

FE
00218

sp Proj 1A
PF# 644847
Dauphin Co
Steelton Boro

**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF ENVIRONMENTAL PROTECTION**

In the Matter of:

Capital Region Economic	:	
Development Corporation, and	:	
Dura-Bond Pipe LLC	:	Remediation/Reuse of a
2716 South Front Street	:	Special Industrial Area Site
Steelton, Pennsylvania, 17113	:	

CONSENT ORDER AND AGREEMENT

This Consent Order and Agreement is entered into this 7TH day of MARCH, 2005, by and between the Commonwealth of Pennsylvania, Department of Environmental Protection (hereinafter "Department"), and Dura-Bond Pipe LLC (hereinafter "Dura-Bond") and the Capital Region Economic Development Corporation (hereinafter "CREDC"). The Department, Dura-Bond, and CREDC shall be referred to hereinafter as the "Parties."

Findings

The Department has found and determined the following findings:

A. The Department is the agency with the duty and authority to implement the Land Recycling and Environmental Remediation Standards Act, the Act of May 19, 1995, P.L. 4, No. 1995-2, 35 P.S. §6026.101 et seq. ("Land Recycling Act"). The Department is the agency with the duty and authority to administer and enforce the Solid Waste Management Act, the Act of July 7, 1980, P.L. 380, No. 97 as amended, 35 P.S. §6018.101 et seq. (the "Solid Waste Management Act"); The Clean Streams Law, the Act of June 22, 1937, P.L. 1987, No. 394, as amended, 35 P.S. §691.1 et seq. (the "Clean Streams Law"); the Air Pollution Control Act, the Act of January 8, 1960, P.L. 2119, No. 787, (1959), as amended, 35 P.S. §4001 et seq. (the "Air

Pollution Control Act"); the Storage Tank and Spill Prevention Act, the Act of July 6, 1989, P.L. 169, No. 32 as amended, 35 P.S. §6021.101 et seq. (the "Storage Tank Act"); the Hazardous Sites Cleanup Act, the Act of October 18, 1988, P.L. 756, No. 108, 35 P.S. §6020.101 et seq. ("HSCA"); and the rules and regulations promulgated thereunder.

B. CREDC is an economic development corporation as referenced in Act 3, 35 P.S. §2607.1 et seq., that desires to facilitate economic development, in part, by enabling the reuse of a special industrial area site pursuant to the provisions of the Land Recycling Act. CREDC is a corporation with an address of 3211 North Front Street, Harrisburg, PA 17110.

C. This special industrial area site is a 57-acre portion of the former Bethlehem Steel Corporation's Pipe Mill Facility and is located at 2716 South Front Street in the Borough of Steelton (hereinafter "Site"). See Exhibit A, incorporated herein. The Site's 57-acre property was divided from a substantially larger tract of land that had been utilized by Bethlehem Steel Corporation from the early 1900s until insolvency of the Corporation in 2003. During its century-long ownership, Bethlehem Steel conducted a variety of steel production related activities including the production and finish-coating of steel pipe at this mill area. Slag and culm were deposited on portions of the property for fill. CREDC (a recognized economic development agency) acquired title to the 57-acre parcel in 2003, and Dura-Bond commenced use of the 57-acre property Site thereafter for production of pipe used by the natural gas transmission industry. Dura-Bond intends to acquire title to the deed subsequent to final approval of the Act 2 remediation work, as documented in the Final Report, and plans to continue its steel pipe fabrication during and after the remediation activities described herein. An estimated 80 jobs are

expected to be created during the next three years and for long-term employment at this manufacturing facility.

D. This Consent Order and Agreement is the agreement required by Sections 305 and 502 of the Land Recycling Act between the Department, Dura-Bond and CREDC, who are each persons seeking a release of liability in connection with undertaking the reuse of a special industrial area site.

