



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION III

FINAL DECISION AND RESPONSE TO COMMENTS

U.S. BRONZE FOUNDRY & MACHINE, INC.

WOODCOCK TOWNSHIP, PENNSYLVANIA

EPA ID NO. PAD004318416

I. FINAL DECISION

The United States Environmental Protection Agency (EPA) has selected continued compliance with the restrictions and requirements of two previously executed Environmental Covenants as the Final Remedy for the U.S. Bronze Foundry & Machine, Inc. facility (the Facility), located at 18649 Brake Shoe Road in Woodcock Township, Pennsylvania. This determination is based on EPA's findings as detailed in the Statement of Basis (SB) and is consistent with EPA's February 2003 *Final Guidance on Completion of Corrective Action Activities at RCRA Facilities* (reference 68 FR 8757).

EPA's Final Remedy relies on engineering controls (ECs) including engineered cover systems to prevent human and environmental exposure to hazardous constituents remaining in Facility soils. EPA's Final Remedy relies on institutional controls (ICs) to maintain the integrity of the engineered cover systems, limit usage of the Facility property for non-residential purposes only, and prohibit potable use of groundwater within the boundaries of the cover systems at the Facility. The components of EPA's Final Remedy can be enforced through the existing Environmental Covenants executed in 2010 for the South Parking Lot Site and in 2014 for the Metals Impacted Soils and Sediment (MISS) Site by the Facility pursuant to the Pennsylvania Uniform Environmental Covenants Act, 27 Pa. C.S. Sections 6501-6517 (UECA).

If the Facility fails to meet its obligations or EPA, in its sole discretion, deems that additional activities and/or ECs and/or ICs are necessary to protect human health or the environment, EPA has the authority to require and enforce additional corrective actions.

## II. PUBLIC COMMENT PERIOD

On August 18, 2015, EPA issued a SB in which it announced its proposed remedy for the Facility. Consistent with public participation provisions under the Resource Conservation and Recovery Act (RCRA), EPA requested comments from the public on the proposed remedy. The commencement of a thirty (30) day public comment period was announced in *The Meadville Tribune* and on the EPA Region III website on August 18, 2015. The public comment period ended on September 18, 2015.

## III. RESPONSE TO COMMENTS

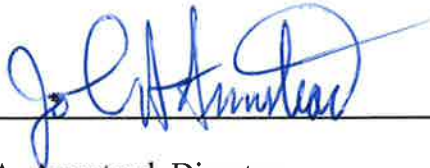
EPA received no comments on the proposal. Consequently, the Final Remedy is unchanged from that proposed in the SB. The SB is incorporated herein and made a part thereof as Attachment A.

## IV. AUTHORITY


EPA is issuing this Final Decision and Response to Comments under the authority of the Solid Waste Disposal Act, as amended by RCRA, and the Hazardous and Solid Waste Amendments (HSWA) of 1984, 42 U.S.C. Sections 6901 to 6992k.

## V. DECLARATION

Based on the Administrative Record compiled for the Corrective Action at the Facility, EPA has determined that the Final Remedy selected in this Final Decision and Response to Comments is protective of human health and the environment.



John A. Armstead, Director  
Land and Chemicals Division  
U.S. EPA Region III



Date

Attachment A: Statement of Basis dated August 6, 2015

**Attachment A**  
**U.S. Bronze Foundry & Machine, Inc.**  
**Statement of Basis**  
**August 6, 2015**



UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
REGION III

STATEMENT OF BASIS

U.S. BRONZE FOUNDRY & MACHINE, INC.

WOODCOCK TOWNSHIP, PENNSYLVANIA

EPA ID NO. PAD004318416

Prepared by  
Office of Pennsylvania Remediation  
Land and Chemicals Division  
August 2015

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## Section 1: Introduction

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The United States Environmental Protection Agency (EPA) has prepared this Statement of Basis (SB) to solicit public comment on its proposed remedy for the U.S. Bronze Foundry and Machine, Inc. (USBFMI) facility located at 18649 Brake Shoe Road in Woodcock Township, Pennsylvania (hereinafter referred to as the Facility). EPA's proposed remedy for the Facility consists of continued compliance with the restrictions and requirements contained in a 2010 Environmental Covenant for the South Parking Lot Site, a 2014 Environmental Covenant for the Metals Impacted Soils and Sediment (MISS) Site and their associated PADEP-approved Post Remediation Care Plans in order to control human and environmental exposure to hazardous constituents in Facility soils. This SB highlights key information relied upon by EPA in proposing its remedy for the Facility.

The Facility is subject to EPA's Corrective Action program under the Solid Waste Disposal Act, as amended, commonly referred to as the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. Sections 6901 *et seq.* The Corrective Action program requires that facilities subject to certain provisions of RCRA investigate and address releases of hazardous waste and hazardous constituents, usually in the form of soil or groundwater contamination, that have occurred at or from their property. Pennsylvania is not authorized for the Corrective Action Program under Section 3006 of RCRA. Therefore, EPA retains primary authority in the state for the Corrective Action Program.

EPA is providing a 30-day public comment period on this SB. EPA may modify its proposed remedy based on comments received during this period. EPA will announce its selection of a final remedy for the Facility in a Final Decision and Response to Comments (Final Decision) after the public comment period has ended.

Information on the Corrective Action program as well as a fact sheet for the Facility can be found by navigating <http://www.epa.gov/reg3wcmd/correctiveaction.htm>. The Administrative Record (AR) for the Facility contains all documents, including data and quality assurance information, on which EPA's proposed remedy is based. See Section 8, Public Participation, for information on how you may review the AR.

## Section 2: Facility Background

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### 2.1 Introduction

The Facility is located on approximately 40 acres in the southwest corner of Woodcock Township in Crawford County, approximately 2.5 miles north of Meadville, Pennsylvania. The Facility is bordered on the north and south by residential areas, on the west by French Creek and on the east by Conrail tracks and U.S. Route 19.

The Facility has been operated since 1947 by several companies including Pneumo Abex Corporation (ABEX), ABC Rail Corporation, and USBFMI for the production of non-ferrous brass and bronze castings. USBFMI, the current owner, operates the Facility as a foundry and machine shop producing non-ferrous castings as well as semi-finished and finished machined products.

In the early 1960s, ABEX used a 3.1-acre portion of the Facility southwest of the main building and South Parking Area as a landfill for the storage and disposal of various types of high metals content wastes (Landfill). The Landfill, which contains approximately 31,600 cubic yards of waste, was closed in 1985 under PADEP oversight and approval pursuant to Chapter 75 of PADEP's solid waste and hazardous waste regulations. ABEX also treated industrial waste in two wastewater treatment lagoons located west of the North Parking Area (Lagoons). ABEX identified the Lagoons as containing hazardous wastes in its 1981 Part A Application. The Lagoons were clay-lined and operated from an unknown date until 1984 when alternate methods of processing and recycling wastewater eliminated the wastewater discharge to the Lagoons. The Lagoons were also closed in 1985 under PADEP oversight and approval pursuant to Chapter 75 of PADEP's solid waste and hazardous waste regulations. The Landfill and two Lagoons were identified as Areas of Investigation. The remaining Areas of Investigation at the Facility are discussed in Section 2.2 below.

### 2.2 Areas of Investigation

Fuel Tank Area	This Area is located on the northeastern portion of the Facility where four (4) decommissioned 20,000-gallon aboveground storage tanks (ASTs) are located. The ASTs were used to store No. 1 and No. 2 fuel oil from 1947 through 1984. Based on soil sampling results in the PADEP-approved September 2006 Site Characterization Report (SCR), EPA has determined that no remedial activities are required at the Fuel Tank Area.
South Parking Lot Area	From 1959 through 1969, spent foundry sands containing elevated levels of metals, primarily lead (as high as 3,710 milligrams per kilogram (mg./kg.) compared to the non-residential soil medium specific concentration (MSC) of 450 mg./kg.), and limited

Statement of Basis

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	<p>quantities of other fill materials generated from Facility operations were placed in the South Parking Lot Area to bring that area to grade. In Fall 2008, an asphalt cover system was placed over the existing parking lot and a geocomposite cover system was placed on the western slope of this Area. EPA has determined that these covers, along with institutional controls designed to maintain the engineered components and limit future site activities in this Area, effectively eliminate potential future exposure pathways.</p>
<p>Slag Reclamation Basin/Bank Area</p>	<p>The Slag Reclamation Basin (SRB)/Bank Area (SRB Area) is comprised of a former wastewater management basin and its adjacent bank. The SRB Area is located in the north central portion of the Facility and extends onto an adjacent undeveloped portion of a residential property to the north. The SRB was used to manage solids from the reclamation process. At the time of the SCR, the SRB had been filled to grade with sludge, debris, and soils containing elevated concentrations of metals, primarily lead (as high as 4,040 mg./kg.). Waste materials including dried sludge and foundry sand were also present in the adjacent bank and on the adjacent residential property. Lead concentrations in the bank area were seen as high as 17,800 mg./kg. Approximately 4,500 cubic yards of waste materials were deposited in the SRB. In Fall 2012, Facility wastes and impacted soils from this area and the MISS Area (described below) were excavated and consolidated beneath an engineered cap in the SRB Area and in an adjacent area north of the North Parking Area. Soils on the adjacent neighboring property were cleaned up to meet PADEP's residential Statewide Health Standards.</p>
<p>Metals Impacted Soils and Sediment (MISS)</p>	<p>The MISS Area includes the entire Facility property except for the closed Landfill/Lagoons, Fuel Tank Area and South Parking Lot Area. Most of the surface and subsurface soil samples collected from the MISS Area did not exhibit elevated constituent concentrations. However lead was detected above its non-residential soil MSCs at a 2-acre area adjacent to the SRB Area (3,770 mg./kg.), at a 0.5-acre area in the Equipment Storage Area north of the foundry building (49,800 mg./kg.), at a 0.1-acre area north of the entrance road (2,600 mg./kg.), in sediments in a portion of the unnamed tributary adjacent to the SRB Area (1,890 mg./kg.), and in drainage features adjacent to stormwater outfalls (1,000 mg./kg.). In Fall 2012, impacted soils and sediments from these areas were excavated and consolidated beneath an engineered cap in the former SRB area and an adjacent area north of the North Parking Area.</p>

Statement of Basis



Facility Groundwater	Groundwater from 12 monitoring wells, the Facility production well and one temporary monitoring well was sampled in 2003 and 2005 as part of the SCR. Groundwater monitoring results showed no exceedances of the applicable maximum contaminant levels (MCLs) promulgated at 40 C.F.R. Part 141 pursuant to Section 1412 of the Safe Drinking Water Act, 42 U.S.C. Section 300g-1, for drinking water for any of the dissolved phase samples. Since the SCR was submitted, Arsenic has been detected slightly above its MCL at one well location. As discussed below, EPA has determined that the arsenic is not related to Facility activities.
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## Section 3: Summary of Environmental Investigations

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### 3.1 Environmental Investigations

Numerous environmental investigations have been conducted at the Facility and are discussed in detail in the following reports, each of which is contained in the Administrative Record: Site Cleanup Final Report, Metals Impacted Soils and Sediments Site (October 2013); Final Report, South Parking Lot Site (October 2009); Final Report, Fuel Tank Area Site (September 2009); and Site Characterization Report (September 2006).

