shall provide a metes and bounds description of each parcel or area. Metes and bounds descriptions define boundaries based on distance and direction from point to point. The description defines a Point of Beginning and each subsequent point, returning to the Point of Beginning.
- (2) In addition to the metes and bounds description for each Parcel or area, the survey shall provide geographic survey coordinates for each point identified in the metes and

bounds description. The survey coordinates shall be provided as follows: longitude and latitude in decimal degrees, to seven (7) decimal places, using the World Geodetic System (WGS) 1984 datum, with west longitude indicated as a negative number. The coordinates shall be provided in a tabular format, following the metes and bounds description. The first and last coordinate values in the table shall be the same, and shall represent the coordinates of the Point of Beginning of the metes and bounds description. The text introducing the table of coordinate values shall indicate that the table represents the geographic coordinates, in WGS 1984, of the preceding metes and bounds description.

(3) If the metes and bounds description includes arc segments (rather than straight line segments) defined by the beginning and ending of an arc of a specific radius, additional geographic control points shall be calculated along the arc so that a straight line approximation from point to point does not deviate from the true arc by more than 0.1 foot.

(4) The table of coordinate values shall also be provided separately as an electronic file, in a comma separated value (CSV) format.

c. For each Parcel for which a Declaration of Covenants, Conditions, Restriction, Release and Indemnification (Declarations) establishing activity and use limitations has been previously recorded, EPA has determined that the Declaration shall be converted to an environmental covenant as described in Paragraphs II.1.a and b., above, as provided for by Section 6517 of UECA, 27 Pa.C.S. § 6517(b). If the Declaration cannot be so converted, an environmental covenant shall be drafted and recorded as described in Paragraphs II.1.a and b., above, for any such Parcel.

2. In addition, if EPA, in its sole discretion, deems that additional ICs are necessary to protect human health or the environment, EPA will require and enforce such additional ICs.

D. Financial Assurance

EPA has evaluated whether financial assurance for corrective action is necessary to implement EPA's Final Remedy at the Parcels. Given that EPA's Final Remedy does not require any further actions to remediate soil or groundwater contamination, EPA has determined that no financial assurance is required.

III. PUBLIC COMMENTS

Gross McGinley, LLP, on behalf of ArtsQuest and Lehigh Valley Public Telecommunications Corporation (PBS-39), submitted the only comments on the proposed Final Remedy, by letter dated September 4, 2009 and via email dated September 14, 2009. Gross McGinley submitted 6 comments, summarized and discussed below. The following comments are direct quotes from the submitted comments. Where appropriate for purposes of clarification, EPA has added text in brackets.

1. Comment # 1: Petitioners would like to clarify and refine the description of the four parcels identified at page 2 of the SB now that their subdivision plans have been filed: [This comment provides a description of the metes and bounds of the Parcels and maps of the proposed subdivisions.]

EPA Response: EPA concurs with the comment and the Final Decision hereby incorporates these changes. The maps of the proposed subdivisions are attached hereto as Attachment B and Attachment C.

2. Comment # 2: The total acreage for the four parcels (post-subdivision) will be 4.94 rather than 2.3 acres as indicated.

EPA Response: EPA concurs with the comment and the Final Decision hereby incorporates this change.

3. Comment # 3: Replace “Events Center and Performing Arts and Broadcast Center” with “Performance Arts Center, Television Studio, and Festival Center”.

EPA Response: EPA concurs with the comment and the Final Decision hereby incorporates this change.

4. Comment # 4: It is our understanding that Petitioners [ArtsQuest and PBS-39] will be afforded a period of 180 days to draft and file the revised Deed Declarations containing USEPA’s desired environmental covenants

EPA Response: The Final Decision is a decision document. It is not an enforcement action. Once the Final Decision is issued, if institutional controls remain outstanding, EPA will consider using enforceable orders or agreements to have the institutional controls selected in the Final Decision implemented within a specific timeframe.

5. Comment # 5: It is our understanding that subsections (d) and (e) [Paragraphs II.1.a. and b., above] of USEPA’s proposed covenants regarding subsequent sale and changes in use of the Parcels are not intended to apply to Petitioner’s pending takedown of their options on the Parcels.

EPA Response: The potential acquisition by ArtsQuest and/or PBS-39 and any activities conducted on the Parcels are subject to the existing Declaration and federal, state and local laws. The ICs described in Paragraphs II.1.a. and b., above, apply to current and subsequent owners of the Parcels.

6. Comment # 6: We suggest that the above-described language be revised so that the existing Act 2 Declaration “be supplemented to incorporate all of the IC components of EPA’s final remedy in a manner consistent with environmental covenants under UECA.”

EPA Response: The SB proposes that the existing Act 2 Declarations “be modified to incorporate all of the IC components of EPA’s final remedy and be drafted and recorded in a

manner consistent with environmental covenants under UECA.” Section 6517 of UECA, 27 Pa.C.S. § 6517(b), requires that instruments establishing activity and use limitations that were made effective prior to the enactment of UECA, be converted to an environmental covenant. The Final Decision now incorporates this language from UECA. If for some reason, the Declaration cannot be converted to an environmental covenant, an environmental covenant shall be drafted and recorded as described in Paragraphs II.1.a. and b., above, for any such Parcel.

The Final Decision hereby incorporates these changes.

IV. DECLARATION

Based on the Administrative Record compiled for the Parcels, I have determined that the selected Final Remedy as set forth in the Statement of Basis and this Final Decision and Response to Comments including EPA’s Response to Comments is appropriate and will be protective of human health and the environment.