E. As of the date of this Consent Order and Agreement, CREDC represents that CREDC, including its officers, directors, subsidiaries and affiliates, has not caused or contributed to contamination located on the Site. As such, CREDC is not liable for remediation or contamination at the Site pursuant to Act 3, 35 P.S. §2607.1, et seq. Additionally, as of the date of this Consent Order and Agreement, Dura-Bond represents that Dura-Bond, including its officers, directors, subsidiaries and affiliates, has not caused or contributed to contamination located on the Site. As such, Dura-Bond is not liable for remediation or contamination at the Site pursuant to Act 3, 35 P.S. §2607.1, et seq.

F. As of the date of this Consent Order and Agreement, the Site is located in an Enterprise Zone designated as such by the Department of Community and Economic Development or its successor agency in implementing the program, and is an industrial site where there is no financially viable responsible person.

G. On June 9, 2004, CREDC and Dura-Bond submitted a Notice of Intent to Remediate (the "NIR") the Site to the Department.

H. On June 7, 2004, CREDC and Dura-Bond delivered a copy of this NIR to the

Borough of Steelton.

I. On June 10, 2004, CREDC and Dura-Bond published a summary of the NIR in the Harrisburg Patriot-News.

J. The Borough of Steelton did not request to be involved in the development of the remediation and reuse plans for the Site.

K. The Borough of Steelton did not request that CREDC or Dura-Bond develop and implement a public involvement program plan pursuant to section 304(o) of the Land Recycling Act.

L. The Department, under its Key Sites Initiative Program, developed a work plan in conjunction with its contractor (Baker Environmental, Inc.) for the Site, which satisfied the requirements of section 305(b) of the Land Recycling Act.

M. On August 30, 2004, CREDC and Dura-Bond submitted and, on November 24, 2004, the Department approved the baseline environmental report required to be prepared for the Site by section 305(b) of the Land Recycling Act. This baseline environmental report, entitled "Baseline Remedial Investigation Report, CREDC/Dura-Bond Pipe Property" (herein "Baseline Remedial Investigation Report"), dated August 26, 2004, prepared by Alliance Environmental Services, Inc., is contained in the files of the Pennsylvania Department of Environmental Protection, Southcentral Regional Offices and incorporated herein by reference and deemed to be a part hereof, the cover page, table of contents and executive summary being appended hereto as Exhibit B.

N. The intended purpose of the Site is for Dura-Bond to reactivate full-scale

operation of a mill that will produce and coat pipe, in part, targeted to the natural gas transmission industry. Dura-Bond also intends to operate a steel fabrication business and a steel shapes coating business at this property, which is intended solely for industrial operations. Certain constituents of concern exist in surface soils at discrete exterior areas of the mill property, and those areas will be consolidated and improved with impervious cover to eliminate potential pathways for exposure to contaminants, including those that derive from slag and culm from the former mill operations. No on-site ground water use is proposed, and municipal water and sewer currently service the Site ("Intended Purpose").

O. Pursuant to section 502 of the Land Recycling Act, the cleanup responsibility for the redeveloper, CREDC in this instance, includes the remediation of immediate, direct or imminent threats to public health or the environment that would prevent the Site from being occupied for its Intended Purpose (hereinafter referred to as "Remedial Obligations").

P. CREDC's Remedial Obligations are fully set forth in the Planned Site Remedy section of the Baseline Remedial Investigation Report and include the following which are also fully described in Paragraph 2 herein: Certain soils of the Site contain arsenic, lead, chromium, semi-volatile organic compounds, and/or Aroclor-1254 at concentrations above nonresidential, direct contact medium specific concentrations. Potential exposure pathways are limited to direct contact by Site workers and visitors. Notwithstanding the identified exposure pathways, the potential threats are mitigated by current Site operations which take place substantially within the Site structures and the fact that exterior operations largely entail the use of machinery that elevates and isolates Site workers from direct contact with the Site soils. Moreover, the

identified constituents of concern are insoluble and have little mobility or likelihood of adverse impact to Site personnel. Remediation measures will include some relocation of soils and providing impervious cover at locations of elevated contaminants as identified in the Baseline Remedial Investigation Report.