The above investigations were completed pursuant to PADEP's Land Recycling Program (Act 2) and sampling results in those reports were compared to Act 2 Statewide Health Standards (SHSs), otherwise known as Medium Specific Concentrations (MSCs). These standards are equivalent to EPA's Maximum Contaminant Levels (MCLs) for groundwater and the Region III Screening Levels (RSLs) for residential and industrial soil, for each of the identified constituents of concern (COCs).

The on-site landfill, North and South Lagoons, South Parking Lot Area, and SRB Area are all known to contain metals (primarily lead) contaminated wastes. In addition to lead, elevated concentrations of antimony and zinc have also been detected in waste materials within the above listed Areas of Investigation. However, each of these Areas has been addressed by consolidating and containing those wastes in place with maintained engineered covers or caps, thereby eliminating the possibility of an exposure pathway in those Areas.

All soils on the Facility property located outside of the capped areas described above meet PADEP's SHSs for non-residential usage. In addition, the SCR identified lead-bearing waste on a small unused portion of the adjacent residential property between that property's boundary and the unnamed tributary to French Creek. There was no evidence that waste materials migrated across the unnamed tributary to any used portions of the

Statement of Basis

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residential property. The soils on the residential property have since been remediated to meet the residential SHSs.

### **3.1.2. Groundwater Investigation**

The Facility is located within the Appalachian Plateau physiographic province and is underlain by the Mississippian Age Bedford Shale. The shale is overlain by till, which ranges in thickness from 25 feet to 50 feet and consists of poorly sorted silt, sand, gravel and clay. The uppermost water bearing zone occurs in the till under unconfined conditions and the depth to water is typically between 5 feet and 25 feet below the ground surface (bgs). This aquifer is used for water supply on site and potentially in the surrounding residential areas. Groundwater levels and the local topography both indicate that groundwater in the unconfined aquifer discharges into the adjacent French Creek and/or its unnamed tributary and groundwater flow direction is generally to the west/northwest across the Facility.

For the 2006 Site Characterization (SC), a Facility-wide groundwater monitoring network including 12 on-site monitoring wells, the Facility production well and one on-site temporary monitoring well was established. The network included five existing wells used to monitor the Landfill, three existing wells in the vicinity of the Slag Reclamation Basin, and four new wells (two installed in the South Parking Lot Area, one downgradient from the Fuel Tank Area and one downgradient from the contaminated soils in the field on the northern and western portion of the Facility).

Groundwater data associated with two rounds of sampling collected as part of the SC indicated several samples slightly exceeding the PADEP Statewide Health Standard (SHS) for total lead. However, dissolved lead concentrations at these locations were below the practical quantitation limit (PQL), and the total suspended solids concentration was elevated at each location where an exceedance for lead was observed. Based on the groundwater data, EPA has determined that the higher total lead concentrations were due to biases introduced during the sampling procedure and that the dissolved phase data are more representative of actual aquifer conditions. Arsenic is the only dissolved phase groundwater contaminant detected above its respective MCL of 10 µg/l. The elevated arsenic level (16.2 µg/l) was observed in one monitoring well, EX-3, located near the northwest corner of the SRB. Arsenic is not associated with any of the impacted site soils or buried wastes at the Facility. EPA has determined that its presence in groundwater at EX-3 is not due to Facility-related activities, but is most likely related to leaching of naturally occurring arsenic.

The Post-Remediation Care Plan requires five years of groundwater monitoring of the dissolved phase priority pollutant metals. If dissolved phase metals are not detected above the SHSs after five years, the groundwater monitoring program will be terminated.

### **3.1.3 Human Health Risk Assessment and Evaluation of Exposure Pathways**

The proposed remedy provides long-term containment of metals-impacted foundry wastes and soils on-site. All wastes and impacted soils at the Facility have been excavated and consolidated beneath engineered cover systems. The remaining soils on-site outside of the engineered cover systems meet PADEP's non-residential SHSs and pose no significant risk to workers at the Facility. See the March 2011 Risk Assessment Report for more information.

### **3.1.4. Summary of Remedial Activities Completed**

As described in Section 2.1 above, the Landfill located to the southwest of the main building and the two former Lagoons located west of the North Parking Area were closed under PADEP oversight and approval pursuant to Chapter 75 of PADEP's solid waste and hazardous waste regulations. An engineered cover designed to minimize infiltration of precipitation and promote drainage from the surface areas while minimizing erosion was installed on the landfill upon its closure in 1985. The remediation of the Lagoons consisted of the removal of all sludges and replacement with clean fill. As such, there was no need to install a low permeability cap on the Lagoons as no hazardous waste remained after the remediation and groundwater in the vicinity of the Lagoons had not been and continues to not be impacted by their former operation.

The asphalt cover system combined with the geocomposite cover system installed over the South Parking Lot Area in 2008 effectively eliminated the potential for future exposures to the hazardous levels of lead and other metals contained in the fill material buried beneath the cover systems.

Contaminated wastes/soils from the SRB and MISS Areas were consolidated within the SRB Area and an adjacent area north of the North Parking Area in 2012. The combined Area has been covered by an engineered cap eliminating the potential for future exposure. The maintenance requirements for all engineered covers at the Facility are stipulated in the Post Remediation Care Plan.

Because some contamination will remain in the soil at the Facility above levels appropriate for residential uses, PADEP approved two environmental covenant pursuant to the Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517, (UECA). USBFMI recorded the first environmental covenant on the title to the Facility property on June 17, 2010 (2010 Environmental Covenant). This covenant addresses contamination associated with the South Parking Lot Area. USBFMI recorded the second environmental covenant on the title to the Facility property on August 4, 2014 (2014 Environmental Covenant). The 2014 Environmental Covenant prohibits residential use of the Facility property; prohibits excavation or disturbance of the cap associated with the MISS/SRB Area without prior PADEP approval, prohibits the installation of potable wells within the boundary of the MISS/SRB capped area, and

Statement of Basis

requires periodic inspection and maintenance of engineered caps. The 2010 Environmental Covenant is attached hereto as Exhibit A and the 2014 Environmental Covenant is attached hereto as Exhibit B.

### **3.2 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 both of these indicators on August 3, 2010.

## **Section 4: Corrective Action Objectives**

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EPA's Corrective Action Objectives for the specific environmental media at the Facility are the following:

### **1. Soils**

EPA's Corrective Action Objective for Facility soils in areas located outside of the constructed caps is to attain PADEP's SHSs for non-residential usage and control exposure to hazardous constituents remaining in those soils. PADEP's SHSs for non-residential usage meet or are more conservative than EPA's acceptable risk range for non-residential usage. Therefore, EPA has determined that PADEP's SHSs for non-residential usage are protective of human health and the environment for individual contaminants at the Facility provided that the Facility is not used for residential purposes.

For those areas of the Facility that have excavated waste remaining in place under constructed caps, EPA's corrective action objective is to contain the waste beneath the cap to control exposure to the hazardous constituents in that waste.

### **2. Groundwater**

EPA expects final remedies to return usable groundwater to its maximum beneficial use within a timeframe that is reasonable given the particular circumstances of the project. For projects where aquifers are either currently used for water supply or have the potential to be used for water supply, EPA will use the National Primary Drinking Water Standard Maximum Contaminant Levels (MCLs) promulgated pursuant to Section 42 U.S.C. §§ 300f et seq. of the Safe Drinking Water Act and codified at 40 CFR Part 141).

Statement of Basis

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Arsenic is the only contaminant in concentrations that exceed the applicable MCL in Facility groundwater. However, EPA has determined that arsenic is not a Facility-related contaminant, but is naturally occurring in the area of the Facility. EPA has determined that further remediation of arsenic would not provide a significant reduction in risks to actual or potential receptors.

While there are currently no Facility-related contaminants that exceed applicable MCLs, because waste remains in place at the Facility, EPA's Corrective Action Objective for Facility groundwater is to assure that the engineered cover systems currently in place at the Facility continue to prevent contaminants from migrating into Facility groundwater at concentrations that exceed applicable MCLs.

## **Section 5: Proposed Remedy**

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EPA's proposed remedy for the Facility is continued compliance with the restrictions and requirements in the 2010 and 2014 Environmental Covenants and associated Post Remediation Care Plans.

EPA has determined that the restrictions and requirements in the Environmental Covenants and Post Remediation Care Plans are necessary and sufficient to achieve EPA's Corrective Action Objectives as long as the necessary operation, maintenance and monitoring activities required by these documents are performed and land and groundwater use restrictions are maintained.

