

Appendix II

RBDA Application



May 8, 2025

- *Engineering*
- *Remediation*
- *Consulting*

Mr. David Campbell
Director, Land, Chemicals, and Redevelopment Division (3LD00)
USEPA Region III
Four Penn Center, 1600 JFK Blvd.
Philadelphia, PA 19103-2029
Via: Certified Mail Return Receipt and Electronic Mail

**RE: Risk Based Disposal Approval Application (RBDAA)
Former NVF Kennett Square Site (Site)**

Dear Mr. Campbell:

On behalf of Rockhopper LP, Environmental Alliance, Inc. (A Montrose Environmental Company), is submitting this RBDAA to EPA for the subject Site. As described further in the attached documents, work has been ongoing at this Site for some time with oversight by EPA and PADEP. The application requests conditional approval for work that has been completed and further describes the additional investigation tasks to be completed.

We look forward to finalizing the work associated with this Site and securing final approval from EPA. Please let us know any questions or comments.

Sincerely
Environmental Alliance, Inc.



Paul C. Miller, P.E.
Senior Principal Engineer

Attachment

Ms. Kristin Koroncai (Koroncai.Kristin@epa.gov) (via electronic mail)
Mr. Andrew Clibanoff (clibanoff.andrew@epa.gov) (via electronic mail)
Mr. Tyler McNeil (tyler@catalystcitydev.com) (via electronic mail)
Jonathan Spergel, Esquire (jspergel@mankogold.com) (via electronic mail)

**Risk Based Disposal Approval Application
Former NVF Site
Kennett Square, PA
May 8, 2025**

Introduction

This Risk-Based Cleanup and Disposal Approval Application (RBDAA) is being made by Rockhopper LP, as requested by the U.S. Environmental Protection Agency, Region III (EPA), for the former NVF Company Site located at 400 W. Mulberry Street, Kennett Square Borough, Chester County, Pa. (Site). This RBDAA is being submitted after significant investigations and remedial actions have already been completed at the Site over the past 15 plus years with oversight by both the Pennsylvania Department of Environmental Protection (PADEP) and EPA. The information contained in this RBDAA is intended to comply with the requirements contained in 40 CFR 761.61(a)(3)(i), as specified in 40 CFR 761.61(c).

The data and other information included in the following reports (Reports), all of which have already been provided to EPA, are incorporated by reference in this RBDAA:

1. The Remedial Investigation Report for the Former NVF Company, August 5, 2010, prepared by Environmental Alliance (RI Report);
2. The Cleanup Plan, Former NVF Company, August 5, 2010, prepared by Environmental Alliance (CP Report);
3. The Remedial Investigation, Cleanup Plan Addendum and Final Report for PCBs in Soil Media, Former NVF Company, January 11, 2023, prepared by Environmental Alliance (Final PCB Report);
4. EPA's June 11, 2024, comments on the Final PCB Report;
5. Rockhopper's October 15, 2024 responses to EPA's June 11, 2024 comments on the Final PCB Report;
6. EPA's February 21, 2025 response to Rockhopper's October 15, 2024 comments; and
7. Rockhopper's March 31, 2025 responses to EPA's February 21, 2025 response.
8. EPA's May 7, 2025 Responses to Rockhopper's March 31, 2025 responses.

It should be noted that the RI/CP Reports also addressed contaminants at the Site other than PCBs, pursuant to the Pennsylvania Land Recycling and Environmental Remediation Standards Act, 35 P.S. §6026.101 et seq. (Act 2), but this application is limited to PCBs and the requirements of 40 CFR 761.61(a)(3)(i).

Each of the requested submission requirements pursuant to 40 CFR 761.61(a)(3)(i) is discussed below.

40 CFR 761.61(a)(3)(i)(A): The nature of the contamination, including kinds of materials contaminated.

The nature and extent of the PCB contamination at the Site was documented in the RI Report. Additional information was documented as part of the work associated with the remedial actions completed at the Site and is described in the Final PCB Report. Figures 10 through 15 in the RI

Report document the PCB concentrations in soil that were present at the Site at the conclusion of the remedial investigation activities. Figures 7 through 34, 37 and 38, and Tables 1 through 33 of the Final PCB Report present the additional information generated during the remedial actions at the Site that have been documented in the Final PCB Report. PCB contaminated media documented at the Site in the Reports consists of soil and concrete. As evidenced by the comment and response documents exchanged between EPA and Rockhopper in 2024 and 2025, agreement has already been reached with EPA on the nature and extent of the contamination of these media at the Site, and the remedial actions completed to date. Based on this agreement, conditional approval is requested from EPA for the completion of necessary Site characterization activities as part of this application, conditioned on implementation and documentation of the additional remedial investigations discussed below.

As discussed further below, additional investigations will be completed at the Site to evaluate the presence of any residual PCB impacts in groundwater at the Site. This work will be completed pursuant to a work plan to be submitted to and approved by EPA.

40CFR761.61(a)(3)(i)(B): A summary of the procedures used to sample contaminated and adjacent areas and a table or cleanup site map showing PCB concentrations measured in all pre-cleanup characterization samples. The summary must include sample collection and analysis dates. The EPA Regional Administrator may require more detailed information including, but not limited to, additional characterization sampling or all sample identification numbers from all previous characterization activities at the cleanup site.

The RI Report and Final PCB Report, both of which are incorporated in this Application by reference, document the procedures used to collect and analyze all samples with all relevant summary tables and maps showing the data, sample locations and sample dates.

40CFR761.61 (a)(3)(i)(c): The location and extent of the identified contaminated area, including topographic maps with sample collection sites cross referenced to the sample identification numbers in the data summary from (B) of this section.

The RI Report, which is incorporated by reference, documents the extent of contaminated areas on the Site prior to any remedial actions. The Final PCB Report, which is also incorporated by reference, provides documentation for the areas of the Site that were remediated and the post remediation conditions, as well as on the limited areas of the Site where self implementing plan (SIP) remedial objectives could not be met, and where PCB contamination remains in soil above SIP remedial objectives.

40CFR761.61(a)(3)(i)(D): A cleanup plan for the site, including schedule, disposal technology, and approach. This plan should contain options and contingencies to be used if unanticipated higher concentrations or wider distributions of PCB remediation waste are found or other obstacles force changes in the cleanup approach.

The 2010 CP Report, which is incorporated by reference, provides the basis for all remedial actions that have been completed to date at the Site and the Final PCB Report documents the remedial actions already completed at the Site. As noted in the Final PCB Report, SIP remedial

action objectives were achieved across the majority of the Site. This includes achieving soil remediation to either unrestricted or High Occupancy standards in all areas of the Site that will be utilized for residential purposes, and achieving soil remediation to the Low Occupancy standard for areas of the Site that will be capped and only used for parking (a low occupancy use). See the Final PCB Report for details on how the work was completed including Figures 7 through 34, 37 and 38 and Tables 1 to 33. As the work was completed, the remedial action objectives outlined in the CP Report could not be achieved in certain isolated and defined areas of the Site because of technical impracticability. PADEP and EPA were advised of these areas as they became apparent, and agreement was reached at that time on how to proceed. These areas include the Railroad Right of Way Area, the Excavation 39 Area and the Northeast ROW Along Mulberry Street Area. See the Final PCB Report, Section 6.0, for more details on these areas, as well as copies of confirmatory communications with EPA and PADEP that are included in the Final PCB Report as Appendix I and included in this application as Exhibit A. These areas will be addressed through institutional and engineering controls to be memorialized in the form of an environmental covenant, as discussed in the communications with EPA as part of EPA's comments and Rockhopper's responses to comments on the Final PCB Report. A summary of the institutional and engineering controls that that will be implemented at the Site through an environmental covenant recorded on title to the Site in the Chester County Deed Recorders Office is attached to this Application as Exhibit B.

Based on the comment and response documents, as well as conversations with EPA, EPA and Rockhopper have agreed that additional groundwater sampling to determine the presence of PCBs in groundwater will be completed at the Site. This work will be completed pursuant to a work plan submitted to EPA for approval. Any additional work that may be required by EPA will be contingent on the results of this additional investigation activity.

40CFR761.61(a)(3)(i)(E) A written certification, signed by the owner of the property.

Certification

All sampling plans, sample collection procedures, sample preparation procedures, extraction procedures, and instrumental/chemical analysis procedures used to assess or characterized the PCB contamination at the cleanup site, are on file at the following location and are available for EPA inspection:

Copies of all such documentation has already been provided to EPA by providing EPA with copies of the Reports.

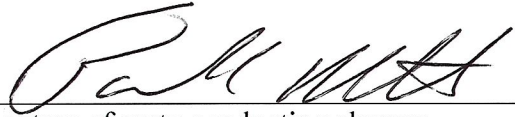
Under civil and criminal penalties of law for the making or submission of false or fraudulent statements or representations (18 U.S.C. 1001 and 15 U.S.C. 2615), I certify that the information contained in or accompanying this document is true, accurate, and complete. As to the identified section(s) of this document for which I cannot personally verify truth and accuracy, I certify as the company official having supervisory responsibility for the persons who, acting under my direct instructions, made the verification that this information is true, accurate, and complete.