Q. Pursuant to Section 502, the cleanup liability for CREDC and Dura-Bond does not include identified contamination located on the Site that is not an immediate, direct or imminent threat to public health or the environment which would prevent the Site from being occupied for its Intended Purpose.

R. Identified contamination includes the following and is more fully described in identified in the Baseline Remedial Investigation Report: Certain Site soils between 0 and 2 feet below ground surface contain arsenic, lead, chromium, semi-volatile organic compounds, and/or Aroclor-1254 at concentrations above nonresidential, direct contact medium specific concentrations. Certain soils below 2 feet contain arsenic and lead above soil to ground water MSCs, however groundwater testing reveals that contaminants are not migrating to groundwater at levels over the MSCs and, furthermore, the occurrence of those soils does not pose an immediate, direct or imminent threat to public health or the environment.

The Parties desire to enter into an agreement pursuant to section 305 of the Land Recycling Act to outline the remediation measures for the Site and to satisfy the requirements of sections 305 and 502 of the Land Recycling Act.

Order

After full and complete negotiation of all matters set forth in this Consent Order and

Agreement and upon mutual exchange of covenants contained herein, the Parties intending to be legally bound, it is hereby ORDERED by the Department and AGREED to by CREDC and/or Dura-Bond, as indicated, as follows:

1. CREDC and Dura-Bond agree that this Consent Order and Agreement is an Order of the Department authorized and issued pursuant to:

- a. Section 5 of the Clean Streams Law, 35 P.S. §691.5;
- b. Section 602 of the Solid Waste Management Act, 35 P.S. §6018.602;
- c. Section 4 of the Air Pollution Control Act, 35 P.S. §4004;
- d. Section 1309 of the Storage Tank Act, 35 P.S. §6021.1309;
- e. Sections 305 and 502 of the Land Recycling Act, 35 P.S. §§6026.305 and 6026.502; and Section 1917-A of the Administrative Code, *supra*.

2. *CREDC's Remediation Measures.*

a. CREDC shall remediate all immediate, direct or imminent threats to public health or the environment presently located on the Site, which would prevent the Site from being occupied for its Intended Purpose. More specifically, CREDC's Remedial Obligations are set forth in the Planned Site Remedy section of the Baseline Remedial Investigation Report, and generally identified in paragraph P of the findings. CREDC shall fulfill its Remedial Obligations by taking the following remediation measures: Certain Site soils, identified in the Baseline Remedial Investigation Report as exceeding MSC's between 0 and 2 feet below ground surface, as depicted in Figure 5 of the Baseline Remedial Investigation Report, "Areas of Planned Remediation", and attached hereto as Exhibit C, will be remediated via pathway elimination to

manage direct contact concerns. Soils to be actively remediated contain arsenic, lead, chromium, semi-volatile organic compounds, and/or Aroclor-1254 at concentrations above nonresidential, direct contact medium specific concentrations. In particular, identified soils from the western portion of the Site requiring remediation, will be removed and commingled with identified soils on the eastern portion of the Site, and these soils to be managed on the eastern portion of the Site will then be mixed with an emulsion to produce a bituminous cement cap over the soils of concern. Clean fill will replace the relocated western soils. Soils below 2 feet contain arsenic, and lead above soil to ground water MSCs, however the occurrence of those soils does not pose an immediate, direct or imminent threat to public health or the environment. Further, the presence of those soils is consistent with the intended use of the property Site. Therefore, remediation of soils below two feet will be managed via pathway elimination and institutional controls (see below) for this Special Industrial Area. Institutional controls will also be implemented to ensure the integrity of the remedy and to safely manage Site soils of the Site that may be encountered through future land development activities. The institutional controls are: a Health and Safety Plan to be used upon any future disturbance of soils, and appropriate deed notice of the occurrence of contaminants and this SIA Act 2 remedy. These remedial measures will eliminate any immediate, direct or imminent threat to public health or the environment, which could prevent the Site from being used for its Intended Purpose.