Specifically, with respect to Facility soils, the Environmental Covenants require, among other things, the periodic inspection and maintenance of the engineered cover systems over the South Parking Lot Area and SRB Area, and prohibits residential usage of the Facility property.

With respect to Facility groundwater, under the Post Care Remediation Plan, to protect human health and the environment in both the short-term and long-term and achieve EPA's cleanup objectives at the Facility, Facility wells will be monitored for dissolved priority pollutant metals for a minimum of five years from the October 2013 submittal of the Site Cleanup Final Report. If exceedances above applicable MCLs are encountered, EPA may determine that additional maintenance and monitoring activities, institutional controls, or other corrective actions are necessary to protect human health or the environment, after the necessary public participation requirements are met.

## Section 6: Evaluation of Proposed Remedy

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This section provides a description of the criteria EPA used to evaluate the proposed remedy consistent with EPA guidance. The criteria are applied in two phases. In the first phase, EPA evaluates three decision threshold criteria as general goals. In the second phase, for those remedies which meet the threshold criteria, EPA then evaluates seven balancing criteria.

Threshold Criteria	Evaluation
1) Protect human health and the environment	The primary human health and environmental threats posed by contaminated soils at the Facility were related to direct contact with those soils. Additional threats were related to the potential for migration of contamination in the soils via soil erosion, surface water run-off and leaching to the ground water. The excavation, consolidation and containment of metals-impacted soils within the constructed engineered cap provides a physical barrier that prevents direct contact, eliminates migration pathways through soil erosion, and limits percolation through the soil and fill material to groundwater. Therefore, the proposed remedy eliminates or minimizes threats to human health and the environment provided that land use restrictions and post-remedial care are maintained.
2) Achieve media cleanup objectives	EPA's proposed remedy meets the media cleanup objectives based on assumptions regarding current and reasonably anticipated land use. The cleanup objective at the Facility is to contain the hazardous wastes that remain in place and control exposure to those wastes in a non-residential land use scenario. The proposed remedy meets this objective through the containment of metals-impacted soils within engineered caps and the implementation and maintenance of land use restrictions and post-remedial care.
3) Remediating the Source of Releases	The sources of releases from the Lagoons and MISS Area have been remediated. The sludges were excavated from the Lagoons and replaced with clean fill and the impacted soils and sediments from MISS Area were excavated and consolidated beneath an engineered cap in the former SRB area and an adjacent area north of the North Parking Area. The containment of metals-impacted soils within the engineered cap provides a physical barrier that will continue

Statement of Basis

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	to prevent direct contact, eliminate migration pathways through soil erosion, and limit percolation through the materials to groundwater. Future risks related to direct exposures will be limited by land use restrictions and post-remedial care.
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<b>Balancing Criteria</b>	<b>Evaluation</b>
4) Long-term effectiveness	The proposed remedy will remain protective of human health and the environment over time by controlling exposure to the hazardous constituents remaining in soils. EPA's proposed remedy requires the compliance with and maintenance of land use restrictions at the Facility, which are currently being implemented via the 2010 and 2014 Environmental Covenants. These covenant are enforceable by EPA and PADEP against current and future land owners. In addition to the activity and use limitations, there are requirements to inspect and maintain the protective cover systems overlying contaminated wastes/soils, which will ensure the long-term effectiveness of the proposed remedy.
5) Reduction of toxicity, mobility, or volume of the Hazardous Constituents	The containment of the metals-contaminated soils beneath the low permeability engineered cover systems greatly reduces potential mobility of the encapsulated hazardous constituents.
6) Short-term effectiveness	EPA's proposed remedy does not involve any activities, such as construction or excavation that would pose short-term risks to workers, residents, and the environment. The land and groundwater use restrictions proposed in the remedy are already in effect at the Facility per the 2010 and 2014 Environmental Covenants.
7) Implementability	EPA's proposed remedy is readily implementable. EPA does not anticipate any regulatory constraints in implementing its proposed remedy. The land and groundwater use restrictions proposed in the remedy have already been implemented under the 2010 and 2014 Environmental Covenants.
8) Cost	EPA's proposed remedy is cost effective. The costs associated with this proposed remedy have already been incurred and the remaining costs are minimal (estimated cost of less than \$10,000 per year for groundwater monitoring, engineered cover inspection/maintenance, etc.).

9) Community Acceptance	EPA will evaluate community acceptance of the proposed remedy during the public comment period, and will address comments received in the Final Decision and Response to Comments.
10) State/Support Agency Acceptance	PADEP has approved the Site Cleanup Final Report. If PADEP provides comments on the proposed remedy, EPA will address them in the Final Decision and Response to Comments.

## **Section 7: Financial Assurance**

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EPA has evaluated whether financial assurance for corrective action is necessary to implement EPA's proposed remedy at the Facility. Given that EPA's proposed remedy does not require any further engineering actions to remediate soil, groundwater or indoor air contamination at this time and given that the costs of complying with the 2010 and 2014 Environmental Covenants and associated Post Remediation Care Plan institutional controls at the Facility will be de minimis (estimated cost of less than \$10,000 per year for groundwater monitoring, engineered cover inspection/maintenance, etc.), EPA is proposing that no financial assurance be required.



## Section 8: Public Participation

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Interested persons are invited to comment on EPA's proposed remedy. The public comment period will last 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 Andrew Clibanoff at the address listed below.

A public meeting will be held upon request. Requests for a public meeting should be made to Andrew Clibanoff 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 remedy at this Facility. The Administrative Record is available at the following location:

U.S. EPA Region III  
1650 Arch Street  
Philadelphia, PA 19103  
Contact: Andrew Clibanoff (3LC30)  
Phone: (215) 814-3391  
Fax: (215) 814 - 3113  
Email: [clibanoff.andrew@epa.gov](mailto:clibanoff.andrew@epa.gov)

### **Attachments:**

Figure 1: Map of Facility

June 2010 Environmental Covenant, South Parking Site

August 2014 Environmental Covenant, MISS Site

**Section 9: Signature**

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Date: 8.6.15

  
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John A. Armstead, Director  
Land and Chemicals Division  
US EPA, Region III

Statement of Basis

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## **Section 10: Index to Administrative Record**

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File-Stamped Environmental Covenant, Metals Impacted Soils and Sediments Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, August 4, 2014.

Site Cleanup Final Report, Metals Impacted Soils and Sediments Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, October 2013.

Site Cleanup Plan, Metals Impacted Soils and Sediments Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, Revised October 2011.

Risk Assessment Report (Revision 01), Metals Impacted Soils and Sediments Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, March 2011.

Supporting Documentation for Restoration Waiver, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, March 2011.

File-Stamped Environmental Covenant, South Parking Lot Area Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, June 2010.

Final Report, South Parking Lot Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, October 2009.

Final Report, Fuel Tank Area Site, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, September 2009.

Site Characterization Report, U.S. Bronze Foundry and Machine, Inc., Meadville, PA, prepared by Geosyntec Consultants, September 2006

Environmental Indicator Inspection Report, Foster Wheeler Environmental Corporation, prepared for PADEP and EPA, December 2002

## **Attachment 1**

### **Figure 1: Map of Facility**



**Legend**

- ◆ Monitoring Well, Existing
- ◆+ Monitoring Well, Phase I
- ◆+ Monitoring Well, Phase II
- ..... Former Lagoon (approx.)
- - - Slag Reclamation Basin/Bank Area Site Boundary
- Metals Impacted Soils and Sediments Boundary
- Miscellaneous Buildings
- French Creek and Unnamed Tributary
- FRM\_bow
- Fence
- Tree Line
- + Railroad
- - - Property Line
- Roads
- - - 1-ft Topographic Contour
- 10-ft Topographic Contour

150 75 0 150 Feet

**Metals Impacted Soils and Sediments Site Location**

U.S. Bronze Foundry and Machine, Inc.  
Meadville, Pennsylvania

**Geosyntec**<sup>®</sup>  
consultants

Columbia, Maryland August 2013

Figure 1

## **Attachment 2**

### **June 2010 Environmental Covenant**

The County Parcel Identification No. of the Property is: 6708-9  
**GRANTOR:** U.S. Bronze Foundry and Machine, Inc.  
**PROPERTY ADDRESS:** 18649 Brake Shoe Road  
Meadville, Pennsylvania, 16335

**ENVIRONMENTAL COVENANT**

This Environmental Covenant is executed pursuant to the Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517 (UECA). This Environmental Covenant subjects the Property identified in Paragraph 1 to the activity and/or use limitations in this document. As indicated later in this document, this Environmental Covenant has been approved by the Pennsylvania Department of Environmental Protection (Department).

ENVIRONMENTAL PROTECTION  
NORTHWEST REGIONAL OFFICE

1. **Property affected.** The property affected (Property) by this Environmental Covenant is located in Meadville, Crawford County.

The postal street address of the Property is:

18649 Brake Shoe Road  
P.O. Box 458  
Meadville, Pennsylvania 16335

201000005568  
Filed for Record in  
CRAWFORD COUNTY PA  
CAROL A. STAINBROOK  
06-17-2010 At 03:14 PM.  
AGT 36.50  
OR Book 1010 Page 1342 - 1354

The latitude and longitude of the center of the Property affected by this Environmental Covenant is: 80° 9' 52.54" W and 41° 41' 21.71" N.

The Property has been known by the following name(s):

U.S. Bronze Foundry and Machine Inc.  
Abex Corporation

The DEP Primary Facility ID# is: 683710

A complete description of the Property is attached to this Environmental Covenant as Exhibit A. A map of the Property is attached to this Environmental Covenant as Exhibit B.

2. **Property Owner / GRANTOR.** U.S. Bronze Foundry and Machine, Inc. is the owner of the Property and the GRANTOR of this Environmental Covenant.