DocuSigned by:
 On behalf of Rockhopper LP
 5130F094C93F451...
 Signature of site owner

Date: 5/8/2025

Tyler McNeil

Printed name of site owner


 Signature of party conducting cleanup

Date: 5/13/25

Environmental Alliance, Inc. (A Montrose Env Company)
 Printed name of party conducting cleanup

Public Participation:

A Notice of Intent to Remediate (NIR) the Site pursuant to PADEP's Act 2 procedures was published in the Kennett Paper/Chadds Ford Post on June 10, 2010 and public comments were solicited (see the documentation attached as Exhibit C). Further, on November 7, 2024 Rockhopper hosted a public meeting at the Kennett Public Library to present the future plans for the property to the public. After all work is completed at the Site, the Final PCB Report will be revised to reflect the additional work that has occurred and will be available for public comment in accordance with the Act 2 procedural requirements.

EXHIBIT A



August 11, 2015

- **Engineering**
- **Remediation**
- **Consulting**

Mr. J. Michael Penzone P.G.
Pennsylvania Department of Environmental Protection
Southeast Regional Office
2 East Main Street
Norristown, PA 19401

**RE: Soil Sampling Plan
Former NVF Company
400 W. Mulberry Street
Kennett Square, PA**

Dear Mr. Penzone:

I have summarized the details of our telephone conversation on June 29, 2015 regarding implementation of the DEP approved Clean Up Plan (Plan) for the above referenced site dated August 5, 2010. As we discussed, and per the approved Plan, the soil at the site with total PCB concentrations greater than 50 parts per million (ppm) will be excavated and properly disposed of offsite, consistent with the Toxic Substances Control Act (TSCA). Specifically, we discussed the methodologies for collection of post excavation soil samples and for sampling of excavation spoils for disposal determination in a manner consistent with Act 2, the governing regulations for this work. Our understanding of the agreed upon sampling methodology with some necessary clarification is presented below.

Post Excavation Sampling

Post excavation soil samples will be collected per Chapter 250.703 using systematic random sampling procedures. In the event that any of the individual post excavation sample concentrations exceed the 50ppm total PCB target, a spot excavation of that area will be completed, followed by collection of a single post excavation sample (at minimum). The actual number and location of samples collected in this situation will be based on professional judgement and will be guided by the volume of soil removed and interest of thorough post excavation sampling. For example, if the spot excavation changes the volume of soil removed from 124 cubic yards (what would require only 8-grab samples pursuant to 250.703) to 126 cubic yards (what would require 12-grab samples pursuant to 250.703) then an additional four grab samples (minimum) will be collected from the area of the initial post excavation exceedance.

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5341 Limestone Road
Wilmington, DE 19808
302.234.4400

1035 Benfield Blvd, Ste H
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410.729.9000

515 Plainfield Avenue, Ste 202
Edison, NJ 08817
732.537.0250

8215 Hermitage Road
Henrico, VA 23228
804.658.5550

We discussed using random sampling to guide collection of these additional four samples; however, that would likely prevent collecting a confirmation sample(s) from the secondary excavation area. Therefore, if the spot excavation triggers a volume based requirement for additional samples, the locations will be collected from appropriate side wall and excavation floor locations so as to properly confirm the >50-ppm total PCB soil was removed.

Soil Spoils Sampling

It was agreed that sampling of the soil piles composed of the excavation spoils will follow DEP's August 7, 2010 *Management of Fill* Document Number 258-2182-773 (Clean Fill Policy). Based on this, a minimum of eight samples (two four-point composites) will be collected from soil piles up to 125 cubic yards in volume. A minimum of 12 samples (three four-point composites) will be collected for soil volumes greater than 125 cubic yards but less than or equal to 3,000 cubic yards. An additional 12 samples (three four-point composites) will be collected for each additional 3,000 cubic yards of soil or part thereof over the initial 3,000 cubic yards. Since the remedial investigation completed for the Site did not identify VOCs as a COC, it was agreed that VOC samples (which is a generic requirement of the Clean Fill Policy) will not be necessary to characterize the soil that will remain on site.

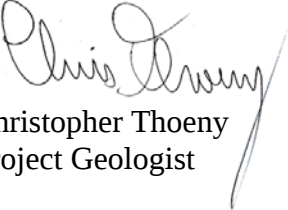
Soil excavations will proceed based on existing characterization data. The resultant soil piles will be generated in the following ways. Where a specific unit of soil is already known to contain total PCBs greater than 50ppm, it will be excavated directly into a pile for off site disposal and will not be sampled or included with any other excavation spoils. In some instances, several feet of soil that meets the total PCB criteria for site reuse overlies soil samples with total PCBs greater than 50 ppm. Thus, the overlying soil with total PCBs less than 50 ppm will be excavated and segregated prior to excavating the soil samples that were found to exceed the 50 ppm threshold. These segregated soils will be sampled pursuant to the Clean Fill Policy as discussed above to confirm that these soils can remain on site (≤ 50 ppm total PCBs) or if they need to be disposed of off site (> 50 ppm total PCBs). For the areas of the Site that will be excavated, where PCBs were found to exceed 1 ppm but not exceed 50 ppm, this soil will be excavated and placed on Site without further need for characterization. Post excavation samples will be collected from the excavated areas (as discussed above) to confirm that the extent of the excavation is sufficient.

Soil from individual excavation areas may be stockpiled into small, discrete piles and sampled individually (following the Clean Fill Policy) with the intention of providing a greater resolution of the data and possibly providing a greater assurance that soil with concentrations above 50ppm

total PCBs is identified and removed from the site, while soil with concentrations below 50ppm total PCBs is accurately identified and segregated, reducing disposal costs.

We request a written approval of the sampling methodology described in this letter assuming DEP agrees. Should you have any comments to this letter or would like to discuss the project at all, please feel free to contact me or Mr. Paul Miller.

Sincerely,
ENVIRONMENTAL ALLIANCE, INC.



Christopher Thoeny
Project Geologist

c: G. Beer (DVDC) via email

J:\EAI_files\2307_DVDC_NVF\Correspondence\DEP sampling memo-50ppm soils-final.doc

From: [Penzone, J. M](#)
To: [Chris Thoeny](#)
Cc: [Paul Miller](#)
Subject: RE: Sampling plan letter
Date: Wednesday, August 26, 2015 9:17:36 AM
Attachments: [20150826084746893.pdf](#)

I wanted to follow-up with an email saying that the Department has no issue with your sampling. I realized we talked on Friday Chris, but wanted to make sure I responded in writing.

Attached is an example of a systematic random sampling grid created by another party that employs the excavation grid-random number method I discussed. I find this a far easier method than the excel sheet found on the web page. This grid also included side walls.

I hope this helps.

J. Michael Penzone, P.G. | Licensed Professional Geologist
DEP | Environmental Cleanup and Brownfields
484.250.5786

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-----Original Message-----

From: Chris Thoeny [<mailto:cthoeny@envalliance.com>]
Sent: Thursday, August 20, 2015 10:44 AM
To: Penzone, J. M
Cc: Paul Miller
Subject: Sampling plan letter

Hi Mike, can you please provide some feedback on the summary letter I sent? We are beginning some of the <50 excavations and I want to make sure that we are in full agreement before we get too far with the plan.

Thanks.

From: [Brown, C David](#)
To: gbeer@dvd.com
Cc: [Paul Miller](#); [Chris Thoeny](#); gbeer@dvd.com; [Maud, Randall](#); [Patel, Ragesh](#); [Patterson, Patrick](#)
Subject: meeting notes, NVF Kennett Square, 2/7/2018
Date: Tuesday, February 13, 2018 3:17:09 PM
Attachments: [mtg20180207_NVF.pdf](#)
[NVF Meeting Sign In Sheet February 7, 2018.pdf](#)

Mr. Beer,

Thank you for meeting with us last week. I've attached our notes.