b. CREDC and Dura-Bond shall not be responsible for the further remediation of Identified Contamination described in Paragraph R of the findings and more fully described in the Baseline Remedial Investigation Report, or any future discovered contamination,

so long as the Identified Contamination or any future discovered contamination does not prevent the occupation of the Site for its Intended Purpose.

c. Nothing in this agreement relieves CREDC or Dura-Bond, respectively, from any cleanup liability for 1) contamination caused by CREDC or Dura-Bond, respectively on the Site on or after the date of this Consent Order and Agreement; or 2) contamination presently located on the Site, the nature, concentration and location of which is not identified in the Baseline Remedial Investigation Report.

d. If CREDC complies with the terms and conditions of this Consent Order and Agreement, CREDC shall have the liability protection established by Section 502(a) of the Land Recycling Act. Upon CREDC complying with the terms of this Consent Order and Agreement, if Dura-Bond complies with the terms and conditions of this Consent Order and Agreement, Dura-Bond shall have the liability protection established by Section 502(a) of the Land Recycling Act.

e. In order to retain the protections under Act 2: (i) CREDC, Dura-Bond, or any subsequent owner/occupier shall provide the Department with prior written notice of any change in the Intended Purpose of the Site from that described in paragraph N of the findings; (ii) CREDC, Dura-Bond, or any subsequent owner/occupier has a continuing obligation to remediate all immediate, direct or imminent threats to public health or the environment located on the Site that would prevent the Site from being occupied for its Intended Purpose; (iii) If CREDC, Dura-Bond, or any subsequent owner/occupier changes the Intended Purpose of the Site from that set forth in paragraph N, then CREDC, Dura-Bond, or that subsequent owner/occupier, as

applicable, must remediate any contamination described in paragraph R which would prevent the occupation of the Site for its new Intended Purpose.

f. The liability protection provided by this Consent Order and Agreement is subject to the reopeners set forth in Section 505 of the Land Recycling Act.

3. *Notice of Commencement of Remediation.* CREDC shall notify the Department in writing 25 working days prior to commencing the remediation measures enumerated in paragraph 2 and more fully described in the Baseline Remedial Investigation Report.

4. *Site Access.* CREDC, Dura-Bond and any subsequent owner/occupier grant to the Department the right to enter onto the Site to observe, inspect and verify the remediation activities described in paragraph 2 and the Baseline Remedial Investigation Report and to further investigate contamination at the Site. In the event the Department elects to conduct remediation of Identified Contamination, CREDC, Dura-Bond and any subsequent owner/occupier further grant to the Department the right to enter onto the Site to conduct remediation upon reasonable notice and provided the Department does not unreasonably disrupt use of the Site.

5. *Notice of Completion of Remediation.* CREDC shall notify the Department in writing when it has completed the remediation activities enumerated in paragraph 2 and more fully described in the Baseline Remedial Investigation Report.

6. *30-Day Verification Period.* The Department shall have 30 days after the receipt of CREDC's notice of completion of remediation to verify that the remediation activities enumerated in paragraph 2 and more fully described in the "Planned Site Remedy" section of the Baseline Remedial Investigation Report have been successfully completed by CREDC.

7. *Transfer of Site.* CREDC shall provide the Department with prior written notice of any transfer of ownership of the Site including the identity of the purchaser and the purchaser's Intended Purpose for the Site. Prior to transfer, CREDC shall give the purchaser a copy of this Consent Order and Agreement including a copy of Exhibits A, B and C. CREDC shall satisfy the applicable deed acknowledgement requirements of the Solid Waste Management Act and the Hazardous Sites Cleanup Act. CREDC shall also record this Consent Order and Agreement as a deed covenant so that any post-remedial obligations transfer to any subsequent owner or occupier and run with the land. Upon transfer to Dura Bond, or any other subsequent owner, with notice to DEP, CREDC shall be released from its continuing obligations herein. However, in the event Dura-Bond is never the owner of the Site and ceases to occupy the Site, its continuing obligations under this Consent Order and Agreement shall cease.