3. **Holder(s) / GRANTEE(S).** The following is/are the GRANTEE(s) and a "holder," as that term is defined in 27 Pa. C.S. § 6502, of this Environmental Covenant:

Pneumo Abex LLC  
C/O Briggs and Morgan, P.A.  
Mr. Thomas Larson, Esq.  
2200 IDS Center  
80 South 8<sup>th</sup> Street  
Minneapolis, Minnesota 55402

4. **Description of Contamination & Remedy.**

Contamination in the South Parking Lot consists of spent foundry sands that contain elevated levels of metals, primarily lead, copper, and zinc, however, no groundwater

contamination was detected. The remedy selected for the South Parking Lot Site included an in-place containment remedy consisting of an approved cover system (i.e., asphalt, engineered soil, and geosynthetic cover). The remedial action taken attains the site-specific standard through pathway elimination in compliance with Act 2, Section 304.

5. **Activity & Use Limitations** The Property is subject to the following activity and use limitations, which the Owner and each subsequent owner of the Property shall abide by:

- (1) The Property shall be used solely for nonresidential purposes;
- (2) The Grantee shall have a continuing duty to maintain the protective soil or fill cover, pavement caps and/or structures overlying contaminated soils within the limits of the South Parking Lot Site identified in Exhibit B;
- (3) No excavations or disturbances of the approved cover system shall be permitted without prior submittal of a work planned implementation schedule to the Department addressing all applicable law and regulations and providing for satisfactory restoration of the capping system. Excavation or disturbance of the cover system can only progress in accordance with that work plan and schedule with prior Department approval. The work plan and schedule must be submitted to the Department no less than 30 days prior to the planned activity; and
- (4) Potable water wells shall not be installed on the Land within the boundaries of the South Parking Lot Site shown on Exhibit B.

6. **Notice of Limitations in Future Conveyances**. Each instrument hereafter conveying any interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and shall provide the recorded location of this Environmental Covenant.

7. **Compliance Reporting**. By the end of every third year (e.g., December 31, 2013, December 31, 2016, etc.) following the effective date of this Environmental Covenant, the Owner and each subsequent owner shall submit, to the Department and any Holder listed in Paragraph 3, written documentation stating whether or not the activity and use limitations in this Environmental Covenant are being abided by. The Owner and each subsequent owner shall submit, to the Department and any Holder listed in Paragraph 3, written documentation following transfer of the property, concerning proposed changes in use of the property, filing of applications for building permits for the property or proposals for any site work affecting the contamination on the property subject to this Environmental Covenant.

8. **Access by the Department**. In addition to any rights already possessed by the Department, this Environmental Covenant grants to the Department a right of reasonable access of the Property in connection with implementation or enforcement of this Environmental Covenant.

9. **Recording & Proof & Notification**. Within 30 days after the date of the Department's approval, the Owner(s) shall file this Environmental Covenant with the Recorder of Deeds for each County in which the Property is located, and send a file-



stamped copy of this Environmental Covenant to the Department, listed below, within 60 days of recordation. Within that time period, the Owner(s) also shall send a file-stamped copy to each of the following: each Municipality and County in which the Property is located; any Holder identified in this Environmental Covenant; each person holding a recorded interest in the Property; and each person in possession of the Property.

10. **Termination or Modification** This environmental covenant may only be terminated or modified in accordance with Section 9 of UECA, 27 Pa. C.S. § 6509.

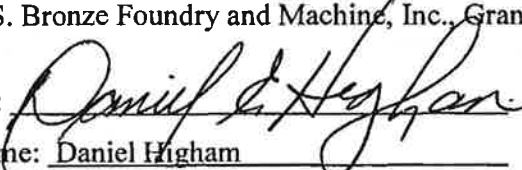
11. **Department's address.** Communications with the Department regarding this Environmental Covenant shall be sent to:

Environmental Cleanup Program Manager  
230 Chestnut Street  
Meadville, Pennsylvania 16335

ACKNOWLEDGMENTS by Owner(s) and any Holder(s), in the following form:

U.S. Bronze Foundry and Machine, Inc., Grantor

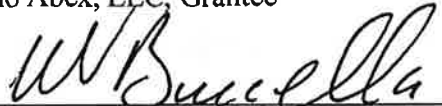
Date: 3/29/10

By:   
Name: Daniel Higham

Title: President

Date: 3/25/10


Pneumo Abex, LLC, Grantee

By:   
Name: William Buccella

Title: Vice President

APPROVED, by Commonwealth of Pennsylvania,  
Department of Environmental Protection

Date: 5/26/2010

By:   
Name: ERIC A. GUSTAFSON

Title: REGIONAL ECP MANAGER

COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CRAWFORD COUNTY SS:

On this 29 day of March, 2010 before me, the undersigned officer, personally appeared Daniel Higham [Owner, Grantor] who acknowledged himself/herself to be the person whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Barbara Lucas  
Notary Public

My Commission Expires:

Seal: COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
BARBARA LUCAS - NOTARY PUBLIC  
Richmond Twp., Crawford County  
MY COMMISSION EXPIRES OCT. 24, 2013

CITY OF NEW YORK

COUNTY OF NEW YORK SS:

On this 29th day of March, 2010 before me, the undersigned officer, personally appeared William Buccella [Holder, Grantee] who acknowledged himself/herself to be the person whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.



In witness whereof, I hereunto set my hand and official seal.

Christina Collado  
Notary Public

My Commission Expires:

Seal:

CHRISTINA COLLADO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01CO6197861  
Qualified In Kings County  
My Commission Expires December 08, 2012



COMMONWEALTH OF PENNSYLVANIA :  
 : SS,  
COUNTY OF CRAWFORD COUNTY :

On this the 26<sup>th</sup> day of MAY, 2010, before me, a Notary Public, the undersigned person, Eric A. Gustafson, Regional Manager, Environmental Protection personally appeared and acknowledged himself to be authorized on behalf of himself, to sign the foregoing ENVIRONMENTAL COVENANT, dated MAY 26, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

*Judith Ann Moser*  
Notary Public

My Commission Expires:  
MARCH 2, 2013

Seal: COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
Judith Ann Moser, Notary Public  
City of Meadville, Crawford County  
Commission Expires Mar. 2, 2013



COMMONWEALTH OF PENNSYLVANIA :  
 : SS,  
COUNTY OF CRAWFORD COUNTY :

On this the \_\_\_\_\_ day of \_\_\_\_\_, 2009, before me, a Notary Public, the undersigned person, \_\_\_\_\_, personally appeared and acknowledged herself to be authorized on behalf of herself, to sign the foregoing Consent Order and Agreement, dated \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal.

\_\_\_\_\_  
Notary Public

My Commission Expires:

Seal:

---

**EXHIBIT A**

Parcel No. 1

ALL that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

Beginning at an iron pin which is located sixty (60) feet west of the center line of the Erie Railroad right of way by radial measurement, which is also the northeast corner of land conveyed to the second party herein by Delbert Theuret, et ux; thence along said land of second party herein and land of Herman, North  $74^{\circ} 3' 50''$  West, a distance of fifteen hundred eighty-seven and thirty-six hundredths (1,587.36) feet to the center of French Creek the following four courses and distances: first, North  $50^{\circ} 37'$  East, a distance of five hundred twenty-six and forty-six hundredths (526.46) feet; second, North  $58^{\circ} 52'$  East, a distance of five hundred fifty-three and sixty-two hundredths (553.62) feet; third, North  $66^{\circ} 49'$  East, a distance of sixty-three and thirty-four hundredths (63.34) feet; fourth, North  $18^{\circ} 49'$  East, a distance of nine and seventy-two hundredths (9.72) feet to an iron pin; thence along land of W. Austin Bowes, South  $74^{\circ} 14'$  East, a distance of ten hundred seventy-six and ninety-nine hundredths (1076.99) feet to an iron pin; thence along land of said W. Austin Bowes, North  $15^{\circ} 46'$  East, a distance of forty (40) feet to an iron pin; thence also along land of said Bowes, South  $74^{\circ} 14'$  East, a distance of two hundred (200) feet to an iron pin; thence South  $4^{\circ} 20'$  West, a distance of seventy-seven and sixty-eight hundredths (77.68) feet to an iron pin; thence South  $17^{\circ} 51'$  West, a distance of one hundred nineteen and four hundredths (119.04) feet to an iron pin, said pin being ninety (90) feet by radial measurement from the center line of the Erie Railroad right of way; thence southwesterly along said northerly right of way line by a curve to the left, having a radius of fifty-eight hundred nineteen and sixty-five hundredths (5,819.65) feet and being concentric with said center line, a distance of three hundred eight-two and fourteen hundredths (382.14) feet to an iron pin; thence South  $73^{\circ} 41' 15''$  East, a distance of thirty-five and sixty-two hundredths (35.62) feet to an iron pin, said pin being sixty (60) feet by radial measurement from the center line by the right of way of the Erie Railroad, thence southwesterly along said northerly right of way line of the Erie Railroad by a curve to the left, having a radius of fifty seven hundred eight-nine and sixty-five hundredths (5,789.65) feet and being concentric with said center line, a distance of four hundred eighty-eight and sixty-eight hundredths (488.68) feet to an iron pin, the point or place of beginning; containing 30.684 acres of land; excepting and reserving therefrom lands conveyed by deed recorded in Crawford County Deed Book 263, page 393 and Deed Book 320, page 489; and being the same property conveyed to Party of the First Part by deed recorded in Crawford County Deed Book 330, page 393. This parcel is subject to agreements for line fences, release of damages et al. set forth more particularly in Crawford County Deed Book 193, page 15, Deed Book 203, page 300, Deed Book 193, page 556, and Deed Book 189, page 700.