Date: 9/30/09

A handwritten signature in black ink, appearing to read "Abraham Ferdas", is written over a horizontal line.

Abraham Ferdas, Director
Land and Chemicals Division
U.S. Environmental Protection Agency, Region III

ATTACHMENT A

Statement of Basis
August 09, 2009



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY

REGION III

STATEMENT OF BASIS

BethWorks Now/Sands Retail LLC
ArtsQuest/PBS-39 Parcels
Bethlehem, Pennsylvania 18252

Formerly:
Bethlehem Steel Corporation
Bethlehem Structural Products

EPA ID NO. PAD 990824161

TABLE OF CONTENTS

| SECTION | PAGE |
|---|------|
| I. Introduction..... | 2 |
| A. Facility Name..... | 2 |
| B. Proposed Decision..... | 2 |
| C. Importance of Public Input..... | 2 |
| II. Facility Background..... | 3 |
| A. BSC Facility Ownership..... | 3 |
| B. Parcels..... | 3 |
| III. Summary of the Environmental History | 4 |
| IV. Evaluation of EPA's Proposed Decision..... | 4 |
| V. Institutional Controls..... | 6 |
| VI. Environmental Indicators..... | 7 |
| VII. Financial Assurance..... | 7 |
| VIII. Public Participation | 8 |

I. Introduction

A. Facility Name/Ownership

The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) for four (4) parcels (Parcels), totaling approximately 2.3 acres, at the Sands Retail, LLC tract (BW Tract) of the former Bethlehem Steel plant. This former steel plant was owned and operated by the Bethlehem Steel Corporation - Bethlehem Structural Products (BSC) and is located in the City of Bethlehem and Lower Saucon Township, Northampton County, Pennsylvania (hereinafter referred to as the BSC Facility or Site).

The BSC Facility is subject to the Corrective Action program under the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 to 6992k. The Corrective Action program is designed to ensure that certain facilities subject to RCRA have investigated and cleaned up any releases of hazardous waste and hazardous constituents that have occurred at their property.

Information on the Corrective Action program as well as a fact sheet for the BSC Facility can be found by navigating <http://www.epa.gov/reg3wcmd/correctiveaction.htm>.

EPA has prepared this SB in cooperation with the Pennsylvania Department of Environmental Protection (PADEP). EPA reviewed all available Site data and has determined that no additional characterization or remediation is necessary for the Parcels to satisfy federal RCRA Corrective Action obligations. Based on this review, EPA is proposing a remedy for the Parcels and is proceeding with its remedy selection process, including providing opportunity for public comment and review.

B. Proposed Decision

This SB explains EPA's proposed decision to select compliance with and maintenance of institutional controls (ICs) as the final remedy for the Parcels. These controls would prohibit use of groundwater as a drinking water supply and restrict land use to non-residential activities. EPA is proposing that these controls on land and groundwater use will protect human health and the environment.

The proposed ICs are detailed in Section V, below.

C. Importance of Public Input

The public may participate in the remedy selection process by reviewing this SB and documents contained in the Administrative Record (AR). The AR contains the complete set of reports that document the Parcels' conditions, including a map of the Parcels, in support of EPA's proposed decision. EPA encourages anyone interested to review the AR. The AR is available for public review at the EPA Region III office, the address of which is provided in Section V, below.

EPA will address all significant comments received during the public comment period. If EPA determines that new information or public comments warrant a modification to the proposed decision, EPA will modify the proposed decision or select other alternatives based on such new information and/or public comments. EPA will approve its final decision in a document entitled the Final Decision and Response to Comments (FDRTC).

II. Facility Background

A. BSC Facility Ownership

From approximately 1899 to 1995, BSC and its corporate predecessors manufactured steel at the approximately 1800-acre BSC Facility. In 1995, BSC discontinued steel manufacturing operations at the BSC Facility and in 2001, filed for bankruptcy under Chapter 7 of the United States Bankruptcy Code. In May 2003, with approval of the U.S. Bankruptcy Court for the Southern District of New York, International Steel Group Acquisition, Inc. (ISG) acquired substantially all of BSC's assets. Title to the BSC Facility was taken by Tecumseh Redevelopment, LLC (Tecumseh), a subsidiary of ISG. A 125-acre westernmost tract, the BW Tract, was sold to Sands Retail, LLC. In addition, Tecumseh sold approximately 1000 acres of the BSC Facility to Lehigh Valley Industrial Park (LVIP). That 1000-acre area is known as Bethlehem Commerce Center. In 2005, ISG merged with Mittal Steel USA, Incorporated (Mittal). Mittal sold 441 acres to Majestic Realty Company in 2007. Mittal retains the remaining acreage of the BSC Facility.

B. Parcels

The BW Tract comprises the westernmost 125 acres of the BSC Facility. The western portion of the BW Tract is known as Phase I and the eastern portion of the BW Tract is known as Phase II. This SB outlines EPA's proposed remedy for the four parcels, referred to collectively as "Parcels", located within the BSC Facility as identified on the attached map (Attachment 1), and as described below:

Parcel 1 – Phase II – Tool Steel Finishing (Turn and Grind Shop) constructed in 1863. The building foundation is expected to remain.

Parcel 2 – Phase II – Adjoins Parcel 1 and extends to the south and west. This parcel has been cleared of structures.

Parcel 3 – Phase I – Electric Furnace Building constructed in 1880. The building is expected to remain.