8. *Correspondence with Department.* All correspondence with the Department concerning this Consent Order and Agreement shall be addressed to:

Environmental Cleanup Program - Program Manager
PA DEP - Southcentral Region
909 Elmerton Avenue
Harrisburg, PA 17110

9. *Correspondence with CREDC and Dura-Bond.* All correspondence with CREDC concerning this Consent Order and Agreement shall be addressed to:

Linda Goldstein
Vice President & COO
3211 North Front Street, Suite 201
Harrisburg, PA 17110-1342

With a copy to:

Richard H. Friedman, Esq.
McNees, Wallace & Nurick
100 Pine Street
P.O. Box 1166
Harrisburg, PA 17108-1166

All correspondence with Dura-Bond concerning this Consent Order and Agreement shall be addressed to:

General Manager
Dura-Bond Pipe LLC
2716 S. Front Street
Steelton, PA 17113

With a copy to:

Mr. Wayne Norris
President
Dura-Bond Industries, Inc.
P. O. Box 518
2658 Puckety Drive
Export, PA 15632

The Parties agree to notify each other whenever there is a change in the contact person's name, title or address.

10. *Entire Agreement.* This Consent Order and Agreement shall constitute the entire integrated agreement of the Parties. No prior or contemporaneous communications or prior drafts shall be relevant or admissible for purposes of determining the meaning or extent of any provisions herein in any litigation or any other proceeding.

11. *Modifications.* No changes, additions, modifications, or amendments of this Consent Order and Agreement shall be effective unless they are set out in writing and signed by

the affected Parties hereto.

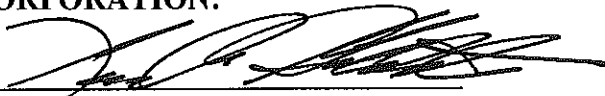
12. *Attorney Fees.* The Parties agree to bear their respective attorney fees, expenses and other costs in the prosecution or defense of this matter or any related matters, arising prior to execution of this Consent Order and Agreement.

13. *Titles.* A title used at the beginning of any paragraph of this Consent Order and Agreement is provided solely for the purpose of identification and shall not be used to interpret that paragraph.

IN WITNESS WHEREOF, the Parties hereto have caused this Consent Order and Agreement to be executed by their duly authorized representatives. The undersigned representatives of CREDC and Dura-Bond certify under penalty of law, as provided by 18 Pa.C.S. §4904, that they are authorized to execute this Consent Order and Agreement on behalf of CREDC and Dura-Bond, respectively; that CREDC and Dura-Bond consent to the entry of this Consent Order and Agreement as an ORDER of the Department; and that CREDC and Dura-Bond hereby knowingly waive its rights to appeal this Consent Order and Agreement, which rights may be available under Section 4 of the Environmental Hearing Board Act, the Act of

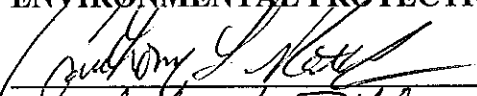
July 13, 1988, P.L. 530, No. 1988-94, 35 P.S. §7514; the Administrative Agency Law, 2 Pa.C.S. §103(a), and Chapters 5A and 7A; or any other provision of law.