Parcel No. 2

ALSO, all that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

Beginning at an iron pin which is located sixty (60) feet west of the center line of the Erie Railroad by radial measurement; thence along the south line of land of Bowes, North  $74^{\circ} 3' 50''$  West five hundred sixty-seven and forty-eight hundredths (567.48) feet to an iron pin; thence along the east line of land of Herman, South  $39^{\circ} 8' 10''$  West a distance of two hundred ninety-four and five hundredths (294.05) feet to an iron pin; thence along the north line of other land of Theuret, South  $52^{\circ} 58' 50''$  East two hundred sixty-six and twenty-two hundredths (266.22) feet to an iron pin; thence along the east line of said land of Theuret, South  $17^{\circ} 41' 40''$  West two hundred three and thirty-one hundredths (203.31) feet to an iron pin; thence along the north line of land of Cropp, South  $73^{\circ} 30' 50''$  East a distance of twenty (20) feet to an iron pin; thence along the west line of land of Henry Williams, North  $17^{\circ} 41' 50''$  East a distance of one hundred ninety-five and eighty-eight hundredths (195.88) feet to an iron pin; thence along the north line of said Williams land, South  $67^{\circ} 24' 45''$  East two hundred twenty-one and fifty-two hundredths (221.52) feet to an iron pin; thence along the west line of the right of way of the Erie Railroad Company along the arc of a circular curve to the right having a radius of fifty seven hundred eighty-nine and sixty-five hundredths (5,789.65) feet a distance of four hundred forty-four and fifty-eight hundredths (444.58) feet to an iron pin, the place of beginning; containing four and fifty-six hundredths (4.56) acres; and being the same property conveyed to Party of the First Part in Crawford County Deed Book 330, page 392. This parcel is subject to a lane as reserved in Will of Daniel Weikel, deceased, recorded in Deed Book F, page 367, line fence agreement set forth in Deed Book 193, page 58 and Pennsylvania Electric company Right-of-Way in Agreement Book Y, page 360.

Parcel No. 3

ALSO, all that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit: commencing at a concrete monument on the east bank of French Creek, said concrete monument being on the southwest corner of other land of the first party; thence South thirty-five ( $35^{\circ}$ ) degrees, twenty-nine minutes ( $29'$ ) West along the east line of French Creek a distance of seventy-seven and fifty-six hundredths (77.56) feet to an iron stake; thence south fifty-two ( $52^{\circ}$ ) degrees, fifty-eight ( $58'$ ) minutes and fifty ( $50''$ ) seconds east a distance of five hundred forty-eight and ninety hundredths (548.90) feet to a concrete monument; then north thirty-nine ( $39^{\circ}$ ) degrees, eight ( $8'$ ) minutes and ten ( $10''$ ) seconds east a distance of two hundred ninety-four and five hundredths (294.05) feet to a concrete monument, said monument being in the south line of land of first party; thence north seventy-four ( $74^{\circ}$ ) degrees, three ( $3'$ ) minutes and fifty ( $50''$ ) seconds west along the southern line of other land of first party a distance of six hundred one and twenty-two hundredths (601.22) feet to the concrete monument, being the place of beginning; containing two and thirty-five hundredths (2.35) acres, more or less; and being the same property conveyed to first party in Crawford County Deed Book 350, page 7.

Parcel No. 4

ALSO, all that certain piece or parcel of land situate in Woodcock Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point of intersection of the center line of U.S. Route #19 and Brake Shoe Road; thence in a southerly direction along the center line of U.S. Route #19 a distance made along the arc of said center line having a radius of 5,729.58 feet 200 feet to a point on the center line of U.S. Route #19; thence in a westerly direction along the land now or formerly of George R. Wilson and Anna M. Wilson, his wife, now Diogenes A. Saavedra, North  $79^{\circ} 26' 55''$  West 180.35 feet to the southeast corner of land now or formerly of Edward J. Derricott, et ux; then North  $0^{\circ} 23' 30''$  East along the line of land of said Derricott 170 feet to a point in the center line of Brake Shoe Road; thence in an easterly direction along the center line of Brake Shoe Road South  $8^{\circ} 27' 10''$  East 292.18 feet to the center line of U.S. #19, the point or place of beginning; and being the same property conveyed to first party in Crawford County Deed Book 439, page 504 described in accordance with the survey of Charles E. Stiles, Registered Surveyor, dated October 31, 1986.

Subject to the reservation by George M. Wilson and Anna M. Wilson, his wife, for themselves, their heirs and assigns of an easement 20 feet in width along the West side of the above-described premises and adjacent to land now or formerly of Derricott for the sole purpose of installation, maintenance and repair of public utilities extending to other lands of the said George R. Wilson and Anna M. Wilson, his wife, lying immediately south of the above-described premises, and shall not be used for a driveway.

Parcel No. 5

ALSO, all that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center line of Old Route 19, also known as Brake Shoe Road, at the North line of the Erie Railroad Co. Right of Way; thence North Fifty-one ( $51^{\circ}$ ) degrees Fifty ( $50''$ ) minutes Forty ( $40''$ ) seconds east, One Hundred Fifty and Thirty-four hundredths (150.34) feet to a point on the West right of way line of New Route 19; thence North Thirty ( $30^{\circ}$ ) degrees Thirty-three ( $33'$ ) minutest East along said right of way line Thirteen (13) feet to a stake; thence South Fifty-nine ( $59^{\circ}$ ) degrees Twenty-seven ( $27'$ ) minutes East at right angles to said right of way line a distance of Thirty (30) feet to the center line of New Route 19; then North Thirty ( $30^{\circ}$ ) degrees Thirty-three ( $33'$ ) minutes East along the center line of New Route 19 a distance of Three Hundred Seventy-five (375) feet; thence North Fifty-nine ( $59^{\circ}$ ) degrees Twenty-seven ( $27'$ ) minutes West at right angles to center line of said highway, Thirty (30) feet to a point on the west right of way line of said highway at a point on the dividing line between premises herein described and property now or formerly of Colonial Carriers, Inc.; thence North Eight-six ( $86^{\circ}$ ) degrees Forty-three ( $43'$ ) minutes West, Two Hundred Sixty-three

and Sixty hundredths (263.60) feet to a point in the center line of Brake Shoe Road; Then South Three (3°) degrees Twenty-five (25') minutes West along the center line of Brake Shoe Road Two Hundred Twenty-eight and Five-tenths (228.5) feet to a point; then continuing in a Southerly direction on an arc to the right along the center line of Brake Shoe Road having a radius of 915.42 feet, a distance of Two Hundred Eighteen (218) feet to the point or place of beginning.

Containing 1.757 acres of land and being the same property conveyed to first party in Crawford County Deed Book 439, page 507 described in accordance with the survey of Charles E. Stiles, Registered Surveyor, dated October 31, 1986.

This parcel is subject to rights-of-way granted United Natural Gas Company as recorded in Crawford County Agreement Book 33, at pages 355, 356 and 357.

In accordance with the requirements of §405 of Act No. 97 of July 7, 1980, P.L. 380, the grantor acknowledges that waste, both non-hazardous and hazardous has been disposed upon a portion of the property described above as Parcel No. 1 and Parcel No. 3 located westerly of the presently existing main plant building between the plant and French Creek occupying approximately 3.0 acres described as follows:

BEGINNING at a point located south 52° 58' 50" east a distance of one hundred ninety-eight and ninety hundredths (198.90) feet from a concrete monument set in the east bank of French Creek in the southwesterly corner of Parcel No. 3; Thence north 29° 30' 55" east a distance of three hundred fifty-two and seventy-eight hundredths (352.78) feet to a point; Then south 52° 58' 50" east a distance of four hundred nine (409) feet; Thence south 39° 08' 10" west a distance of three hundred fifty (350) feet to a point in the south line of the property; Thence along the south property line, common to lands of Myron Bogardus, north 52° 58' 50" west a distance of three hundred fifty (350) feet to a point, the place of beginning.

Approximately 31,600 cubic yards of such waste, consisting of foundry sands of various types, and baghouse dust, both containing concentrations of lead; wood scraps, sawdust, pallets and patterns; metal rods, pipes, and gagers, metal and fiber drums; styrofoam filler; plastic film and fiberglass; graphite and transite plates; and waste water treatment sludge, have been deposited. The proportion of the site and the specific area(s) within the site containing hazardous wastes are unknown. The foregoing facility has been closed in accordance with the Closure Plans Submitted to the Pennsylvania Department of Environmental Resources.

Also in accordance with the provisions of Pennsylvania Department of Environmental Resources Regulation §75.264(O) (19) and (2), the purchaser of the above property is hereby notified that the land has been used to manage hazardous waste; that disturbance of the site is restricted under paragraph (14) of Reg. §75.264(O); and that the survey plat and record of the type, location and quantity of hazardous waste disposed of within each cell or area of the facility