Parcel 4 – Phase I – Adjoins Parcel 3 to the north and has been cleared of structures.

These parcels are presently owned by Sands Retail LLC (Sands) and are listed per the Northampton County Tax Assessor as P6 2 2-10 0204 (2.78 acres) and P6 2 2-10A 0204 (0.95 acres). ArtsQuest/PBS-39 hold Options for the Parcels on which they plan to build a

Performance Arts Center and TV Studio. Once the Options are exercised, ArtsQuest/PBS-39 plan to take possession of 2.3 acres of the 3.73 acres in these areas to construct their respective facilities. The remainder of these parcels would remain with the Sands. EPA's proposed decision applies to the acreage that is purchased by ArtsQuest/PBS-39.

III. Summary of Environmental History

Soils and groundwater at the BW Tract were characterized by an extensive sampling program conducted by BSC with EPA and PADEP oversight. The program included collection of groundwater, soil and soil gas samples. The results of the sampling program were presented in the Remedial Investigation, Risk Assessment, and Cleanup Plan (RI/RA/CP) that was submitted to EPA in 1998. Additional characterization information and data for portions of the Site that could not be previously characterized because of ongoing manufacturing activities were submitted by BSC in a Supplemental Report in August 1998. A Final Report for Groundwater was submitted July 1998 and a Final Report for Soils was submitted April 2000.

The characterization of the site soils began in 1995 and concluded in 1998. Several samples at the Parcels contained concentrations of heavy metals; however, none of the concentrations exceeded Pennsylvania's Statewide Health Standards for non-residential use. EPA approved the soils investigation by letter dated May 6, 1999.

Groundwater was investigated by BSC across the entire BW Tract from 1995 through 2000. Some volatile organic compounds (VOCs) were found above their respective Maximum Contaminant Level established by the Safe Drinking Water Act, 42 U.S.C. Section 300g-1. In 2000, a supplemental monitoring program was completed which showed that those VOCs levels did not impact human health or the environment. No potable-use wells are on the BW Tract nor within a 1-mile radius of the BW Tract. No VOCs were found above their respective MCLs in either the wells next to the Lehigh River or in the Lehigh River. EPA approved this supplemental data and the groundwater investigation by letter dated January 22, 2001, stating that no additional investigation or remediation was necessary at the BW Tract.

PADEP approved Final Reports for groundwater and soils and provided BSC a release of liability for groundwater on April 5, 1999, for Phase I on September 14, 2000 and for Phase II on February 19, 2003. PADEP's approval was contingent upon the BSC Facility owners placing restrictive covenants on land and groundwater use on Site property. BSC complied with this requirement by recording a Declaration of Covenants, Conditions, Restriction, Release and Indemnification in the Office for the Recording of Deeds in Northampton County. This Declaration imposes land and groundwater use restrictions at the BW Tract and is applicable to all future property owners.

IV. Evaluation of EPA's Proposed Decision

This section provides a description of the criteria EPA uses to evaluate proposed remedies under the Corrective Action program. The criteria are applied in two phases. In the first phase, EPA evaluates three criteria, known as Threshold Criteria. In the second phase, EPA sometimes uses as many as seven balancing criteria to select among alternative solutions, if more

than one is proposed. The current conditions at the Parcels meet the threshold criteria established by EPA. Because EPA is not selecting among alternatives, a complete evaluation of the balancing criteria is not necessary.

The following is a summary of EPA's evaluation of the Threshold Criteria:

1. Protect Human Health and the Environment - EPA's proposed remedy of compliance with and maintenance of ICs protects human health and the environment from exposure to contamination given current and anticipated land use.

The proposed remedy restricts the current and future use to non-residential purposes and requires EPA to be notified of any proposed changes in use of the Parcels' property. The Parcels are expected to be redeveloped into an Events Center and Performing Arts and Broadcast Center. The Parcels will not be used for residential buildings or activities.

The proposed remedy also restricts groundwater use to non-potable purposes. Exposure to groundwater will be eliminated, as no wells currently exist on the Parcels and no new potable wells will be allowed on the Parcels' property since groundwater use across the BSC Facility has been restricted by a City of Bethlehem zoning ordinance requiring use of the municipal water supply.

2. Achieve Media Cleanup Objectives - EPA's proposed remedy meets the appropriate cleanup objectives based on current and reasonably anticipated land and water resource use(s).

Parcel soils meet Pennsylvania's Statewide Health Standards for non-residential uses. The Parcels will not be used for residential buildings or activities. The Parcels are expected to be part of a redevelopment project creating an Events Center and Performing Arts and Broadcast Center.

Groundwater investigation results show that VOCs in the groundwater at the Parcels are not having an unacceptable impact on human health or the environment. Exposure to groundwater will be eliminated, as uses are restricted to non-potable purposes. There are no wells currently located on the Parcels and no new potable wells will be allowed on Parcel property.

3. Remediating the Source of Releases - In all remedy decisions, EPA seeks to eliminate or reduce further releases of hazardous wastes or hazardous constituents that may pose a threat to human health and the environment. Given current and anticipated uses of Parcel property, soils and groundwater at the Parcels do not pose a threat to human health or the environment; therefore, no further remediation is necessary.