**FOR THE CAPITAL REGION
ECONOMIC DEVELOPMENT
CORPORATION:**




Name
President or Vice President

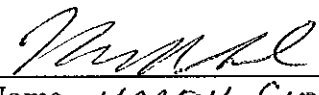
**FOR THE COMMONWEALTH OF
PENNSYLVANIA, DEPARTMENT OF
ENVIRONMENTAL PROTECTION:**



Name Anthony L. Poffenberger
Title Program Manager

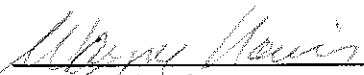


Name
Secretary or Treasurer

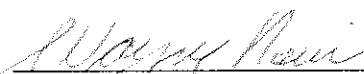


Name MARTIN SIEGEL
Assistant Counsel

FOR DURA-BOND PIPE, LLC:

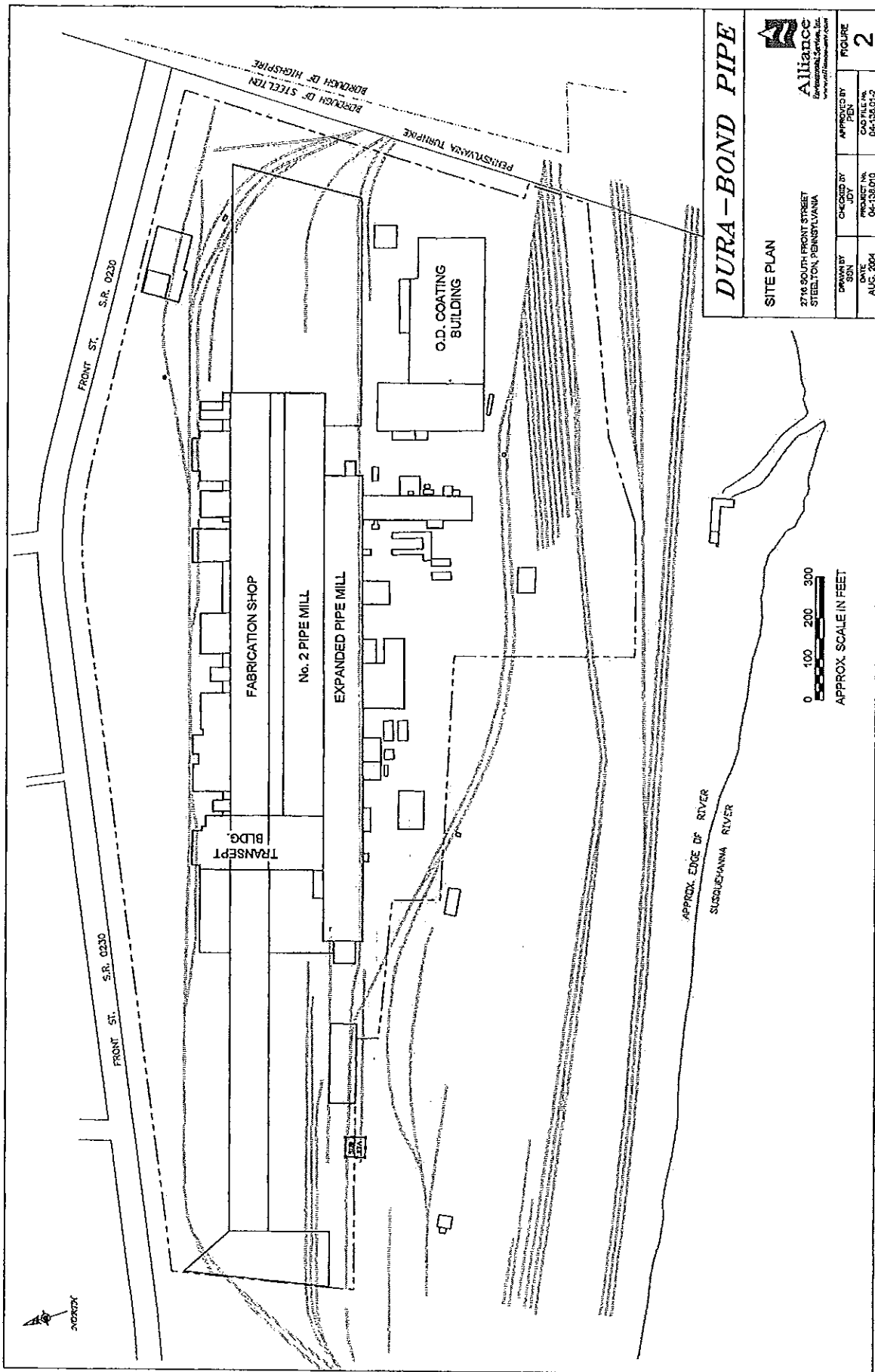


Wayne Norris
President



Name
Secretary or Treasurer

EXHIBIT A



DURA-BOND PIPE

SITE PLAN
 2716 SOUTH FRONT STREET
 STEELTON, PENNSYLVANIA



DRAWN BY SON	CHECKED BY JOY	APPROVED BY PEN	FIGURE 2
DATE AUG. 2004	PROJECT NO. 04-138.010	CAD FILE NO. 04-138.01-2	

EXHIBIT B

BASELINE REMEDIAL INVESTIGATION REPORT

CREDC/DURA-BOND PIPE PROPERTY

SOUTH FRONT STREET,
BOROUGH OF STEELTON,
DAUPHIN COUNTY, PENNSYLVANIA

August 26, 2004

SUBMITTED BY:

Capital Region Economic Development Corp.
3211 North Front Street, Suite 201
Harrisburg, Pennsylvania 17110

&

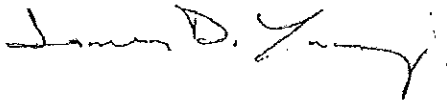
Dura-Bond Pipe Mill, LLC
2716 South Front Street
Steelton, PA 17113

PREPARED BY:

Alliance Environmental Services, Inc.
1414 North Cameron Street
Harrisburg, Pennsylvania 17103
(717) 233-2400

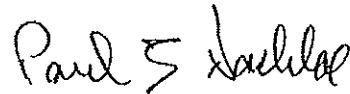
AESI PROJECT No. 04-138

Alliance Environmental Services, Inc.



James D. Young, P.G.
Project Director, Vice President

Alliance Environmental Services, Inc.



Paul E. Nachlas, P.G.
Project Director, President



TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION	1