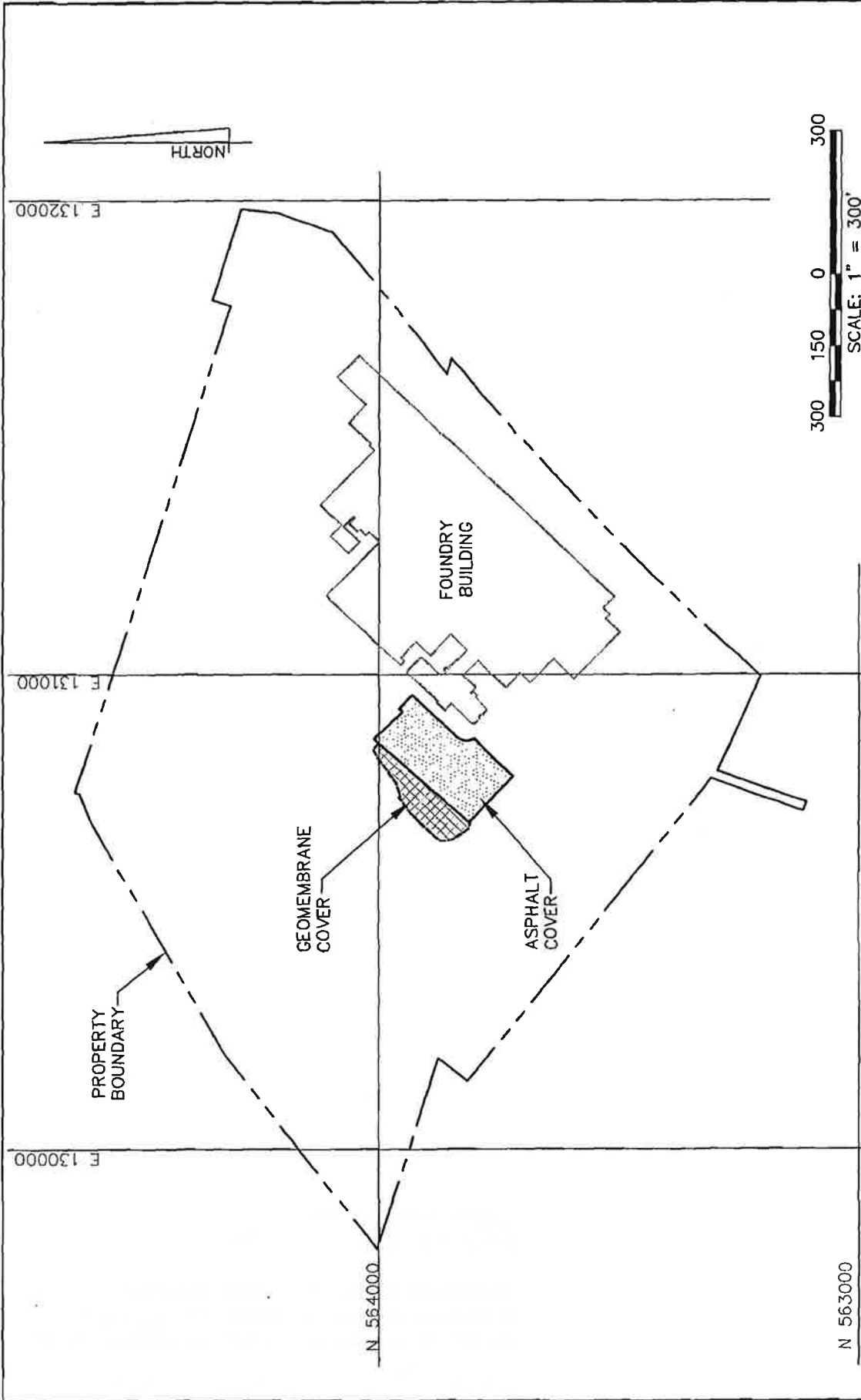
required by paragraph (19) of the regulation have been filed with the municipality and the Pennsylvania Department of Environmental Resources.

In addition to the foregoing site, two Wastewater treatment lagoons, located approximately 400 feet northwesterly of the main plant building, have been utilized as a facility in the treatment of industrial waste water. This facility also has been closed in accordance with the Closure Plan submitted to the Pennsylvania Department of Environmental Resources. All wastewater treatment sludge has been removed from this site.

Instrument      Book Page  
201000005568 OR      1010 1353

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## **EXHIBIT B**



<b>SITE PLAN</b>	
US BRONZE FOUNDRY AND MACHINE, INC MEADVILLE, PENNSYLVANIA	
DATE: FEBRUARY 2010	PROJECT NO. MR0521-06
DOCUMENT NO.	
FILE NO. 0521F002	EXHIBIT NO. B

**Geosyntec**  
consultants  
COLUMBIA, MARYLAND

Commonwealth of Penna.  
Crawford County                    SS:

Recorded in the Recorder of Deeds Office  
of said County in Record Book 1010 Page 1342  
WITNESS my hand and official seal at Meadville, PA

this 17<sup>th</sup> day of June 2010

Carol A. Steinbock  
Recorder of Deeds

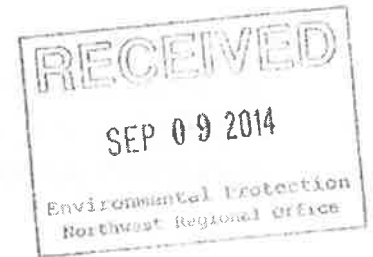
**Attachment 3**  
**August 2014 Environmental Covenant**



9 September 2014

Mr. Keith Odenweller  
Agent for Pneumo Abex, LLC  
604 Spring Hill Drive, Suite 110  
Spring, Texas, 77386

**Subject: File-Stamped Environmental Covenant  
Metals Impacted Soils and Sediment Site Cleanup  
U.S. Bronze Foundry and Machine, Inc.  
Meadville, Pennsylvania**



Dear Mr. Odenweller:

Please find enclosed the file-stamped copy of the Environmental Covenant (EC) for the Metals Impacted Soils and Sediment Site Cleanup at the U.S. Bronze Foundry and Machine, Inc. Site in Meadville, Pennsylvania. The enclosed copy of the EC was recorded in the land records of Crawford County, Pennsylvania on 4 August 2014. By way of copy of this letter, the file-stamped EC is being distributed to each of the parties identified in Section 9 of the EC.

Should you have questions regarding this document, please contact me at 410-381-4333.

Sincerely,

A handwritten signature in black ink, appearing to read "William Steier". The signature is fluid and cursive.

William Steier, P.E.  
Senior Engineer

Enclosures: File-Stamped Environmental Covenant

cc: Dennis Reis, Briggs and Morgan, P.A.  
Daniel Higham, U.S. Bronze and Machine, Inc.  
Gary Mechtly, Environmental Cleanup and Brownfields Program, PADEP  
Andy Clibanoff, RCRA Project Manager, USEPA Region III  
Jason Crawford, Woodcock Township Supervisors

MR0709C/MD14287.TransmittalofFileStampedEC

Instrument      Book Page  
201400005709 OR    1178 639

201400005709  
Filed for Record in  
CRAWFORD COUNTY PA  
DEBORAH CURRY  
08-04-2014 At 01:51 PM.  
AGT                    40.50  
OR Book    1178 Page 639 - 653

When recorded, return to:  
Briggs and Morgan, P.A.  
Attn: Dennis Reis  
2200 IDS Center  
80 South 8th Street  
Minneapolis, MN 55402

The County Parcel Identification No. of the Property is: 6708-9  
**GRANTOR:** U.S. Bronze Foundry and Machine, Inc.  
**PROPERTY ADDRESS:** 18649 Brake Shoe Road  
Meadville, Pennsylvania, 16335

### ENVIRONMENTAL COVENANT

This Environmental Covenant is executed pursuant to the Pennsylvania Uniform Environmental Covenants Act, Act No. 68 of 2007, 27 Pa. C.S. §§ 6501 – 6517 (UECA). This Environmental Covenant subjects the Property identified in Paragraph 1 to the activity and/or use limitations in this document. As indicated later in this document, this Environmental Covenant has been approved by the Pennsylvania Department of Environmental Protection (Department).

1. **Property affected.** The property affected (Property) by this Environmental Covenant is located in Meadville, Crawford County.

The postal street address of the Property is:  
18649 Brake Shoe Road  
P.O. Box 458  
Meadville, Pennsylvania 16335

The latitude and longitude of the center of the Property is: 80° 9' 52.54" W and 41° 41' 21.71" N.

The Property has been known by the following name(s):  
U.S. Bronze Foundry and Machine Inc.  
Abex Corporation

The DEP Primary Facility ID# is: 683710

A complete description of the Property is attached to this Environmental Covenant as Exhibit A. A map of the Property is attached to this Environmental Covenant as Exhibit B.



2. **Property Owner / GRANTOR.** U.S. Bronze Foundry and Machine, Inc. is the owner of the Property and the GRANTOR of this Environmental Covenant.

3. **Holder(s) / GRANTEE(S).** The following is/are the GRANTEE(s) and a "holder," as that term is defined in 27 Pa. C.S. § 6502, of this Environmental Covenant:

Pneumo Abex, LLC  
Integra Management Company, LLC  
Attn: Keith H. Odenweller  
604 Spring Hill Drive, Suite 110  
Spring, Texas 77386

4. **Description of Contamination & Remedy.** Contamination in the Metals Impacted Soil and Sediment Site consists of spent foundry sands that contain elevated levels of metals, primarily lead, copper, and zinc, however, no groundwater contamination was detected. The remedy selected for the Metals Impacted Soil and Sediment Site includes an in-place containment remedy consisting of excavating metals impacted soil, consolidating the impacted soils on site, and capping the impacted soil and area referred to as the Slag Reclamation Basin with a low-permeability cover system. Construction activities included the construction of a retaining wall and stormwater management features. The remedial action taken attains the site-specific standard through pathway elimination in compliance with Act 2, Section 304. The final remedy construction report titled, "Site Cleanup Final Report Metals Impacted Soils and Sediments Site" was approved by PADEP in a letter dated 24 December 2013. The administrative record for the Property is available through PADEP at 230 Chestnut Street, Meadville, Pennsylvania 16335. In addition, records pertaining to the contamination and remedy are located or available through USEPA, Region III, at 1650 Arch Street, Philadelphia, Pennsylvania 19103.