V. Institutional Controls

As stated above, VOCs remain in the groundwater and heavy metals remain in the soil above levels appropriate for residential and domestic uses. Therefore, EPA's proposed remedy requires ICs to restrict land and groundwater use at the Parcels while those media remain contaminated. ICs are generally non-engineered instruments such as administrative and/or legal controls that minimize the potential for human exposure to contamination by limiting land or resource use. The proposed ICs are:

1. an environmental covenant to be drafted and recorded in a manner consistent with environmental covenants under the Pennsylvania Uniform Environmental Covenants Act (UECA), 27 Pa.C.S. §§6501-6517 (February, 2008). The environmental covenant shall include the following restrictions and requirements:

(a) the Parcels shall not be used for residential or agricultural purposes or as unpaved playgrounds, campgrounds, day care centers, hospitals or cemeteries unless EPA provides written approval for such use;

(b) the groundwater at and under the Parcels shall not be used for any drinking or agricultural purpose unless EPA provided written approval for such use;

(c) no new wells will be installed on the Parcels unless EPA provides prior written approval to install such wells;

(d) in the event the Parcels' owner(s) intends to sell part or all of the Parcels, the owner(s) shall notify EPA at least thirty (30) calendar days prior to such sale and provide written documentation to EPA which demonstrates that the prospective buyer is aware of the restrictions placed on land and groundwater use;

(e) the Parcels' owner(s) and each subsequent owner shall submit, to EPA and PADEP, written documentation concerning proposed changes in use of the Parcel property; the filing of applications for building permits, or proposals for any site work affecting the contamination on the Parcel property;

(f) the Parcels shall be surveyed and described in an environmental covenant as prescribed below:

(1) Each Parcel and each use and activity limitation area shall be surveyed by a licensed professional surveyor, who shall provide a metes and bounds description of each parcel or area. Metes and bounds descriptions define boundaries based on distance and direction from point to point. The description defines a Point of Beginning and each subsequent point, returning to the Point of Beginning.

(2) In addition to the metes and bounds description for each Parcel or area, the survey shall provide geographic survey coordinates for each point identified in the metes and bounds description. The survey coordinates shall be provided as follows: longitude and latitude in decimal degrees, to 7 decimal places, using the World Geodetic System (WGS) 1984 datum, with west longitude indicated as a negative number. The

coordinates shall be provided in a tabular format, following the metes and bounds description. The first and last coordinate values in the table shall be the same, and shall represent the coordinates of the Point of Beginning of the metes and bounds description. The text introducing the table of coordinate values shall indicate that the table represents the geographic coordinates, in WGS 1984, of the preceding metes and bounds description.

(3) If the metes and bounds description includes arc segments (rather than straight line segments) defined by the beginning and ending of an arc of a specific radius, additional geographic control points shall be calculated along the arc so that a straight line approximation from point to point does not deviate from the true arc by more than 0.1 foot.

(4) The table of coordinate values shall also be provided separately as an electronic file, in a comma separated value (CSV) format.

Two Declarations of Covenants, Conditions, Restriction, Release and Indemnification (Declarations), one pertaining to Phase I and one pertaining to Phase II, have been recorded in the Office for the Recording of Deeds in Northampton County with the deed for the BW Tract, including the Parcels. The Declarations contain some of the above-listed restrictions and requirements. EPA proposes that those Declarations be modified to incorporate all of the IC components of EPA's final remedy and be drafted and recorded in a manner consistent with environmental covenants under UECA. If the owner fails to meet its obligations under such revised Declarations, PADEP or EPA can enforce the terms of the Declarations. In addition, if EPA, in its sole discretion, deems that additional ICs are necessary to protect human health or the environment, EPA will require and enforce such additional ICs.

VI. Environmental Indicators

Under the Government Performance and Results Act (GPRA), EPA has set national goals to address RCRA corrective action facilities. Under GPRA, EPA evaluates two key environmental clean-up indicators for each facility: (1) Current Human Exposures Under Control and (2) Migration of Contaminated Groundwater Under Control. The Facility met these indicators on January 7, 2004.

VII. Financial Assurance

EPA has evaluated whether financial assurance for corrective action is necessary to implement EPA's proposed remedy at the Parcels. Given that EPA's proposed remedy does not require any further actions to remediate soil or groundwater contamination, EPA is proposing that no financial assurance be required.

VIII. Public Participation

Interested persons are invited to comment on EPA's proposed remedy. The public

comment period will last thirty (30) calendar days from the date that notice is published in a local newspaper. Comments may be submitted by mail, fax, e-mail, or phone to Ms. Linda Matyskiela at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Ms. Linda Matyskiela at the address listed below. A meeting will not be scheduled unless one is requested.

The Administrative Record contains all the information considered by EPA for the proposed decision at these Parcels. The Administrative Record is available at the following location:

U.S. EPA Region III
1650 Arch Street
Philadelphia, PA 19103
Contact: Ms. Linda Matyskiela (3LC30)
Phone: (215) 814-3420
Fax: (215) 814-3113
Email: matyskiela.linda@epa.gov

[illegible]

ATTACHMENT B

Parcels 1 and 2

Map of Proposed Layout
ArtsQuest Festival Center – 2.689 acres

and

Metes and Bounds of Combined Parcels – Optioned Area

Harrels 1 and 2

ArbQuest
2.689 acres
Festival Center

RIVER
LEHIGH



LOCALIZATION MAP
1:40,000

[illegible]

The Commission shall carry out all its responsibilities and also shall maintain all the data and information in the State of Israel.

BEFORE YOU DRILL—EAST
CALL 1 800-242-1776 (TOLL FREE)
PENNSYLVANIA ONE CALL, INC.