C. David Brown P.G. | Professional Geologist Manager
Department of Environmental Protection | Southeast Regional Office
2 East Main Street | Norristown, PA 19401
Phone: 484.250.5792 | Fax: 484.250.5961
www.dep.pa.gov

From: [Chris Thoeny](#)
To: [Clibanoff, Andrew](#); [Paul Miller](#)
Cc: [George Beer](#); [Maud, Randall](#); [gotthold, paul](#); [Robert McNeil](#)
Subject: RE: Former NVF Facility, Kennett Square, PA
Date: Friday, June 8, 2018 3:54:49 PM

Andy thanks for the detailed summary of our meeting and the follow up/closure on the 'mystery drum'. We have summarized/consolidated your comments below and hope that all of your points are captured. Where deemed necessary, we are providing a response (***in bold/italics***) to your comments:

1. EPA will not require any further remedial response at the southern property line/railroad right-of-way, at the two areas where over 50-ppm soil was identified at the property line. Instead, these areas can be handled through a post remediation care plan (PRCP), which will prevent future human exposure.
2. The "Aroclor 8080" drum/sticker is believed to most likely have been Aroclor 6062.
 - a. Records provided by EPA show the potential for Aroclor 6062 to have been used at the former NVF facility
 - b. The same records describe Aroclor 6062 as being comprised of 38% Aroclor 1221 and the remaining [62%] as Aroclor 5460.
 - c. ***Aroclor 5460 (in the records and elsewhere) is listed as a poly chlorinated terphenyl or PCT, and is thus not a PCB.***
3. EPA indicated a small number of samples from various areas (including select concrete samples) should be analyzed for Aroclor 5460 via EPA Method 1668, which provides analyses of the individual PCB congeners.
 - a. ***EPA Method 1668 will not detect PCT:***
 - i. ***After speaking with our laboratory, the following was confirmed:***
 1. ***The conventional 8082A method would not detect PCT unless they had targeted it (which they did not). This is not something they are geared up to do.***
 2. ***The PCB congener analysis by EPA Method 1668 does not detect PCT***
 - ii. ***The stated rationale for using EPA Method 1668 was to look for Aroclor 5460, however based on the above information, Method 1668 analysis would not be appropriate for this.***
 - b. ***There is evidence that Aroclor 6062 (and thus Aroclor 5460) is not present at the site:***
 - i. ***Aroclor 6062 was reportedly comprised of 38% Aroclor 1221, which makes Aroclor 1221 a good surrogate for potential presence of Aroclor 6062 (and thus the potential presence of Aroclor 5460).***
 1. ***We collected nearly 1,500 samples for PCBs during implementation of the cleanup plan and nearly 350 samples for PCBs during the RI using the conventional Method 8082A analysis for PCB Aroclors. Aroclor 1221, which is reported as part of a***

conventional 8082A analysis, was never reported above laboratory reporting limits in any of these nearly 1,850 samples, with the only exception being a few samples from the former pond area and adjacent Excavation 1, of which, nearly half (four) were already removed from the site while removing soil with Total PCBs greater than 50ppm. This area is already part of the proposed restricted use area and will be capped per the agreed upon PRCP.

ii. Based on the above review, we do not feel analysis of any samples for Aroclor 5460 (Aroclor 6062) is justified since Aroclor 1221 is not a COC at the site.

4. EPA presumes that PCB releases penetrated concrete to impact soil at certain areas and is thus recommending “one or two” concrete core samples from these areas.
 - a. **The concrete sampling has already been completed and we are awaiting results from the sampling. Without describing all the work that was completed, more sampling was completed than was described in the work plan. Once we receive the results, we will document this to EPA/PADEP for further discussion to determine if additional investigation is warranted and what the scope of that investigation should be.**
5. EPA notes that the concrete sampling plan does not identify a laboratory method and does not explain how “representative locations to collect surficial concrete samples will be chosen in the piles of concrete debris.”
 - a. **It is agreed that selecting the locations to be sampled is/was a potential challenge. In general, the field crew completing the work looked for evidence such as smooth/finished surfaces that were interpreted as the surface and rough/irregular surfaces or surfaces with jagged gravel on them that were interpreted as the bottoms. Sampling was slightly biased to sections of slab where the “top surface” was easy to identify. The sampling crew reported a high degree of confidence that they were able to distinguish top from bottom for all the samples they collected. We will document the work completed and the results to EPA/PADEP once received.**
6. EPA notes soil from SS-34A and SS-40 exceeded 50-ppm and asks why concrete in this area is not being sampled. EPA also asks what happened to this concrete.
 - a. **The scope of work was almost exclusively limited to areas where PCBs were known to have been stored or used and this was not one of those areas. No concrete has left the site (other than what went to a TSCA landfill). We await the results from the recent concrete sampling event and will discuss this area and the results once they are received.**
7. EPA wants to be sure non-PCB exposure pathways meet acceptable risk ranges, in addition to PADEP SHS. In particular, EPA is interested in the residential vapor intrusion pathway.
 - a. **It is understood this comment refers specifically to vapor intrusion, which as a**

- first step will be screened using contemporary data collected during groundwater monitoring.*
- b. Please let us know if EPA expects any additional evaluation beyond attainment of the PADPE SHS for any other non-PCB exposure pathways (besides VI).**

It is probably best to have a brief call to discuss these matters after we are able to distribute the concrete data we collected last week. Once that information is out, we'll circulate some dates and times to consider.

Thanks again for your time and input.

Christopher Thoeny, P.G.
Environmental Alliance, Inc.
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(302) 234-4400 ext. 1026
(302) 234-1535 (fax)

From: Clibanoff, Andrew [mailto:Clibanoff.Andrew@epa.gov]
Sent: Thursday, May 31, 2018 4:15 PM
To: Paul Miller <pmiller@envalliance.com>
Cc: George Beer <gbeer@dvdc.com>; Chris Thoeny <cthoeny@envalliance.com>; Maud, Randall <rmaud@pa.gov>; gotthold, paul <gotthold.paul@epa.gov>
Subject: Former NVF Facility, Kennett Square, PA

Paul-

This message is a follow-up to our May 3, 2018 site visit. Please feel free to forward this message to anyone else that may be interested. I'm not sure I have contact information for everybody in attendance a few weeks ago.

During the site visit, EPA stated it is satisfied with the 1993-94 Superfund Removal Actions along the drainage ditch, swale and unnamed tributary to Red Clay Creek, and has no plans to reexamine the off-site drainage pathway (see attached copy of the final OSC report for the NVF facility). EPA also recognizes the impracticability of removing soils containing greater than 50 ppm Total PCBs in the immediate vicinity of the railroad tracks near both Former Outfall 001

and Current Outfall 001. These contaminated soils will be allowed to remain in place provided they are adequately capped to prevent future potential human exposure and the area is maintained per the to be agreed upon requirements of the post remediation care plan/environmental covenant.

The Aroclor 8080 Issue

I looked through the archived photographs associated with the Superfund cleanup at the Kennett Square Junkyard, but was unable to locate any pictures of drums clearly labeled as containing Aroclor 8080 (or any other numbered Aroclor for that matter). I did see pictures of drums with “NVF” stenciled on them but the contents weren’t indicated. I spoke with Mike Towle, the OSC for both the NVF and Junkyard removals. While he believes he saw a drum labeled as containing Aroclor 8080 at the junkyard, it’s possible he may have mixed up the number. He remembers seeing more than one non-familiar numbered Aroclor identified on drums from NVF that he observed in the junkyard. I told Mike that I found records in the site files that NVF purchased Aroclor 6062 from Monsanto in the early 1970s (see Monsanto attachment). Mike acknowledged it was possible that what he observed in the junkyard was associated with the Monsanto 6000 series Aroclors.

Monsanto’s 6000 series Aroclors were blends of Aroclor 1221 and Aroclor 5460. The nomenclature was such that Aroclor 6062 contained 62% Aroclor 5460 and 38% Aroclor 1221. The NVF post-excavation summary tables provided did not present any data for Aroclor 5460 as that contaminant is not routinely looked for using EPA Method 8082A.

At this point I have given up on the search for existing evidence of an Aroclor 8080 historically in use at NVF. However, because of Mike Towle’s observations along with the known usage of Aroclor 6062 at the facility, EPA will require additional samples to be analyzed using EPA Method 1668, which can be used to determine concentrations of all 209 PCB congeners. This additional sampling will be further discussed below.

Remaining Areas containing PCBs > 50 mg/kg

Currently, three remaining areas on site are known to contain soils with PCB concentrations greater than 50 mg/kg including the former outfall 001, current outfall 001 and the potential non-residential restricted use area along W. Mulberry Street (Excavation 15). As stated above, EPA will allow the elevated PCB contaminated soils to remain in the outfall areas provided they are properly contained. EPA is expecting a proposal for how the contamination observed at the limits of Excavation 15 will be handled. One additional area (Excavation 26) has PCB concentrations above the 1 mg/kg residential cleanup number presented in the Cleanup Plan. According to George Beer during the May 3, 2018 site visit, this area will be further remediated to meet the 1 mg/kg cleanup number. The laboratory should be instructed to include Aroclor 5460 in its analyses of the post-excavation confirmation samples in the Excavation 26 Area. Additionally, EPA is proposing the collection of one composite soil sample from each of the areas discussed in this paragraph (total of 4 samples) to be analyzed by EPA Method 1668 in order to address the uncertainty associated with the EPA OSC's observations and the known use of Aroclor 6062 at the former NVF facility.

Concrete Sampling

The concrete sampling plan dated April 17, 2018 identified four areas from which concrete samples will be collected from the top half inch of the "surface closest to the likely source of PCB contamination."