SITE CHARACTERIZATION	3
Site Cover	3
Geology	4
Ground Water	4
ANTICIPATED SITE USE	4
PROJECT SETTING	5
FINDINGS OF INVESTIGATIONS	6
Soil Considerations	9
Ground Water Considerations	12
Conceptual Site Model	13
PLANNED SITE REMEDY	14

LIST OF FIGURES

Figure 1 – Site Location Map	2
Figure 2 – Site Plan	7
Figure 3 – Site Development Circa 1970	8
Figure 4 – Locations of Soil Sampling by BMS and Baker	10
Figure 5 – Areas of Planned Remediation	15

LIST OF APPENDICES

Appendix A	–	Phase I & Phase II Reports by BMS Environmental, Inc.
Appendix B	–	Portions of the Baker Site Characterization Reporting
Appendix C	–	Ground Water Table Contour Map, Baker’s November 19, 2003 Event



EXECUTIVE SUMMARY

A portion of the former Bethlehem Steel Corporation facility in Steelton, Pennsylvania has been acquired by the Capital Region Economic Development Corporation (CREDC), which seeks to remediate the 57-acre parcel in conjunction with Dura-Bond Pipe LLC. The land resides in a Designated Enterprise Zone and qualifies as a Special Industrial Area. CREDC and Dura-Bond are redeveloping this land for use as a pipe mill that will manufacture steel pipe for the natural gas industry.

The 57-acre tract of land has been thoroughly investigated to characterize the physical and chemical conditions of soils and ground water of the property. Site characterization work encompassed soil and ground water sampling for laboratory analysis of priority pollutant metals, volatile and semi-volatile organic compounds, polychlorinated biphenyls, pesticides, and herbicides.