PO Box 17, Tulsa, OK 74101-0017
 918/493-2222
 918/493-2223
 918/493-2224
 918/493-2225
 918/493-2226
 918/493-2227
 918/493-2228
 918/493-2229
 918/493-2230
 918/493-2231
 918/493-2232
 918/493-2233
 918/493-2234
 918/493-2235
 918/493-2236
 918/493-2237
 918/493-2238
 918/493-2239
 918/493-2240
 918/493-2241
 918/493-2242
 918/493-2243
 918/493-2244
 918/493-2245
 918/493-2246
 918/493-2247
 918/493-2248
 918/493-2249
 918/493-2250
 918/493-2251
 918/493-2252
 918/493-2253
 918/493-2254
 918/493-2255
 918/493-2256
 918/493-2257
 918/493-2258
 918/493-2259
 918/493-2260
 918/493-2261
 918/493-2262
 918/493-2263
 918/493-2264
 918/493-2265
 918/493-2266
 918/493-2267
 918/493-2268
 918/493-2269
 918/493-2270
 918/493-2271
 918/493-2272
 918/493-2273
 918/493-2274
 918/493-2275
 918/493-2276
 918/493-2277
 918/493-2278
 918/493-2279
 918/493-2280
 918/493-2281
 918/493-2282
 918/493-2283
 918/493-2284
 918/493-2285
 918/493-2286
 918/493-2287
 918/493-2288
 918/493-2289
 918/493-2290
 918/493-2291
 918/493-2292
 918/493-2293
 918/493-2294
 918/493-2295
 918/493-2296
 918/493-2297
 918/493-2298
 918/493-2299
 918/493-2300
 918/493-2301
 918/493-2302
 918/493-2303
 918/493-2304
 918/493-2305
 918/493-2306
 918/493-2307
 918/493-2308
 918/493-2309
 918/493-2310
 918/493-2311
 918/493-2312
 918/493-2313
 918/493-2314
 918/493-2315
 918/493-2316
 918/493-2317
 918/493-2318
 918/493-2319
 918/493-2320
 918/493-2321
 918/493-2322
 918/493-2323
 918/493-2324
 918/493-2325
 918/493-2326
 918/493-2327
 918/493-2328
 918/493-2329
 918/493-2330
 918/493-2331
 918/493-2332
 918/493-2333
 918/493-2334
 918/493-2335
 918/493-2336
 918/493-2337
 918/493-2338
 918/493-2339
 918/493-2340
 918/493-2341
 918/493-2342
 918/493-2343
 918/493-2344
 918/493-2345
 918/493-2346
 918/493-2347
 918/493-2348
 918/493-2349
 918/493-2350
 918/493-2351
 918/493-2352
 918/493-2353
 918/493-2354
 918/493-2355
 918/493-2356
 918/493-2357
 918/493-2358
 918/493-2359
 918/493-2360
 918/493-2361
 918/493-2362
 918/493-2363
 918/493-2364
 918/493-2365
 918/493-2366
 918/493-2367
 918/493-2368
 918/493-2369
 918/493-2370
 918/493-2371
 918/493-2372
 918/493-2373
 918/493-2374
 918/493-2375
 918/493-2376
 918/493-2377
 918/493-2378
 918/493-2379
 918/493-2380
 918/493-2381
 918/493-2382
 918/493-2383
 918/493-2384
 918/493-2385
 918/493-2386
 918/493-2387
 918/493-2388
 918/493-2389
 918/493-2390
 918/493-2391
 918/493-2392
 918/493-2393
 918/493-2394
 918/493-2395
 918/493-2396
 918/493-2397
 918/493-2398
 918/493-2399
 918/493-2400
 918/493-2401
 918/493-2402
 918/493-2403
 918/493-2404
 918/493-2405
 918/493-2406
 918/493-2407
 918/493-2408
 918/493-2409
 918/493-2410
 918/493-2411
 918/493-2412
 918/493-2413
 918/493-2414
 918/493-2415
 918/493-2416
 918/493-2417
 918/493-2418
 918/493-2419
 918/493-2420
 918/493-2421
 918/493-2422
 918/493-2423
 918/493-2424
 918/493-2425
 918/493-2426
 918/493-2427
 918/493-2428
 918/493-2429
 918/493-2430
 918/493-2431
 918/493-2432
 918/493-2433
 918/493-2434
 918/493-2435
 918/493-2436
 918/493-2437
 918/493-2438
 918/493-2439
 918/493-2440
 918/493-2441
 918/493-2442
 918/493-2443
 918/493-2444
 918/493-2445
 918/493-2446
 918/493-2447
 918/493-2448
 918/493-2449
 918/493-2450
 918/493-2451
 918/493-2452
 918/493-2453
 918/493-2454
 918/493-2455
 918/493-2456
 918/493-2457
 918/493-2458
 918/493-2459
 918/493-2460
 918/49

SUBDIVISION PLAN FOR
SANDS BETHWORKS GAMING
PARCEL ID # P6 2 2-2
A 8N 2 2-0204

[illegible]

ALLEGANY COUNTY OF BETHLEHEM PLANNING COMMISSION

| | | |
|--|-------|----|
| CLASH | RECUR | NA |
| <div style="border: 1px solid black; height: 100px; width: 100%;"></div> | | |

| | |
|----------------|-------------|
| REMARKS | DATE |
| | |



Fax: (732) 312-9801
Tele: (732) 312-9800

METES AND BOUNDS DESCRIPTION
PARCEL IDENTIFICATION NO. P6 2 2-0204B (PROPOSED NEW LOT)
CITY OF BETHLEHEM, COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