1. For concrete located over contaminated soil (greater than 50 ppm total PCBs), the source of the soil contamination would presumably be from a release that penetrated through the concrete and impacted the soil. In addition to a surficial (0-0.5 inches from the surface), it would be beneficial to see one or two concrete core samples in these areas.
2. Three of the proposed areas to be sampled have been already demolished with the concrete debris believed to be stored in piles in the vicinity of their former locations, if not already disposed of off-site with soils greater than 50 ppm Total PCBs. It is unclear how representative

locations to collect surficial concrete samples will be chosen in the piles of concrete debris. Can you elaborate on this in your sampling plan?

3. Sub-slab soil samples collected below the former Tube Inspection area of the plant (SS-34A and SS-40) contained Total PCB concentrations in excess of 50 ppm. Was all the concrete in this area disposed of off-site with the contaminated soils? Otherwise, why is the concrete in this area of the plant not included in the sampling plan?
4. No analytical test method is described in the sampling plan. If EPA Method 8082A is selected, the laboratory should be instructed to include Aroclor 5460 in its analysis. Also, one composite sample from each of the areas to be sampled should be collected and analyzed using EPA Method 1668 again to identify the individual congeners present which will further help to address Mike Towle's observations of the presence of non-familiar numbered Aroclors associated with former NVF operations.

Non-PCB Contamination

PADEP and its Act 2 Program has the lead for the non-PCB contamination at the site. However, EPA has an interest in ensuring that exposure pathways for future site occupants fall within the Agency's acceptable risk range as well as PA's Statewide Health Standards. I'm particularly interested in how the residential indoor air pathway will be addressed given the low level chlorinated organic concentrations and higher toluene concentrations seen in portions of the property intended for future residential use.

EPA looks forward to moving this facility through the risk-based cleanup approval process outlined in 40 CFR 760.61(c). If you would like to further discuss any of the above, please do not hesitate to call me at the number listed below. Thanks.

-Andy

Andrew Clibanoff

RCRA Project Manager
Office of Pennsylvania Remediation
Land and Chemicals Division
U.S. Environmental Protection Agency - Region III
1650 Arch Street (3LC20)
Philadelphia, PA 19103
(215) 814-3391 (tel)
(215) 814-3113 (fax)

From: [Chris Thoeny](#)
To: ["Clibanoff, Andrew"](#)
Cc: [Paul Miller](#); ["gbeer@dvdc.com"](mailto:gbeer@dvdc.com); [Maud, Randall](#); [gotthold, paul](#); [Robert McNeil](#)
Subject: RE: Former NVF Facility, Kennett Square, PA
Date: Monday, June 25, 2018 11:48:43 AM

Andy, if it helps any, here is a list of the laboratories we have contacted so far regarding PCT analysis:

Lab:	Analysis of PCT:
Test America	No
Pace	No
Alpha	Attempted but were unsuccessful
Eurofins Lancaster	No
Accutest	No
Air, Water, Soil	No
Aqua Pro Tech	No
Fairway	No
Hampton-Clark Veritech	No
Microbac	No
REIC	No
SGS  (NC)	No

Thanks,

Chris

From: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>
Sent: Friday, June 22, 2018 3:18 PM
To: Chris Thoeny <cchoeny@envalliance.com>
Cc: Paul Miller <PMiller@envalliance.com>; 'gbeer@dvdc.com' <gbeer@dvdc.com>; Maud, Randall <rmaud@pa.gov>; gotthold, paul <gotthold.paul@epa.gov>; Robert McNeil <rmcneil@thistlefamily.com>
Subject: RE: Former NVF Facility, Kennett Square, PA

Hi Chris-

I'm okay with handling the Excavation 15 area as you described. Has the full extent of the PCB contamination along Mulberry Street been determined because it looks like the westernmost sample contains 19 mg/kg and the easternmost sample contains 35 mg/kg according to your draft map? Once it is fully delineated, the only thing I would require is for a description of the area containing the cap, including its metes

and bounds, to be included in an environmental covenant with the appropriate restriction and maintenance requirements. Being that it would be a waiver of a right of way, and not being an attorney, I'm not sure who would sign off on that covenant. I can check and see if we've encountered similar situations before.

I know that we're waiting for the concrete sampling results to come in before scheduling our next call, but I'd like to share some information with you while I'm writing this note. I've reached out to EPA's PCB Coordinators across the country and have been told while it's true that Aroclor 5460 is a polychlorinated **ter**phenyl (PCT), because it was blended with PCB containing Aroclor 1221 in the Aroclor 6062 used by NVF, the mixture is considered a combination of substances which contain PCBs and therefore would be subject to regulation under TSCA. I saw through your earlier response to me and your later email conversation with Randy Maud that you've been unable to find a laboratory that can do a PCT analysis. I'm hoping to hear back from the PCB Coordinators soon with a lab or two that may be able to do it.

Thanks.

-Andy

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From: Chris Thoeny [<mailto:cthoeny@envalliance.com>]

Sent: Friday, June 22, 2018 12:17 PM

To: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>

Cc: Paul Miller <pmiller@envalliance.com>; 'gbeer@dvd.com' <gbeer@dvd.com>; Maud, Randall <rmaud@pa.gov>; gotthold, paul <gotthold.paul@epa.gov>; Robert McNeil <rmcneil@thistlefamily.com>

Subject: Re: Former NVF Facility, Kennett Square, PA

Andy, an additional issue/need for clarification came to my attention regarding your discussion on:

Remaining Areas containing PCBs > 50 mg/kg

The Excavation 15 area along W. Mulberry Street has soil over 1ppm total PCBs, but not over 50ppm. Soil with over 50ppm total PCBs (one sample at 55ppm) was identified in this area but was excavated and the post-excavation samples showed some remaining soil concentrations over 1ppm (ranging from 2.8 to 42 ppm). So to be clear, there is no soil containing greater than 50 ppm PCBs in this area of the Site. I'm attaching a draft map of the area showing our post excavation sampling results.

We reviewed the surveyed property map and determined that the area with soil over 1ppm total PCBs is within the right-of-way. The excavation was completed up to the roadway curbing and was vertically limited by the presence of a PECO natural gas line at ~2.5 feet. Samples from below the curbing (northern sidewall) were less than 1 ppm. We plan to address the exceedances of 1ppm in the right-of-way by requesting a Right-of Way Waiver along this portion of Mulberry Street and implementing a suitable cap/pathway elimination remedy. No additional excavation is planned for this area.

Have a great weekend all,

Chris

From: Chris Thoeny

Sent: Friday, June 8, 2018 3:55 PM

To: 'Clibanoff, Andrew' <Clibanoff.Andrew@epa.gov>; Paul Miller <PMiller@envalliance.com>

Cc: George Beer <gbeer@dcdc.com>; Maud, Randall <rmaud@pa.gov>; gotthold, paul <gotthold.paul@epa.gov>; 'Robert McNeil' <rmcneil@thistlefamil.com>

Subject: RE: Former NVF Facility, Kennett Square, PA

Andy thanks for the detailed summary of our meeting and the follow up/closure on the 'mystery drum'. We have summarized/consolidated your comments below and hope that all of your points are captured. Where deemed necessary, we are providing a response (***in bold/italics***) to your comments:

1. EPA will not require any further remedial response at the southern property line/railroad right-of-way, at the two areas where over 50-ppm soil was identified at the property line. Instead, these areas can be handled through a post remediation care plan (PRCP), which will prevent future human exposure.
2. The "Aroclor 8080" drum/sticker is believed to most likely have been Aroclor 6062.
 - a. Records provided by EPA show the potential for Aroclor 6062 to have been used at the former NVF facility

- b. The same records describe Aroclor 6062 as being comprised of 38% Aroclor 1221 and the remaining [62%] as Aroclor 5460.
 - c. ***Aroclor 5460 (in the records and elsewhere) is listed as a poly chlorinated terphenyl or PCT, and is thus not a PCB.***
- 3. EPA indicated a small number of samples from various areas (including select concrete samples) should be analyzed for Aroclor 5460 via EPA Method 1668, which provides analyses of the individual PCB congeners.
 - a. ***EPA Method 1668 will not detect PCT:***
 - i. ***After speaking with our laboratory, the following was confirmed:***
 - 1. ***The conventional 8082A method would not detect PCT unless they had targeted it (which they did not). This is not something they are geared up to do.***
 - 2. ***The PCB congener analysis by EPA Method 1668 does not detect PCT***
 - ii. ***The stated rationale for using EPA Method 1668 was to look for Aroclor 5460, however based on the above information, Method 1668 analysis would not be appropriate for this.***
 - b. ***There is evidence that Aroclor 6062 (and thus Aroclor 5460) is not present at the site:***
 - i. ***Aroclor 6062 was reportedly comprised of 38% Aroclor 1221, which makes Aroclor 1221 a good surrogate for potential presence of Aroclor 6062 (and thus the potential presence of Aroclor 5460).***
 - 1. ***We collected nearly 1,500 samples for PCBs during implementation of the cleanup plan and nearly 350 samples for PCBs during the RI using the conventional Method 8082A analysis for PCB Aroclors. Aroclor 1221, which is reported as part of a conventional 8082A analysis, was never reported above laboratory reporting limits in any of these nearly 1,850 samples, with the only exception being a few samples from the former pond area and adjacent Excavation 1, of which, nearly half (four) were already removed from the site while removing soil with Total PCBs greater than 50ppm. This area is already part of the proposed restricted use area and will be capped per the agreed upon PRCP.***
 - ii. ***Based on the above review, we do not feel analysis of any samples for Aroclor 5460 (Aroclor 6062) is justified since Aroclor 1221 is not a COC at the site.***
- 4. EPA presumes that PCB releases penetrated concrete to impact soil at certain areas and is thus recommending “one or two” concrete core samples from these areas.