5. **Activity and Use Limitations.** The Property is subject to the following activity and use limitations, which the then current owner of the Property, and its tenants, agents, employees and other persons under its control, shall abide by:

(1) The Property shall be used solely for nonresidential purposes; the following uses are prohibited;

- a) Single family or multi-family dwellings and other residential-style facilities, or otherwise as a residence or dwelling quarters for any person or persons;
- b) Parks, playgrounds or other recreational areas including, without limitation, parks with swing sets, sand boxes, swimming pools or any other kind of equipment;
- c) Campgrounds;

- d) Daycare centers, nurseries, kindergartens, elementary and secondary schools, vocational or technical schools, or similar facilities;
  - e) Hospitals, nursing homes, shelters, group homes or similar facilities;
  - f) Cemeteries; and
  - g) The planting and raising of plants or crops for human consumption.
- (2) The Grantee shall have a continuing duty to maintain the protective soil or fill cover, vegetation and/or structures overlying contaminated soils within the limits of the approved cover system identified as "Cap Liner" on Exhibit B. Maintenance and inspections will be performed in accordance with the PADEP approved Post-Remediation Care Plan, and the growth and establishment of trees, shrubs, or other deep-rooted plant life will be prohibited within protective soil of fill cover;
- (3) No excavations or disturbances of the approved cover system shall be permitted without prior submittal of a work planned implementation schedule to the Department addressing all applicable law and regulations and providing for satisfactory restoration of the capping system. Excavation or disturbance of the cover system can only progress in accordance with that work plan and schedule with prior Department approval. The work plan and schedule must be submitted to the Department no less than 30 days prior to the planned activity; and
- (4) Potable water wells shall not be installed within the boundary of the approved cover system identified as "Cap Liner" on Exhibit B.
- (5) The Grantee shall have a continuing duty to operate and maintain the permanent post-construction stormwater management best management practices (PCSM BMPs), identified on Exhibit B, which include: (i) permanent diversion channels; (ii) riprap apron; and (iii) infiltration berm/retentive grading, identified as "PCSM BMP – Infiltration Berm". Maintenance and inspections will be performed in accordance with the most recent edition of the Pennsylvania Stormwater Best Management Practices Manual, document: 363-0300-002;
6. **Notice of Limitations in Future Conveyances.** Each instrument hereafter conveying any interest in the Property subject to this Environmental Covenant shall contain a notice of the activity and use limitations set forth in this Environmental Covenant and shall provide the recorded location of this Environmental Covenant.
7. **Compliance Reporting.** By the end of every third year (e.g., December 31, 2013, December 31, 2016, etc.) following the Department's approval of this Environmental Covenant, the then current owner of the Property shall submit, to the Department, the EPA and any Holder listed in Paragraph 3, written

documentation stating whether or not the activity and use limitations in this Environmental Covenant are being abided by. In addition, within 21 days after: a) written request by PADEP or EPA, b) transfer of title of the Property or of any part of the Property affected by this Environmental Covenant, c) noncompliance with paragraph 5 (Activity and Use Limitations), d) an application for a permit or other approval for any building or site work that could affect contamination on any part of the Property, the then current owner will send a report to the PADEP, the EPA and any Holder. The report will state whether or not there is compliance with paragraph 5. If there is noncompliance, the report will state the actions that will be taken to assure compliance.

8. **Access by the Department and by the EPA.** In addition to any rights already possessed by the Department and by the EPA, this Environmental Covenant grants to the Department and to the EPA a right of reasonable access of the Property in connection with implementation or enforcement of this Environmental Covenant.
  
9. **Recording and Notification of Recording.** Within 30 days after the date of the Department's approval of this Environmental Covenant, the GRANTEE shall file this Environmental Covenant with the Recorder of Deeds for each County in which the Property is located, and send a file-stamped copy of this Environmental Covenant to the Department within 90 days of the Department's approval of this Environmental Covenant. Within that time period, the GRANTEE also shall send a file-stamped copy to each of the following: Crawford County; Woodcock Township; the EPA and; any Holder listed in Paragraph 3.
  
10. **Termination or Modification.**
  - (a) This Environmental Covenant runs with the land unless terminated or modified in accordance with 27 Pa. C.S. §§ 6509 or 6510, or in accordance with this paragraph.
  
  - (b) This Environmental Covenant may be amended or terminated as to any portion of the Property that is acquired for use as state highway right-of-way by the Commonwealth provided that: (1) the Department waives the requirements for an environmental covenant and for conversion pursuant to 27 Pa. C.S. §6517 to the same extent that this Environmental Covenant is amended or terminated; (2) the Department determines that termination or modification of this Environmental Covenant will not adversely affect human health or the environment; and (3) the Department provides 30-days advance written notice to the current property owner, each holder, and, as practicable, each person that originally signed the Environmental Covenant or successors in interest to such persons.

11. **EPA.**

(1) **Notification.** The then current owner shall provide the EPA written notice of:

- a) the pendency of any proceeding that could lead to a foreclosure as referred to in 27 Pa. C.S. § 6509(a)(4), within seven calendar days of the owner's receiving notice of the pendency of such proceeding;
- b) any judicial action referred to in 27 Pa. C.S. § 6509(a)(5), within seven calendar days of the owner's receiving notice of such judicial action;
- c) any judicial action referred to in 27 Pa. C.S. § 6509(b), within seven calendar days of the owner's receiving notice of such judicial action; and
- d) termination or amendment of this Environmental Covenant pursuant to 27 Pa. C.S. § 6510, within seven calendar days of the owner's becoming aware of such termination or amendment.

(2) **Enforcement.** A civil action for injunctive or other equitable relief for violating this Environmental Covenant may be maintained by the EPA.

12. **Department's and EPA's address.** Communications with the Department and the EPA regarding this Environmental Covenant shall be sent to:

Pennsylvania Department of Environmental Protection  
Environmental Cleanup Program Manager  
230 Chestnut Street  
Meadville, Pennsylvania 16335

and

United States Environmental Protection Agency, Region III  
RCRA Regional Program Manager  
1650 Arch Street  
Philadelphia, Pennsylvania 19103

13. **Severability.** The paragraphs of this Environmental Covenant shall be severable and should any part hereof be declared invalid or unenforceable, the remainder shall continue in full force and effect between the parties.

ACKNOWLEDGMENTS:

Date: 6/2/2014 U.S. Bronze Foundry and Machine, Inc., Grantor  
By: Daniel Higham  
Name: Daniel Higham  
Title: President



COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CRAWFORD COUNTY

SS:

On this 2 day of JUNE, 2014, before me, the undersigned officer, personally appeared DANIEL HIGHAM [Owner, Grantor] who acknowledged himself/herself to be the person whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

COMMONWEALTH OF PENNSYLVANIA  
NOTARIAL SEAL  
BARBARA LUCAS, Notary Public  
Richmond Twp., Crawford County  
My Commission Expires October 24, 2017

Barbara Lucas  
Notary Public

Date: Pneumo Abex, LLC, Grantee  
By: Keith H. Odenweller  
Name: Keith H. Odenweller  
Title: Agent

STATE OF TEXAS  
COMMONWEALTH OF PENNSYLVANIA

MONTGOMERY  
COUNTY OF CRAWFORD COUNTY SS:

On this 24 day of JUNE, 2014, before me, the undersigned officer, personally appeared Keith H. Odenweller [Holder, Grantee] who acknowledged himself/herself to be the person whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

NOTARY PUBLIC  
SUSAN D BLACK  
My Commission Expires  
December 18, 2017

Susan D. Black  
Notary Public

APPROVED, by Commonwealth of Pennsylvania, Department of Environmental Protection

Date: July 23, 2014

By: Gary L. Mechtly  
Name: GARY L. MECHTLY  
Title: ENVIRONMENTAL PROGRAM MANAGER  
ENVIRONMENTAL CLEANUP + BROWNFIELDS

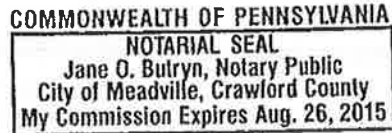
COMMONWEALTH OF PENNSYLVANIA

COUNTY OF CRAWFORD COUNTY SS:

On this 23<sup>rd</sup> day of July, 2014, before me, the undersigned officer, personally appeared Gary L. Mechtly, who acknowledged himself/herself to be the Program Manager [Title] of the Commonwealth of Pennsylvania, Department of Environmental Protection, NORTHWEST REGION [insert name of regional office], whose name is subscribed to this Environmental Covenant, and acknowledged that s/he executed same for the purposes therein contained.

In witness whereof, I hereunto set my hand and official seal.

Jane O. Butryn  
Notary Public



**EXHIBIT A**

Parcel No. 1

ALL that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:

Beginning at an iron pin which is located sixty (60) feet west of the center line of the Erie Railroad right of way by radial measurement, which is also the northeast corner of land conveyed to the second party herein by Delbert Theuret, et ux; thence along said land of second party herein and land of Herman, North  $74^{\circ} 3' 50''$  West, a distance of fifteen hundred eighty-seven and thirty-six hundredths (1,587.36) feet to the center of French Creek the following four courses and distances: first, North  $50^{\circ} 37'$  East, a distance of five hundred twenty-six and forty-six hundredths (526.46) feet; second, North  $58^{\circ} 52'$  East, a distance of five hundred fifty-three and sixty-two hundredths (553.62) feet; third, North  $66^{\circ} 49'$  East, a distance of sixty-three and thirty-four hundredths (63.34) feet; fourth, North  $18^{\circ} 49'$  East, a distance of nine and seventy-two hundredths (9.72) feet to an iron pin; thence along land of W. Austin Bowes, South  $74^{\circ} 14'$  East, a distance of ten hundred seventy-six and ninety-nine hundredths (1076.99) feet to an iron pin; thence along land of said W. Austin Bowes, North  $15^{\circ} 46'$  East, a distance of forty (40) feet to an iron pin; thence also along land of said Bowes, South  $74^{\circ} 14'$  East, a distance of two hundred (200) feet to an iron pin; thence South  $4^{\circ} 20'$  West, a distance of seventy-seven and sixty-eight hundredths (77.68) feet to an iron pin; thence South  $17^{\circ} 51'$  West, a distance of one hundred nineteen and four hundredths (119.04) feet to an iron pin, said pin being ninety (90) feet by radial measurement from the center line of the Erie Railroad right of way; thence southwesterly along said northerly right of way line by a curve to the left, having a radius of fifty-eight hundred nineteen and sixty-five hundredths (5,819.65) feet and being concentric with said center line, a distance of three hundred eight-two and fourteen hundredths (382.14) feet to an iron pin; thence South  $73^{\circ} 41' 15''$  East, a distance of thirty-five and sixty-two hundredths (35.62) feet to an iron pin, said pin being sixty (60) feet by radial measurement from the center line by the right of way of the Erie Railroad, thence southwesterly along said northerly right of way line of the Erie Railroad by a curve to the left, having a radius of fifty seven hundred eight-nine and sixty-five hundredths (5,789.65) feet and being concentric with said center line, a distance of four hundred eighty-eight and sixty-eight hundredths (488.68) feet to an iron pin, the point or place of beginning; containing 30.684 acres of land; excepting and reserving therefrom lands conveyed by deed recorded in Crawford County Deed Book 263, page 393 and Deed Book 320, page 489; and being the same property conveyed to Party of the First Part by deed recorded in Crawford County Deed Book 330, page 393. This parcel is subject to agreements for line fences, release of damages et al. set forth more particularly in Crawford County Deed Book 193, page 15, Deed Book 203, page 300, Deed Book 193, page 556, and Deed Book 189, page 700.