All that certain tract or parcel of land located on East First Street in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at the point, North 475,647.87, East 2,629,263.02 North American Datum of 1983 (1992) (NAD83/92), Pennsylvania South, said point being distant 830.34 feet in a westerly direction along the northerly right-of-way line of East First Street from the northerly terminus of the aforesaid street; thence with reference to North American Datum of 1983 (1992) (NAD83/92), Pennsylvania South


1. South 86 deg. 05 min. 06 sec. West, 240.11 feet coincident with the northerly right-of-way line of East First Street to a point formed by the intersection of the aforesaid right-of-way line and the line of division of Parcel No. P6 2 2-0204 and Proposed Parcel No. P6 2 2-0204B; thence
2. North 03 deg. 54 min. 54 sec. West, 326.63 feet coincident with the aforesaid line of division to a non-tangential point on a curve to the right on the line of division of Parcel No. P6 2 1A 0204E and proposed new Parcel No. P6 2 2-0204B; thence the following seven (7) courses coincident with the aforesaid line of division
3. Northeasterly along a curve to the right having a Radius of 1825.46 feet, an Arc Length of 124.40 feet, a Central Angle of 03 deg. 54 min. 16 sec., and a Chord bearing and distance of North 81 deg. 36 min. 00 sec. East, 124.37 feet to a point of tangency; thence
4. North 83 deg. 33 min. 08 sec. East, 69.36 feet to a point; thence
5. North 04 deg. 05 min. 28 sec. West, 22.67 feet to a point; thence
6. North 40 deg. 54 min. 32 sec. East, 9.38 feet to a point; thence
7. North 85 deg. 54 min. 32 sec. East, 60.78 feet to a point; thence
8. North 83 deg. 03 min. 44 sec. East, 126.94 feet to a point; thence
9. Northeasterly along a curve to the left having a Radius of 965.62 feet, an Arc Length of 26.46 feet, a Central Angle of 01 deg. 34 min. 12 sec., and a Chord bearing and distance of North 82 deg. 16 min. 38 sec. East, 26.46 feet to a non-tangential point formed by the intersection of the aforesaid line of division and the line of division of Parcel No. P6 2 2-0204 and proposed new Parcel No. P6 2 2-0204B; thence the following three (3) courses coincident with aforesaid line of division
10. South 03 deg. 50 min. 11 sec. East, 181.35 feet to a point; thence

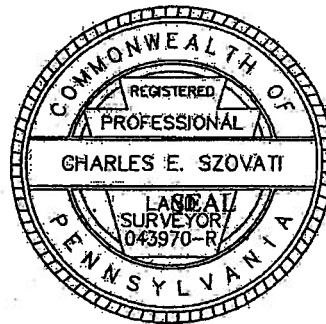
11. South 86 deg. 03 min. 02 sec. West, 50.89 feet to a point; thence
12. South 04 deg. 07 min. 21 sec. East, 38.61 feet to a point formed by the intersection of the aforesaid line of division and the line of division of proposed new Parcel No. P6 2 2-2 and proposed new Parcel No. P6 2 2-0204B; thence the following two (2) courses coincident with aforesaid line of division
13. South 85 deg. 52 min. 39 sec. West, 123.75 feet to a point; thence
14. South 04 deg. 18 min. 53 sec. East, 156.95 feet to the point and place of Beginning

Containing 117,152 square feet or 2.689 acres of land, more or less.

Subject to: all easements recorded and unrecorded, restrictions, covenants and any other pertinent facts which a complete and accurate title search might disclose.

Being intended to describe Parcel P6 2 2-0204B, a proposed new lot, as shown on map "Subdivision Plan for Sands Bethworks Gaming LLC, Parcel ID No. P6 2 2-2 & P6 2 2-0204, City of Bethlehem, Northampton County, Pennsylvania," dated July 29, 2009, by French and Parrello Associates, P.A., Charles E. Szovati, P.L.S.


Charles E. Szovati, P.L.S.
Professional Land Surveyor
Pennsylvania License No. SU-043970-R



ATTACHMENT C

Parcel 3 and Parcel 4

Map of Proposed Layout

ArtsQuest Performance Arts Center – 1.089 acres

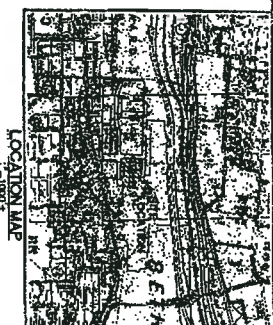
PBS-39 Television Studio – 1.164 acres

and

Metes and Bounds of Parcel 3 – Optioned Area

Metes and Bounds of Parcel 4 – Optioned Area

PRO 8 PG 22-3



LOCALIZATION

[illegible]

ACX-2157

[illegible]

PROJECT YOURSELF

BEFORE YOU DIG-3MILL BLAS-
CALL 1-800-242-1776 (TOLL FREE)
PENN.SYLVANIA ONE CALL, INC.

Printed on acid-free paper. Printed in the U.S.A.
 All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without permission in writing from the publisher.
 ISBN 0-89603-111-1
 10 9 8 7 6 5 4 3 2 1

ALL SIGNS AND CONTROLS MUST BE IN ACCORDANCE WITH THE CITY OF INDIANAPOLIS PROPERLY.