- a. ***The concrete sampling has already been completed and we are awaiting results from the sampling. Without describing all the work that was completed, more sampling was completed than was described in the work plan. Once we receive the results, we will document this to EPA/PADEP for further discussion to determine if additional investigation is warranted and what the scope of that investigation should be.***
5. EPA notes that the concrete sampling plan does not identify a laboratory method and does not explain how “representative locations to collect surficial concrete samples will be chosen in the piles of concrete debris.”
- a. ***It is agreed that selecting the locations to be sampled is/was a potential challenge. In general, the field crew completing the work looked for evidence such as smooth/finished surfaces that were interpreted as the surface and rough/irregular surfaces or surfaces with jagged gravel on them that were interpreted as the bottoms. Sampling was slightly biased to sections of slab where the “top surface” was easy to identify. The sampling crew reported a high degree of confidence that they were able to distinguish top from bottom for all the samples they collected. We will document the work completed and the results to EPA/PADEP once received.***
6. EPA notes soil from SS-34A and SS-40 exceeded 50-ppm and asks why concrete in this area is not being sampled. EPA also asks what happened to this concrete.
- a. ***The scope of work was almost exclusively limited to areas where PCBs were known to have been stored or used and this was not one of those areas. No concrete has left the site (other than what went to a TSCA landfill). We await the results from the recent concrete sampling event and will discuss this area and the results once they are received.***
7. EPA wants to be sure non-PCB exposure pathways meet acceptable risk ranges, in addition to PADEP SHS. In particular, EPA is interested in the residential vapor intrusion pathway.
- a. ***It is understood this comment refers specifically to vapor intrusion, which as a first step will be screened using contemporary data collected during groundwater monitoring.***
 - b. ***Please let us know if EPA expects any additional evaluation beyond attainment of the PADPE SHS for any other non-PCB exposure pathways (besides VI).***

It is probably best to have a brief call to discuss these matters after we are able to distribute

the concrete data we collected last week. Once that information is out, we'll circulate some dates and times to consider.

Thanks again for your time and input.

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(302) 234-1535 (fax)

From: Clibanoff, Andrew [<mailto:Clibanoff.Andrew@epa.gov>]
Sent: Thursday, May 31, 2018 4:15 PM
To: Paul Miller <pmiller@envalliance.com>
Cc: George Beer <gbeer@dvdc.com>; Chris Thoeny <cthoeny@envalliance.com>; Maud, Randall <rmaud@pa.gov>; gotthold, paul <gotthold.paul@epa.gov>
Subject: Former NVF Facility, Kennett Square, PA

Paul-

This message is a follow-up to our May 3, 2018 site visit. Please feel free to forward this message to anyone else that may be interested. I'm not sure I have contact information for everybody in attendance a few weeks ago.

During the site visit, EPA stated it is satisfied with the 1993-94 Superfund Removal Actions along the drainage ditch, swale and unnamed tributary to Red Clay Creek, and has no plans to reexamine the off-site drainage pathway (see attached copy of the final OSC report for the NVF facility). EPA also recognizes the impracticability of removing soils containing greater than 50 ppm Total PCBs in the immediate vicinity of the railroad tracks near both Former Outfall 001 and Current Outfall 001. These contaminated soils will be allowed to remain in place provided they are adequately capped to prevent future potential human exposure and the area is maintained per the to be agreed upon requirements of the post remediation care plan/environmental covenant.

The Aroclor 8080 Issue

I looked through the archived photographs associated with the Superfund cleanup at the Kennett Square Junkyard, but was unable to locate any pictures of drums clearly labeled as containing Aroclor 8080 (or any other numbered Aroclor for that matter). I did see pictures of drums with “NVF” stenciled on them but the contents weren’t indicated. I spoke with Mike Towle, the OSC for both the NVF and Junkyard removals. While he believes he saw a drum labeled as containing Aroclor 8080 at the junkyard, it’s possible he may have mixed up the number. He remembers seeing more than one non-familiar numbered Aroclor identified on drums from NVF that he observed in the junkyard. I told Mike that I found records in the site files that NVF purchased Aroclor 6062 from Monsanto in the early 1970s (see Monsanto attachment). Mike acknowledged it was possible that what he observed in the junkyard was associated with the Monsanto 6000 series Aroclors.

Monsanto’s 6000 series Aroclors were blends of Aroclor 1221 and Aroclor 5460. The nomenclature was such that Aroclor 6062 contained 62% Aroclor 5460 and 38% Aroclor 1221. The NVF post-excavation summary tables provided did not present any data for Aroclor 5460 as that contaminant is not routinely looked for using EPA Method 8082A.

At this point I have given up on the search for existing evidence of an Aroclor 8080 historically in use at NVF. However, because of Mike Towle’s observations along with the known usage of Aroclor 6062 at the facility, EPA will require additional samples to be analyzed using EPA Method 1668, which can be used to determine concentrations of all 209 PCB congeners. This additional sampling will be further discussed below.

Remaining Areas containing PCBs > 50 mg/kg

Currently, three remaining areas on site are known to contain soils with PCB concentrations greater than 50 mg/kg including the former outfall 001, current

outfall 001 and the potential non-residential restricted use area along W. Mulberry Street (Excavation 15). As stated above, EPA will allow the elevated PCB contaminated soils to remain in the outfall areas provided they are properly contained. EPA is expecting a proposal for how the contamination observed at the limits of Excavation 15 will be handled. One additional area (Excavation 26) has PCB concentrations above the 1 mg/kg residential cleanup number presented in the Cleanup Plan. According to George Beer during the May 3, 2018 site visit, this area will be further remediated to meet the 1 mg/kg cleanup number. The laboratory should be instructed to include Aroclor 5460 in its analyses of the post-excavation confirmation samples in the Excavation 26 Area. Additionally, EPA is proposing the collection of one composite soil sample from each of the areas discussed in this paragraph (total of 4 samples) to be analyzed by EPA Method 1668 in order to address the uncertainty associated with the EPA OSC's observations and the known use of Aroclor 6062 at the former NVF facility.

Concrete Sampling

The concrete sampling plan dated April 17, 2018 identified four areas from which concrete samples will be collected from the top half inch of the "surface closest to the likely source of PCB contamination."

1. For concrete located over contaminated soil (greater than 50 ppm total PCBs), the source of the soil contamination would presumably be from a release that penetrated through the concrete and impacted the soil. In addition to a surficial (0-0.5 inches from the surface), it would be beneficial to see one or two concrete core samples in these areas.
2. Three of the proposed areas to be sampled have been already demolished with the concrete debris believed to be stored in piles in the vicinity of their former locations, if not already disposed of off-site with soils greater than 50 ppm Total PCBs. It is unclear how representative locations to collect surficial concrete samples will be chosen in the piles of concrete debris. Can you elaborate on this in your sampling plan?
3. Sub-slab soil samples collected below the former Tube Inspection area of the plant (SS-34A and SS-40) contained Total PCB concentrations in

excess of 50 ppm. Was all the concrete in this area disposed of off-site with the contaminated soils? Otherwise, why is the concrete in this area of the plant not included in the sampling plan?

4. No analytical test method is described in the sampling plan. If EPA Method 8082A is selected, the laboratory should be instructed to include Aroclor 5460 in its analysis. Also, one composite sample from each of the areas to be sampled should be collected and analyzed using EPA Method 1668 again to identify the individual congeners present which will further help to address Mike Towle's observations of the presence of non-familiar numbered Aroclors associated with former NVF operations.

Non-PCB Contamination

PADEP and its Act 2 Program has the lead for the non-PCB contamination at the site. However, EPA has an interest in ensuring that exposure pathways for future site occupants fall within the Agency's acceptable risk range as well as PA's Statewide Health Standards. I'm particularly interested in how the residential indoor air pathway will be addressed given the low level chlorinated organic concentrations and higher toluene concentrations seen in portions of the property intended for future residential use.

EPA looks forward to moving this facility through the risk-based cleanup approval process outlined in 40 CFR 760.61(c). If you would like to further discuss any of the above, please do not hesitate to call me at the number listed below. Thanks.