Parcel No. 2

ALSO, all that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit:



Beginning at an iron pin which is located sixty (60) feet west of the center line of the Erie Railroad by radial measurement; thence along the south line of land of Bowes, North  $74^{\circ} 3' 50''$  West five hundred sixty-seven and forty-eight hundredths (567.48) feet to an iron pin; thence along the east line of land of Herman, South  $39^{\circ} 8' 10''$  West a distance of two hundred ninety-four and five hundredths (294.05) feet to an iron pin; thence along the north line of other land of Theuret, South  $52^{\circ} 58' 50''$  East two hundred sixty-six and twenty-two hundredths (266.22) feet to an iron pin; thence along the east line of said land of Theuret, South  $17^{\circ} 41' 40''$  West two hundred three and thirty-one hundredths (203.31) feet to an iron pin; thence along the north line of land of Cropp, South  $73^{\circ} 30' 50''$  East a distance of twenty (20) feet to an iron pin; thence along the west line of land of Henry Williams, North  $17^{\circ} 41' 50''$  East a distance of one hundred ninety-five and eighty-eight hundredths (195.88) feet to an iron pin; thence along the north line of said Williams land, South  $67^{\circ} 24' 45''$  East two hundred twenty-one and fifty-two hundredths (221.52) feet to an iron pin; thence along the west line of the right of way of the Erie Railroad Company along the arc of a circular curve to the right having a radius of fifty seven hundred eighty-nine and sixty-five hundredths (5,789.65) feet a distance of four hundred forty-four and fifty-eight hundredths (444.58) feet to an iron pin, the place of beginning; containing four and fifty-six hundredths (4.56) acres; and being the same property conveyed to Party of the First Part in Crawford County Deed Book 330, page 392. This parcel is subject to a lane as reserved in Will of Daniel Weikel, deceased, recorded in Deed Book F, page 367, line fence agreement set forth in Deed Book 193, page 58 and Pennsylvania Electric company Right-of-Way in Agreement Book Y, page 360.

Parcel No. 3

ALSO, all that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to-wit: commencing at a concrete monument on the east bank of French Creek, said concrete monument being on the southwest corner of other land of the first party; thence South thirty-five ( $35^{\circ}$ ) degrees, twenty-nine minutes (29') West along the east line of French Creek a distance of seventy-seven and fifty-six hundredths (77.56) feet to an iron stake; thence south fifty-two ( $52^{\circ}$ ) degrees, fifty-eight (58') minutes and fifty (50'') seconds east a distance of five hundred forty-eight and ninety hundredths (548.90) feet to a concrete monument; then north thirty-nine ( $39^{\circ}$ ) degrees, eight (8') minutes and ten (10'') seconds east a distance of two hundred ninety-four and five hundredths (294.05) feet to a concrete monument, said monument being in the south line of land of first party; thence north seventy-four ( $74^{\circ}$ ) degrees, three (3') minutes and fifty (50'') seconds west along the southern line of other land of first party a distance of six hundred one and twenty-two hundredths (601.22) feet to the concrete monument, being the place of beginning; containing two and thirty-five hundredths (2.35) acres, more or less; and being the same property conveyed to first party in Crawford County Deed Book 350, page 7.

Parcel No. 4

ALSO, all that certain piece or parcel of land situate in Woodcock Crawford County, Pennsylvania, bounded and described as follows, to-wit:

BEGINNING at a point of intersection of the center line of U.S. Route #19 and Brake Shoe Road; thence in a southerly direction along the center line of U.S. Route #19 a distance made along the arc of said center line having a radius of 5,729.58 feet 200 feet to a point on the center line of U.S. Route #19; thence in a westerly direction along the land now or formerly of George R. Wilson and Anna M. Wilson, his wife, now Diogenes A. Saavedra, North  $79^{\circ} 26' 55''$  West 180.35 feet to the southeast corner of land now or formerly of Edward J. Derricott, et ux; then North  $0^{\circ} 23' 30''$  East along the line of land of said Derricott 170 feet to a point in the center line of Brake Shoe Road; thence in an easterly direction along the center line of Brake Shoe Road South  $8^{\circ} 27' 10''$  East 292.18 feet to the center line of U.S. #19, the point or place of beginning; and being the same property conveyed to first party in Crawford County Deed Book 439, page 504 described in accordance with the survey of Charles E. Stiles, Registered Surveyor, dated October 31, 1986.

Subject to the reservation by George M. Wilson and Anna M. Wilson, his wife, for themselves, their heirs and assigns of an easement 20 feet in width along the West side of the above-described premises and adjacent to land now or formerly of Derricott for the sole purpose of installation, maintenance and repair of public utilities extending to other lands of the said George R. Wilson and Anna M. Wilson, his wife, lying immediately south of the above-described premises, and shall not be used for a driveway.

Parcel No. 5

ALSO, all that certain piece or parcel of land situate in Woodcock Township, Crawford County, Pennsylvania, bounded and described as follows, to wit:

BEGINNING at a point in the center line of Old Route 19, also known as Brake Shoe Road, at the North line of the Erie Railroad Co. Right of Way; thence North Fifty-one ( $51^{\circ}$ ) degrees Fifty ( $50''$ ) minutes Forty ( $40''$ ) seconds east, One Hundred Fifty and Thirty-four hundredths (150.34) feet to a point on the West right of way line of New Route 19; thence North Thirty ( $30^{\circ}$ ) degrees Thirty-three ( $33'$ ) minutest East along said right of way line Thirteen (13) feet to a stake; thence South Fifty-nine ( $59^{\circ}$ ) degrees Twenty-seven ( $27'$ ) minutes East at right angles to said right of way line a distance of Thirty (30) feet to the center line of New Route 19; then North Thirty ( $30^{\circ}$ ) degrees Thirty-three ( $33'$ ) minutes East along the center line of New Route 19 a distance of Three Hundred Seventy-five (375) feet; thence North Fifty-nine ( $59^{\circ}$ ) degrees Twenty-seven ( $27'$ ) minutes West at right angles to center line of said highway, Thirty (30) feet to a point on the west right of way line of said highway at a point on the dividing line between premises herein described and property now or formerly of Colonial Carriers, Inc.; thence North Eight-six ( $86^{\circ}$ ) degrees Forty-three ( $43'$ ) minutes West, Two Hundred Sixty-three

and Sixty hundredths (263.60) feet to a point in the center line of Brake Shoe Road; Then South Three (3°) degrees Twenty-five (25') minutes West along the center line of Brake Shoe Road Two Hundred Twenty-eight and Five-tenths (228.5) feet to a point; then continuing in a Southerly direction on an arc to the right along the center line of Brake Shoe Road having a radius of 915.42 feet, a distance of Two Hundred Eighteen (218) feet to the point or place of beginning.

Containing 1.757 acres of land and being the same property conveyed to first party in Crawford County Deed Book 439, page 507 described in accordance with the survey of Charles E. Stiles, Registered Surveyor, dated October 31, 1986.

This parcel is subject to rights-of-way granted United Natural Gas Company as recorded in Crawford County Agreement Book 33, at pages 355, 356 and 357.

In accordance with the requirements of §405 of Act No. 97 of July 7, 1980, P.L. 380, the grantor acknowledges that waste, both non-hazardous and hazardous has been disposed upon a portion of the property described above as Parcel No. 1 and Parcel No. 3 located westerly of the presently existing main plant building between the plant and French Creek occupying approximately 3.0 acres described as follows:

BEGINNING at a point located south 52° 58' 50" east a distance of one hundred ninety-eight and ninety hundredths (198.90) feet from a concrete monument set in the east bank of French Creek in the southwesterly corner of Parcel No. 3; Thence north 29° 30' 55" east a distance of three hundred fifty-two and seventy-eight hundredths (352.78) feet to a point; Then south 52° 58' 50" east a distance of four hundred nine (409) feet; Thence south 39° 08' 10" west a distance of three hundred fifty (350) feet to a point in the south line of the property; Thence along the south property line, common to lands of Myron Bogardus, north 52° 58' 50" west a distance of three hundred fifty (350) feet to a point, the place of beginning.

Approximately 31,600 cubic yards of such waste, consisting of foundry sands of various types, and baghouse dust, both containing concentrations of lead; wood scraps, sawdust, pallets and patterns; metal rods, pipes, and gagers, metal and fiber drums; styrofoam filler; plastic film and fiberglass; graphite and transite plates; and waste water treatment sludge, have been deposited. The proportion of the site and the specific area(s) within the site containing hazardous wastes are unknown. The foregoing facility has been closed in accordance with the Closure Plans Submitted to the Pennsylvania Department of Environmental Resources.

Also in accordance with the provisions of Pennsylvania Department of Environmental Resources Regulation §75.264(O) (19) and (2), the purchaser of the above property is hereby notified that the land has been used to manage hazardous waste; that disturbance of the site is restricted under paragraph (14) of Reg. §75.264(O); and that the survey plat and record of the type, location and quantity of hazardous waste disposed of within each cell or area of the facility

required by paragraph (19) of the regulation have been filed with the municipality and the Pennsylvania Department of Environmental Resources.

In addition to the foregoing site, two Wastewater treatment lagoons, located approximately 400 feet northwesterly of the main plant building, have been utilized as a facility in the treatment of industrial waste water. This facility also has been closed in accordance with the Closure Plan submitted to the Pennsylvania Department of Environmental Resources. All wastewater treatment sludge has been removed from this site.

## **EXHIBIT B**