FRENCH & PARRELL
ASSOCIATES, P.A. 800.841.1744-1000

SUBDIVISION PLAN FOR
LANDS BETHWORKS GAMING
PARCEL ID # 96 2 2-10



CHARLES E. SZOVATI, P.L.

| No. | Name | Address | City | State | Zip |
|-----|------|---------|------|-------|-----|
| 1 | | | | | |
| 2 | | | | | |
| 3 | | | | | |
| 4 | | | | | |
| 5 | | | | | |
| 6 | | | | | |
| 7 | | | | | |
| 8 | | | | | |
| 9 | | | | | |
| 10 | | | | | |
| 11 | | | | | |
| 12 | | | | | |
| 13 | | | | | |
| 14 | | | | | |
| 15 | | | | | |
| 16 | | | | | |
| 17 | | | | | |
| 18 | | | | | |
| 19 | | | | | |
| 20 | | | | | |
| 21 | | | | | |
| 22 | | | | | |
| 23 | | | | | |
| 24 | | | | | |
| 25 | | | | | |
| 26 | | | | | |
| 27 | | | | | |
| 28 | | | | | |
| 29 | | | | | |
| 30 | | | | | |
| 31 | | | | | |
| 32 | | | | | |
| 33 | | | | | |
| 34 | | | | | |
| 35 | | | | | |
| 36 | | | | | |
| 37 | | | | | |
| 38 | | | | | |
| 39 | | | | | |
| 40 | | | | | |
| 41 | | | | | |
| 42 | | | | | |
| 43 | | | | | |
| 44 | | | | | |
| 45 | | | | | |
| 46 | | | | | |
| 47 | | | | | |
| 48 | | | | | |
| 49 | | | | | |
| 50 | | | | | |
| 51 | | | | | |
| 52 | | | | | |
| 53 | | | | | |
| 54 | | | | | |
| 55 | | | | | |
| 56 | | | | | |
| 57 | | | | | |
| 58 | | | | | |
| 59 | | | | | |
| 60 | | | | | |
| 61 | | | | | |
| 62 | | | | | |
| 63 | | | | | |
| 64 | | | | | |
| 65 | | | | | |
| 66 | | | | | |
| 67 | | | | | |
| 68 | | | | | |
| 69 | | | | | |
| 70 | | | | | |
| 71 | | | | | |
| 72 | | | | | |
| 73 | | | | | |
| 74 | | | | | |
| 75 | | | | | |
| 76 | | | | | |
| 77 | | | | | |
| 78 | | | | | |
| 79 | | | | | |
| 80 | | | | | |
| 81 | | | | | |
| 82 | | | | | |
| 83 | | | | | |
| 84 | | | | | |
| 85 | | | | | |
| 86 | | | | | |
| 87 | | | | | |
| 88 | | | | | |
| 89 | | | | | |
| 90 | | | | | |
| 91 | | | | | |
| 92 | | | | | |
| 93 | | | | | |
| 94 | | | | | |
| 95 | | | | | |
| 96 | | | | | |
| 97 | | | | | |
| 98 | | | | | |
| 99 | | | | | |
| 100 | | | | | |

FRENCH & PARELLC
 1500 RIVERSIDE BL. SUITE 101 • WEST PALM BEACH, FL 33411
 (407) 833-3300

Handwritten: 1500 Riverside Blvd. Suite 101
 West Palm Beach, FL 33411
 (407) 833-3300

SUBDIVISION PLAN FOR
SANDS BETWORKS GAMING
PARCEL 10 # 96 2 2-10
& P6 2 2-10A
CITY OF BETHLEHEM
NORTHAMPTON COUNTY
COMMONWEALTH OF PENNSYLVANIA

APPROVED BY CITY OF MEMPHIS PLANNING COMMISSION

REVIEWED BY: JENNIFER VALLEY PLANNING COMMISSION

_____ **ATTORNEY** _____

OWNER'S STATEMENT OF ACKNOWLEDGEMENT

NORTHAMPTON COUN.D.
RECORDER OF DEEDS

FOR INFORMATION CONTACT: JAMES M. HARRIS, JR., PDA-5170000, 20

NAME _____

REF ID: A66476

Keywords: *workplace spirituality, organizational commitment, organizational citizenship behavior, turnover intention, organizational trust, organizational justice, organizational identification, organizational identification, organizational identification*

THE SIBER VETS, AND I AM INVOLVED IN CITY OF BETHLEHEM HAVE BEEN HELD

1/10/14 - 1/10/14

1/4 DE 1 DE-2014-11



Fax: (732) 312-9801
Tele: (732) 312-9800

METES AND BOUNDS DESCRIPTION
PARCEL IDENTIFICATION NO. P6-2-2-10B (PROPOSED NEW LOT)
CITY OF BETHLEHEM, COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

All that certain tract or parcel of land located on Founders Way and East First Street in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:


BEGINNING at the point, North 475,382.95, East 2,629,764.20 North American Datum 1983 (1992) (NAD83/92), Pennsylvania South said point being distant 238.53 feet in a southerly direction along the easterly right-of-way of Founders Way from the intersection of the easterly right-of-way of Founders Way and the southerly right-of-way of East First Street, if extended and running; thence with reference to North American Datum of 1983 (1992) (NAD83/92), Pennsylvania South