-Andy

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From: [Clibanoff, Andrew](#)
To: [Paul Miller](#); rmaud@pa.gov
Cc: [Chris Thoeny](#); ["George Beer \(gbeer@dvdc.com\)"; Robert McNeil](mailto:gbeer@dvdc.com)
Subject: RE: Notes from NVF Conference Call re; Groundwater Wells - July 19, 2018
Date: Friday, August 3, 2018 3:30:33 PM

Paul,

EPA prefers congener analysis over homolog analysis because there is a promulgated EPA Method (1668B) for it. Method 680 for homolog analysis is not an EPA promulgated method. Method 1668B is also more sensitive, more selective, and better suited for risk assessment purposes. I realize it's also more expensive, but let's run the congener method on a few samples as you suggested. If the results correlate fairly well with the Method 8082A Aroclor analyses, EPA may consider the use of homolog analyses in future sampling events. If no correlation can be made or a surprise congener (one with a known higher toxicity) is detected at a significant concentration, EPA would likely require additional congener analyses in future sampling events.

-Andy

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From: Paul Miller [<mailto:pmiller@envalliance.com>]
Sent: Thursday, August 02, 2018 4:15 PM
To: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>; rmaud@pa.gov
Cc: Chris Thoeny <cthoeny@envalliance.com>; 'George Beer (gbeer@dvdc.com)' <gbeer@dvdc.com>; Robert McNeil <rmcneil@thistlefamily.com>
Subject: RE: Notes from NVF Conference Call re; Groundwater Wells - July 19, 2018

Hi Andy,

Thanks for the information and clarification. Would it be satisfactory to perform a homologue analysis in lieu of the full congener analysis (the homologue analysis is more cost effective)? Many references to the PCB distributions within a specific aroclor are based on the distribution of the homologues.

Regarding where we are in the process, we have already collected a number of additional concrete samples from the site and submitted them for analysis. Once we get these results, we'll select a couple samples with the most elevated concentrations for the more detailed analysis.

Thanks again and let me know your thoughts on homologue vs. full congener.

Paul

From: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>
Sent: Tuesday, July 31, 2018 3:58 PM
To: Paul Miller <pmiller@envalliance.com>; rmaud@pa.gov
Cc: Chris Thoeny <cthoeny@envalliance.com>; 'George Beer (gbeer@dvdc.com)' <gbeer@dvdc.com>
Subject: RE: Notes from NVF Conference Call re; Groundwater Wells - July 19, 2018

Hello Paul,

Since congener analysis on the concrete and other media was my idea, I thought I'd respond to your question. It's not uncommon to request congener analyses alongside Aroclor analyses at PCB sites that EPA investigates. Sometimes weathered Aroclors can have significant differences in peak patterns compared to those of the Aroclor standards and can be misinterpreted by the laboratory. Samples containing more than one Aroclor can present similar problems in the lab. Since we're going for a risk based closure for the property, congener analyses on a representative number of samples (around 10%) would help to ensure that the overall data set is being interpreted correctly. It may even show that actual total PCB concentrations are lower than the Aroclor analyses indicate. I understand there is an additional cost associated with the congener analysis but I believe this site warrants it as it seeks the risk based cleanup approval afforded by 40 CFR 761.61(c).

Thanks.
-Andy

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From: Paul Miller [<mailto:pmiller@envalliance.com>]
Sent: Tuesday, July 31, 2018 2:02 PM
To: rmaud@pa.gov
Cc: Chris Thoeny <cthoeny@envalliance.com>; Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>; 'George Beer (gbeer@dvdc.com)' <gbeer@dvdc.com>
Subject: RE: Notes from NVF Conference Call re; Groundwater Wells - July 19, 2018

Hi Randy,

Following up on the message below, I'd like to briefly discuss the request for the congener analysis on the concrete samples and what this data might be used for.

Please let me know your availability.

Thanks.

Paul

From: Chris Thoeny

Sent: Tuesday, July 31, 2018 1:53 PM

To: Paul Miller <pmiller@envalliance.com>

Subject: FW: Notes from NVF Conference Call re; Groundwater Wells - July 19, 2018

From: Maud, Randall <

Sent: Thursday, July 26, 2018 2:17 PM

To: Chris Thoeny <cthoeny@envalliance.com>; 'gbeer@dvdc.com' <gbeer@dvdc.com>

Cc: Clibanoff, Andrew <>; Brown, C David <cdbrown@pa.gov>

Subject: Notes from NVF Conference Call re; Groundwater Wells - July 19, 2018

Telephone Conference Call: 7/19/2018

Participants:

Chris Thoeny – Environmental Alliance

George Beer – DVDC

Andy Clibanoff – EPA

Randy Maud – DEP (self)

Summary of the conversation and follow up items:

Monitoring wells:

Shallow Groundwater:

EA is upgrading the monitoring well network and will be replacing the existing small diameter wells with larger diameter wells consistent with DEP's policy.

EPA asked which RI wells would carry forward. EA responded that existing monitoring wells MW-1 through MW-4 and POMW-1 through POMW-4 are intact and will be included in future sampling.

We asked that the rationale for locating each well be provided relative to potential source areas being assessed.

We discussed the degree of groundwater level elevation changes along the eastern side of the site. The local elevation changes were driven by DPW-12 which had a depth to water of ~ 2 feet below ground surface in contrast to DPW-10, which has a depth to water of ~ 22 feet, and is further downslope. We discussed that DPW-12, showed sandy units and located along water lines; in contrast DPW-10 showed hard clay and maybe some minor silt.

EA said their proposed locations were focused on finding first water; DEP commented they should

also be looking to find preferential flow pathways. We also discussed the need to delineate the onsite VOC plume relative to potential for vapor intrusion.

Comments on specific proposed well locations:

DEP requested that Well A and Well B be constructed to same depth as the monitoring well on the adjacent Junk yard property, which shows relatively high levels of PCE.

DEP requested Well D location should move east to monitor the alignment of the Former Outfall; EA expressed some concern about drilling through the deep PCB excavation. We discussed the finding of PCE in some soil samples.

EA agreed to move proposed well location D as close as possible to the former outfall. They expressed some concern about drilling the shallow well in the former excavation.

Well J should be drilled to find a flow zone

Deeper Groundwater:

EA had proposed to install 3 new bedrock wells at locations D, H and G. These would be paired with new shallow wells and were planned to a depth of about 70 feet. EA said the depth was chosen for scoping purposes but did not have specific site data to determine the top of rock. We discussed the irregular nature of weathered marbles (pinnacles) and the need to identify to identify flow zones.

EA said the likely bedrock orientation was ENE to WSW based on geologic maps. We agreed on the need to identify flow zones along strike and down dip of likely source areas. We discussed specific possible locations along the eastern property boundary along strike with PW-2 and another bedrock location in the southwestern corner near POMW-4.

DEP asked for a current sensitive receptor survey to identify local water supply wells that will need to be protected (and possibly sampled). DEP requested that additional bedrock monitoring wells be located along geologic strike and down dip, especially in directions of water supply wells.

EA agreed that additional bedrock monitoring may be needed along some bedrock pathways; EA responded affirmatively relative to locating wells along strike and dip.

DEP mentioned that some digital monitoring of water levels over a period of a month or two might help see if water levels were changing in response to local pumping and to understand how the bedrock wells were interconnected.

Production wells (PW-1 through PW-4):

EA said all of the production wells were lost or plugged since the 2010 RI. During the subsequent conversation, EA said they had visited the site and were unsuccessful in finding the production wells, which were lost during demolition activities.

DEP encouraged EA to get together with DVDC to locate / log / plug the former production wells, especially since CVOCs were found in both the shallow (DPW-7 and DPW-8) and deeper groundwater samples (PW-2)

Sampling:

EA said they intended to use low flow sampling in the future.

EA mentioned that EPA would allow filtering of the samples for PCB analysis.

EPA requested that filtering at 2 micron filters should be used as opposed to filtering at 0.45 micron, which is typical for metals.

EPA would allow the use of a 2 micron filter if turbidity could not be reduced below 10 NTUs via low flow sampling methods.

DEP's program position has been that filtering is not acceptable for organic compounds; but is acceptable for dissolved metals.

We discussed including laboratory analysis of total suspended solids and field measurements of turbidity, if there are concerns that particulate solids are interfering with the quantifying concentrations of dissolved-phase organic compounds.

Analytes:

Neither EPA nor DEP were successful in identifying a laboratory that is set up to analyze PCT.

DEP requested a description of sample handling and extraction procedures. We discussed potential impacts related to extracting wet samples. EA said the samples were oven dried. Chris said that Paul was more familiar with the analytical chemistry. We will need a full description of sample handling, preparation and extraction, including the sequence of adding and combining extraction solvents.

Aquifer Characterization:

DEP mentioned that aquifer characteristics would be needed if modeling was to be part of the future remedy. PCBs were found at the site boundary in three wells during the RI.

EA noted that the RI did not contain aquifer characterization and agreed it might be needed. EA preferred to scope such an evaluation in the future. This might include logging production wells if they are found.

Concrete:

EPA asked about the status of the concrete samples. EA said the concrete samples were run using Method 8082 and showed concentrations less than 1 ppm; some were between 1 ppm and 50 ppm; one sample showed a concentration of 1,800 ppm identified as Aroclor 1248. EA mentioned they were planning to return to the site to collect more concrete samples

with particular attention to the stormwater piping that remains on site.
EA mentioned trying to isolate the various areas showing elevated levels of PBCs in the concrete.

Soils:

EPA inquired about the status of the soil exceedance near Well J.
EA responded that no further remediation had occurred as yet.
EPA asked to be notified when that work is planned.

Chris said he wanted to get started on the drilling and would adjust well locations and depths, based on the conversation. PADEP asked to be notified of the dates that wells would be installed so that PADEP and/or EPA would have the opportunity to observe the installation.

Chris: As a follow up to our conference call, and in an effort to keep work moving forward in a smooth manner, we would like to see a letter report on the concrete sampling outline sample locations, techniques and results. Also, for completeness purposes, we would like to see 10 to 15 % of the samples submitted for congener analysis.

Please let me know if you have any questions.

Thank you

Randall Maud P.G. | Licensed Professional Geologist
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From: Chris Thoeny [<mailto:cthoeny@envalliance.com>]

Sent: Thursday, July 19, 2018 2:08 PM

To: Maud, Randall <rmaud@pa.gov>

Subject: call today

Hi Randy, just checking if you are still available for the call?

Christopher Thoeny, P.G.
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(302) 234-4400 ext. 1026
(302) 234-1535 (fax)

From: [Clibanoff, Andrew](#)
To: [Chris Thoeny](#); [Maud, Randall](#)
Cc: ["gbeer@dvdc.com"](#); [Paul Miller](#); [Thomas Murphy](#)
Subject: RE: Former NVF Kennett Site Update and meeting request
Date: Friday, June 19, 2020 9:06:25 AM
Attachments: [image001.png](#)

Hi Chris,

Sorry for the delay in getting back to you after our call on the 5th. After conversations with my management, EPA will allow the PCB-contaminated saturated soils in Excavation Area 39 to remain in place at the former NVF facility provided the contamination poses no unacceptable risk to human health associated with the vapor intrusion pathway. If the unmitigated levels of PCB contamination cause an unacceptable risk, EPA would need to see engineering plans for controls to minimize that risk prior to redevelopment. Regardless of whether there is a vapor intrusion issue, the extent of the remaining contamination will need to be delineated in a document such as an environmental covenant that will run with future sales of the property. It is my understanding under PADEP's Act 2 Program that leaving contamination in soils above the Statewide Health Standards (SHS) at depths less than 15 feet (such as EX39-1-West-3 at 14.9') would require seeking a site-specific closure rather than a closure meeting the SHS. A site-specific closure would also require activity and use limitations in a document such as an environmental covenant.

As far as the PCB-contaminated portions of the concrete slab, there are allowances under TSCA to fully encapsulate the concrete if the redevelopment is to occur on top of it. If the slab will be removed for redevelopment, EPA will allow NVF to handle the PCB-contaminated concrete (containing less than 50 ppm) similarly to contaminated soils. The concrete may be milled down on-site and disposed of in areas that will be capped by buildings or other paved surfaces. Whatever the decision is for handling the PCB-contaminated concrete remaining on site, NVF must ensure that the appropriate associated engineering/institutional controls are in place to minimize the potential for future exposures.

Since it appears that you will be deviating from the Cleanup Plan, are you planning on submitting a revised plan or addendum to the existing plan?

Thanks.

Andy

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From: Chris Thoeny <cthoeny@envalliance.com>
Sent: Wednesday, May 20, 2020 1:22 PM
To: Maud, Randall <rmaud@pa.gov>
Cc: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>; 'gbeer@dvdc.com' <gbeer@dvdc.com>; Paul Miller <pmiller@envalliance.com>; Thomas Murphy <tmurphy@envalliance.com>

Subject: Former NVF Kennett Site Update and meeting request

Hi Randy, I hope you are doing well. We have been staying active at the former NVF Kennett Square site since we last spoke, completing concrete sampling and soil delineation and excavation work in the one remaining excavation area (EX-39) for PCB impacted soil. We have identified PCB impacted soils in the EX-39 area that are over 1PPM at a depth at least up to 28-feet in permanently saturated soil, as well as PCB impacted soils over 50PPM at least as deep as 20-feet.

I am attaching a site few site maps to help orient you to the work areas and present the latest excavation area and laboratory analytical results for PCBs in soil and concrete. Laboratory results have been color coded to reflect concentration ranges: <1PPM total PCBs (blue); >1PPM/<50PPM total PCBs (Green); >50PPM total PCBs (Orange)

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We would like to meet via teleconference, and use go-to meeting to share some figures and discuss the following with you and Andy:

1. We would like to discuss the possibility of leaving some or all of this soil in the EX-39 Area in place due to the great challenge of excavating soil from the saturated zone.
2. We have also completed delineation of PCBs in the concrete pad around the former press pit area. We would like to discuss the options that we are considering to manage this material and make sure we are in agreement with whatever approach is selected.
3. The status of access to sample offsite groundwater

I am relatively open for the remainder of the week and next week. I can send a meeting invite as soon as I have some sense for everyone's availability and plan on trying to work around your availability as a starting point.

Do you have any restrictions or preferred times you'd like the meeting to be scheduled? I'm planning on reserving one-hour for the meeting, just to make sure we have time for any side-tracked discussions, etc.

Thanks and talk with you soon,

Christopher Thoeny, P.G.
Project Geologist
e cthoeny@envalliance.com
p 302.234.4400 ext. 1026

c 302.635.3096

signature_final1



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From: [Clibanoff, Andrew](#)
To: [Chris Thoeny](#); [Maud, Randall](#)
Cc: ["gbeer@dvd.com"](mailto:gbeer@dvd.com); [Paul Miller](#); [Thomas Murphy](#)
Subject: RE: Former NVF Kennett Site Update and meeting request
Date: Wednesday, August 5, 2020 3:11:45 PM
Attachments: [image001.png](#)

Hi Chris,

I did have a look at the data. Thanks for providing the aroclor breakdown. It's clear that aroclor-1248 is the primary driver of the total PCB numbers. Aroclor-1248 is of sufficient volatility to be of concern to the vapor intrusion pathway per OSWER's Vapor Intrusion Screening Level Calculator (VISL). The problem is that EPA doesn't rely on soils data alone to assess the vapor intrusion pathway, so the VISL can't be used to screen for vapor intrusion.

PADEP does allow the use of soils data to characterize the vapor intrusion pathway but doesn't have screening values for that particular aroclor. PADEP's residential soil screening numbers for aroclor-1221 and aroclor-1232 are 0.18 mg/kg and 0.14 mg/kg, respectively. The dimensionless Henry's constant for aroclor-1248 (0.018 per the VISL) lies right in between the Henry's constants for aroclor-1221 and aroclor-1232 (0.0093 and 0.0301, respectively). All three of these aroclors have the identical target indoor air concentration in the VISL (4.91×10^{-3} ug/m³) for a residential exposure at the 10⁻⁶ cancer level. This leads me to believe (without consulting a toxicologist) that if PADEP did have a screening value for aroclor-1248, it would be of the same order of magnitude as the other aroclors. Obviously, several of the post-excavation samples collected from Excavation 39 contain aroclor-1248 concentrations orders of magnitude above that.

Under EPA's vapor intrusion guidance, finding a contaminant like aroclor-1248 in soils at the concentrations observed provides justification for additional vapor intrusion-related investigation. If the plan is to leave the contamination in place, additional measures would be necessary to ensure that the vapor intrusion pathway does not pose an unacceptable risk to future site owners/occupants. You might consider requiring vapor mitigation systems/barriers for any new construction in the immediate vicinity of the contamination. Those requirements would need to be included in the activity and use limitations section of an environmental covenant or similar instrument so that future property owners would be aware of the contamination's existence.

Let me know if you'd like to further discuss this.
Thanks.

Andy

Andrew Clibanoff
Project Manager
RCRA Corrective Action Branch 2
Land, Chemicals and Redevelopment Division
U.S. Environmental Protection Agency - Region III
1650 Arch Street (3LD20)
Philadelphia, PA 19103
(215) 814-3391

From: Chris Thoeny <cthoeny@envalliance.com>
Sent: Wednesday, August 05, 2020 11:05 AM

To: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>; Maud, Randall <rmaud@pa.gov>
Cc: 'gbeer@dvdc.com' <gbeer@dvdc.com>; Paul Miller <pmiller@envalliance.com>; Thomas Murphy <tmurphy@envalliance.com>
Subject: RE: Former NVF Kennett Site Update and meeting request

Hi Andy, did you get a chance to look this soil data over yet?
Thanks

From: Chris Thoeny
Sent: Friday, July 17, 2020 12:14 PM
To: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>; Maud, Randall <rmaud@pa.gov>
Cc: 'gbeer@dvdc.com' <gbeer@dvdc.com>; Paul Miller <PMiller@envalliance.com>; Thomas Murphy <tmurphy@envalliance.com>
Subject: RE: Former NVF Kennett Site Update and meeting request

Hi Andy, I wanted to follow up on the VI pathway discussion we had during our meeting. I believe you requested to review the aroclor breakdown for the EX-39 soil data.
I'm attaching the sampling map and a data table summarizing the individual aroclors.