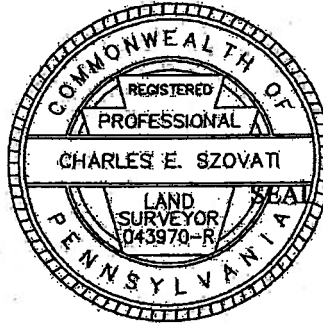
1. North 03 deg. 55 min. 43 sec. West, 213.52 feet coincident with the existing easterly right-of-way line of Founders Way to a point of curvature of a curve to the right Connecting the existing easterly right-of-way line of Founders Way with the southerly right-of-way of East First Street; thence
2. Northeasterly along a curve to the right having a Radius of 25.00 feet, an Arc Length of 39.28 feet, a Central Angle of 90 deg. 00 min. 49 sec. and a Chord bearing and distance of North 41 deg. 04 min. 42 sec. East, 35.36 feet to a point of tangency; thence the following two (2) courses coincident with the southerly right-of-way line of East First Street
3. North 86 deg. 05 min. 06 sec. East, 19.99 feet; thence
4. Northeasterly along a curve to the right having a Radius of 1933.64 feet, an Arc Length of 156.07 feet, a Central Angle of 04 deg. 37 min. 28 sec. and a Chord bearing and distance of North 88 deg. 23 min. 50 sec. East, 156.02 feet to a point; thence
5. South 03 deg. 55 min. 45 sec. East, 232.18 feet coincident with the line of division between Parcel No. P6 2 2-10A and Parcel No. P6 2 2-10B, to a point formed by the intersection of the aforesaid division line and the division line between Parcel No. P6 2 2-10 and Parcel No. P6 2 2-10B; thence
6. South 86 deg. 04 min. 17 sec. West, 200.89 feet coincident with the division line between Parcel No. P6 2 2-10 and Parcel No. P6 2 2-10B to the point and place of Beginning.

Containing 47,451 square feet or 1.089 acres of land, more or less.

Subject to: all easements recorded and unrecorded, restrictions, covenants and any other pertinent facts which a complete and accurate title search might disclose.

Being intended to describe Parcel P6 2 2-10B, a proposed new lot, as shown on map "Subdivision Plan for Sands Bethworks Gaming LLC, Parcel ID No. P6 2 2-10 & P6 2 2-10A, City of Bethlehem, Northampton County, Pennsylvania," dated July 29, 2009, by French and Parrello Associates, P.A., Charles E. Szovati, P.L.S.


Charles E. Szovati, P.L.S.
Professional Land Surveyor
Pennsylvania License No. SU-043970-R





Fax: (732) 312-9801
Tele: (732) 312-9800

METES AND BOUNDS DESCRIPTION
PARCEL IDENTIFICATION NO. P6 2 2-10A (PROPOSED NEW LOT)
CITY OF BETHLEHEM, COUNTY OF NORTHAMPTON
COMMONWEALTH OF PENNSYLVANIA

All that certain tract or parcel of land located on East First Street in the City of Bethlehem, County of Northampton, Commonwealth of Pennsylvania, bounded and described as follows:

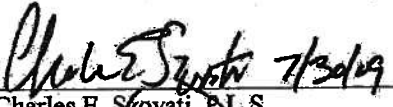
BEGINNING at the point, North 475,628.35, East 2,629,948.71 North American Datum of 1983 (1992) (NAD83/92), Pennsylvania South, said point being distant 201.07 feet in a easterly direction along the southerly right-of-way line of East First Street from the intersection of the easterly right-of-way line of Founders Way and the southerly right-of-way line of East First Street, if extended and running; thence with reference to North American Datum of 1983 (1992) (NAD83/92), Pennsylvania South, the following two (2) courses coincident with said right-of-way line

1. Southeasterly along a curve to the right having a Radius of 1933.64 feet, an Arc Length of 89.78 feet, a Central Angle of 02 deg. 39 min. 37 sec. and a Chord bearing and distance of South 87 deg. 57 min. 37 sec. East, 89.78 feet to a point of tangency; thence
2. South 86 deg. 37 min. 49 sec. East, 50.00 feet to a point of terminus of East First Street; thence the following three (3) courses coincident with the division line between Parcel No. P6 2 2-0204 and Parcel No. P6 2 2-10A
3. South 04 deg. 01 min. 33 sec. East, 106.48 feet to a point; thence
4. North 85 deg. 58 min. 27 sec. East, 176.43 feet to a point; thence
5. South 03 deg. 55 min. 43 sec. East, 110.32 feet to a point formed by the intersection of the aforesaid division line and the division line between Parcel No. P6 2 2-10 and Parcel No. P6 2 2-10A; thence
6. South 86 deg. 04 min. 17 sec. West, 315.49 feet coincident with the division line between Parcel No. P6 2 2-10 and Parcel No. P6 2 2-10A to a point formed by the intersection of the aforesaid division line and the division line between Parcel No. P6 2 2-10B and Parcel No. P6 2 2-10A; thence
7. North 03 deg. 55 min. 45 sec. West, 232.18 feet coincident with the division line between Parcel No. P6 2 2-10B and Parcel No. P6 2 2-10A to the point and place of **BEGINNING**.

Containing 50,707 square feet or 1.164 acres of land, more or less.

Subject to: all easements recorded and unrecorded, restrictions, covenants and any other pertinent facts which a complete and accurate title search might disclose.

Being intended to describe Parcel P6 2 2-10A, a proposed new lot, as shown on map "Subdivision Plan for Sands Bethworks Gaming LLC, Parcel ID No. P6 2 2-10 & P6 2 2-10A, City of Bethlehem, Northampton County, Pennsylvania," dated July 29, 2009, by French and Parrello Associates, P.A., Charles E. Szovati, P.L.S.


Charles E. Szovati, P.L.S.
Professional Land Surveyor
Pennsylvania License No. SU-043970-R