Please take a look and let me know if you have any questions.

Also, as an FYI the offsite property has been away and should be returning on Monday 7/20. He appears to be agreeable to some sampling work. I plan to reach out to him again next week and will update you guys regarding what next steps are planned for groundwater.

Thanks,

Chris

From: Clibanoff, Andrew <Clibanoff.Andrew@epa.gov>
Sent: Friday, June 19, 2020 9:06 AM
To: Chris Thoeny <cchoeny@envalliance.com>; Maud, Randall <rmaud@pa.gov>
Cc: 'gbeer@dvdc.com' <gbeer@dvdc.com>; Paul Miller <pmiller@envalliance.com>; Thomas Murphy <tmurphy@envalliance.com>
Subject: RE: Former NVF Kennett Site Update and meeting request

Hi Chris,

Sorry for the delay in getting back to you after our call on the 5th. After conversations with my management, EPA will allow the PCB-contaminated saturated soils in Excavation Area 39 to remain in place at the former NVF facility provided the contamination poses no unacceptable risk to human health associated with the vapor intrusion pathway. If the unmitigated levels of PCB contamination cause an unacceptable risk, EPA would need to see engineering plans for controls to minimize that risk prior to redevelopment. Regardless of whether there is a vapor intrusion issue, the extent of the remaining

contamination will need to be delineated in a document such as an environmental covenant that will run with future sales of the property. It is my understanding under PADEP's Act 2 Program that leaving contamination in soils above the Statewide Health Standards (SHS) at depths less than 15 feet (such as EX39-1-West-3 at 14.9') would require seeking a site-specific closure rather than a closure meeting the SHS. A site-specific closure would also require activity and use limitations in a document such as an environmental covenant.

As far as the PCB-contaminated portions of the concrete slab, there are allowances under TSCA to fully encapsulate the concrete if the redevelopment is to occur on top of it. If the slab will be removed for redevelopment, EPA will allow NVF to handle the PCB-contaminated concrete (containing less than 50 ppm) similarly to contaminated soils. The concrete may be milled down on-site and disposed of in areas that will be capped by buildings or other paved surfaces. Whatever the decision is for handling the PCB-contaminated concrete remaining on site, NVF must ensure that the appropriate associated engineering/institutional controls are in place to minimize the potential for future exposures.

Since it appears that you will be deviating from the Cleanup Plan, are you planning on submitting a revised plan or addendum to the existing plan?

Thanks.

Andy

Andrew Clibanoff
Project Manager
RCRA Corrective Action Branch 2
Land, Chemicals and Redevelopment Division
U.S. Environmental Protection Agency - Region III
1650 Arch Street (3LD20)
Philadelphia, PA 19103
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Thanks and talk with you soon,

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Project Geologist

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[signature_final1](#)



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EXHIBIT B

Proposed Institutional and Engineering Controls Former NVF Kennett Square Site Kennett Square, PA

The following summarizes the institutional and engineering controls that have been proposed by Rockhopper, and determined to be acceptable to EP for use at portions of the Site where the SIP cleanup objectives identified in the 2010 Cleanup Plan could not be met.

1. **Railroad Right of Way.** Soil with PCBs greater than 50 mg/kg were not able to be excavated because of concerns of encroaching on the railroad right of way, potentially undermining the tracks and/or utility poles in this area. Refer to Figure 40 of the Final PCB Report. As described in Section 6.1 of the Final PCB Report, this area will be capped and an environmental covenant pursuant of Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA) will be recorded with the deed for the Property restricting access to the area, limiting the use of the area as non-residential and requiring the maintenance of the cap (parking area) in perpetuity.
2. **Excavation 39 Area.** Soil with PCBs greater than 50 mg/kg were not able to be excavated in an area of the site referred to as Excavation 39 due to the depth of the excavation (approximately 15 feet below grade) and having to manage groundwater infiltration for this excavation. As described in Section 6.2 of the Final PCB Report, an environmental covenant will be established for this area pursuant to UECA that requires either vapor intrusion mitigation or further vapor intrusion evaluations be completed for any inhabitable structure planned to be built within a 100 foot radius of the Excavation 39 area. See Figure 41 of the Final PCB Report for details on the Excavation 39 area.
3. **Northeast ROW along Mulberry Street.** PCBs greater than 1 mg/kg, but less than 50 mg/kg, could not be excavated along the northern portion of the Site in the area of a natural gas line. This area of the Site will be used for Low Occupancy purposes only, namely parking. An environmental covenant will be established pursuant to UECA restricting the use of this area to non-residential and requiring the maintenance of a cap in this area. See Figure 42 of the Final PCB Report for details on this area.
4. **Areas containing PCBs in Soil Greater than 1 mg/kg and less than 100 mg/kg.** As described in the CP Report and the Final PCB Report, the southwest portion of the Site is planned for non-residential use. PCBs with concentrations less than 100 mg/kg remain in this area, or were relocated to this area as part of the remedial work for the rest of the Site. The area will be paved for parking purposes as part of the redevelopment of the Site and is considered Low Occupancy. An environmental covenant pursuant to UECA will be recorded with the deed for the Property limiting the use of the area as non-residential and requiring the maintenance of the cap (parking area). See Figure 6 of the Final PCB Report for more information on this area.
5. **Groundwater.** As described in the CP Report, groundwater use at the Site will be prohibited pursuant to UECA.

EXHIBIT C

Proof of Publication of Notice in The Kennett Paper/Chadds Ford Post
Kennett Square/Chadds Ford, PA/Journal Register Company
(Under Act. No. 587 Approved May 16, 1929)

State of Pennsylvania
County of Chester

Richard E. Carrigan, General Manager of *The Kennett Paper/Chadds Ford Post*, of the County and State aforesaid, being duly sworn, deposes and says that *The Kennett Paper/Chadds Ford Post*, a periodical published in Kennett Square, County and State aforesaid, was established in 1986, since which date *The Kennett Paper/Chadds Ford Post* has been regularly issued in said County, and that printed notice of publication attached here is exactly the same as was printed and published in the regular editions and issues of *The Kennett Paper/Chadds Ford Post* on the following dates, viz.,

JUNE 10, 2010

Affiant further deposes that he is the General Manager of *The Kennett Paper/Chadds Ford Post*, a periodical of general circulation, to verify that foregoing statement under oath, and that neither the affiant nor *The Kennett Paper/Chadds Ford Post* is interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

**Notice of an Intent
to Remediate to an Environmental Standard.**
(Sections 302(e)(1)(ii), 303(h)(1)(ii),
304(n)(1)(i), and 305(c)(1))

Pursuant to the Land Recycling and Environmental Remediation Standards Act, the act of May 19, 1995, P.L. 4, No. 1995-2., notice is hereby given that Rockhopper, LLP submitted to the Pennsylvania Department of Environmental Protection a Notice of Intent to Remediate a site located at 400 W. Mulberry Street, Kennett Square Borough, Chester County. This Notice of Intent to Remediate states that the site was an NVF Company manufacturing plant. Due to the previous industrial use, the site contains PCBs, PAHs, solvents, and metals which have contaminated soil and groundwater on the site. Rockhopper, LLP proposes remediation measures to include soil excavation and removal, capping, and institutional controls. The proposed uses of the property are commercial, institutional, and residential.

Rockhopper, LLP will use the site-specific standard to remediate. The Act provides for a 30-day public comment period for site-specific standard remediations. The 30-day comment period is initiated with the publication of this notice. Until July 10, 2010, Kennett Square Borough may submit a request to Rockhopper, LLP to be involved in the development of the remediation and reuse plans for the site. Kennett Square Borough may also submit a request to Rockhopper, LLP during this 30-day comment period to develop and implement a public involvement plan. Copies of these requests and of any comments should also be submitted to the Department of Environmental Protection at 2 East Main Street, Norristown, PA 19401-4915, attention Walter Payne, P.G.

TKP/CFP, 295263, 6/10/2010

Richard E. Carrigan
Sworn to and subscribed before me this

10 Day of JUNE, 2010

Joan M. Dupuis
Notary Public
COMMONWEALTH OF PENNSYLVANIA
NOTARIAL SEAL
Joan M. Dupuis, Notary Public
Kennett Square Borough, Chester County
My commission expires September 18, 2013

My Commission Expires

For publishing the notice of publication hereto on the above stated dates \$ 77.28

Probating same \$

Total \$ 77.28

Publisher's Receipt for Advertising Costs

The Kennett Paper/Chadds Ford Post, a weekly newspaper, hereby acknowledges receipt of the aforesaid notice and publication costs and certifies that the same have been duly paid.