Site characterization activities document arsenic and lead in shallow soils at concentrations above direct contact, medium specific concentrations (MSCs) established under Pennsylvania's *Land Recycling and Environmental Remediation Standards Act of 1995 (Act 2)*. Soils between 2 feet and 5 feet below ground surface contain arsenic and lead at concentrations above the soil to ground water MSCs for these metals. Therefore, soils will require remediation pursuant to Act 2 to obtain a release of liability for the site conditions that are attributed to historic land disposal of foundry wastes during the late 1800s. Ground water samples were collected from soil borings extended below the water table and from constructed, ground water monitoring wells. Redundant sampling of ground water from the appropriately constructed monitoring wells did not contain any constituents above ground water MSCs; site ground water meets Act 2's Special Industrial Area Standard.

Site soils between 0 and 2 feet below ground surface will be remediated to a Special Industrial Area Standard, which will rely on pathway elimination to manage direct contact concerns. Soils to be remediated contain arsenic, lead, chromium, semi-volatile organic compounds, and/or Aroclor-1254 at concentrations above direct contact medium specific concentrations (MSCs, nonresidential). Impacted soils will be removed from the western portion of the site and commingled with soils on the eastern portion of the site, and the soils on the eastern portion will then be mixed with an emulsion to produce a bituminous cement cap over the soils of concern. Institutional controls will also be implemented to safely manage soils of the site that may be encountered through future land development activities. Soils below 2 feet contain arsenic, lead above soil to ground water MSCs, however the occurrence of those soils does not pose an immediate, direct or imminent threat to public health or the environment. Further, the presence of those soils is consistent with the intended use of the property. Therefore, remediation required for the site is limited to arsenic and lead in soils, which will be managed via pathway elimination and institutional controls for this Special Industrial Area; a deed notice will be filed for this anticipated longstanding industrial operation. These remedial measures will consist of a combination of excavation and encapsulation for pathway elimination as well as institutional controls, and they will eliminate any immediate, direct or imminent threat to public health or the environment, which could prevent the subject property from being used for its intended purpose.

EXHIBIT C

PLANNED SITE REMEDY

ALLIANCE has completed a detailed inspection of the site and reviewed the site characterization investigations performed by BMS and Baker; those investigations fully characterize soil and ground water conditions of the site. Based on the work completed, we have prepared a site remediation plan to attain an appropriate remedial standard of Act 2. The proposed remedy addresses concerns for immediate, direct or imminent threats to public health or the environment, and the remedy is entirely consistent with the intended reuse of the site. The proposed remedy further enables reuse in a manner that substantially benefits the public. Though no written comments were specifically received from the public, the remedial plans were reviewed at a Borough meeting and a copy of this report has been provided directly to Steelton Borough.

Pathway elimination, coupled with institutional controls, will be employed to remediate this Special Industrial Area site and will accomplish the objectives of 250.503(d) relating to immediate, direct or imminent threats. In general, pathway elimination will be accomplished via asphalt cap of the surface materials to the east and south of the pipe mill structure. With regard to surface materials west of the pipe mill structure, those sediments will be excavated and relocated to the southeastern side of pipe mill structure where they will be integrated into the asphalt cap. Clean fill will replace the excavated materials. The concrete floor of the former Fabrication Shop (now demolished except for the underlying floor) will remain intact as the impervious cap for elimination of contact to surface soils. The areas to the east and the west of the pipe mill structure will be integral to future operations by Dura-Bond, which expects to utilize these areas for pipe lay-down. The asphalt cap will be a functional surface and an effective remedy for this redevelopment initiative. The attached Figure 5 depicts the areas to be remediated by pathway elimination using clean fill (2 feet) and areas to be remediated by asphalt cap. Areas inside of the pipe mill structure will be appropriately cleaned to remediate direct contact concerns.

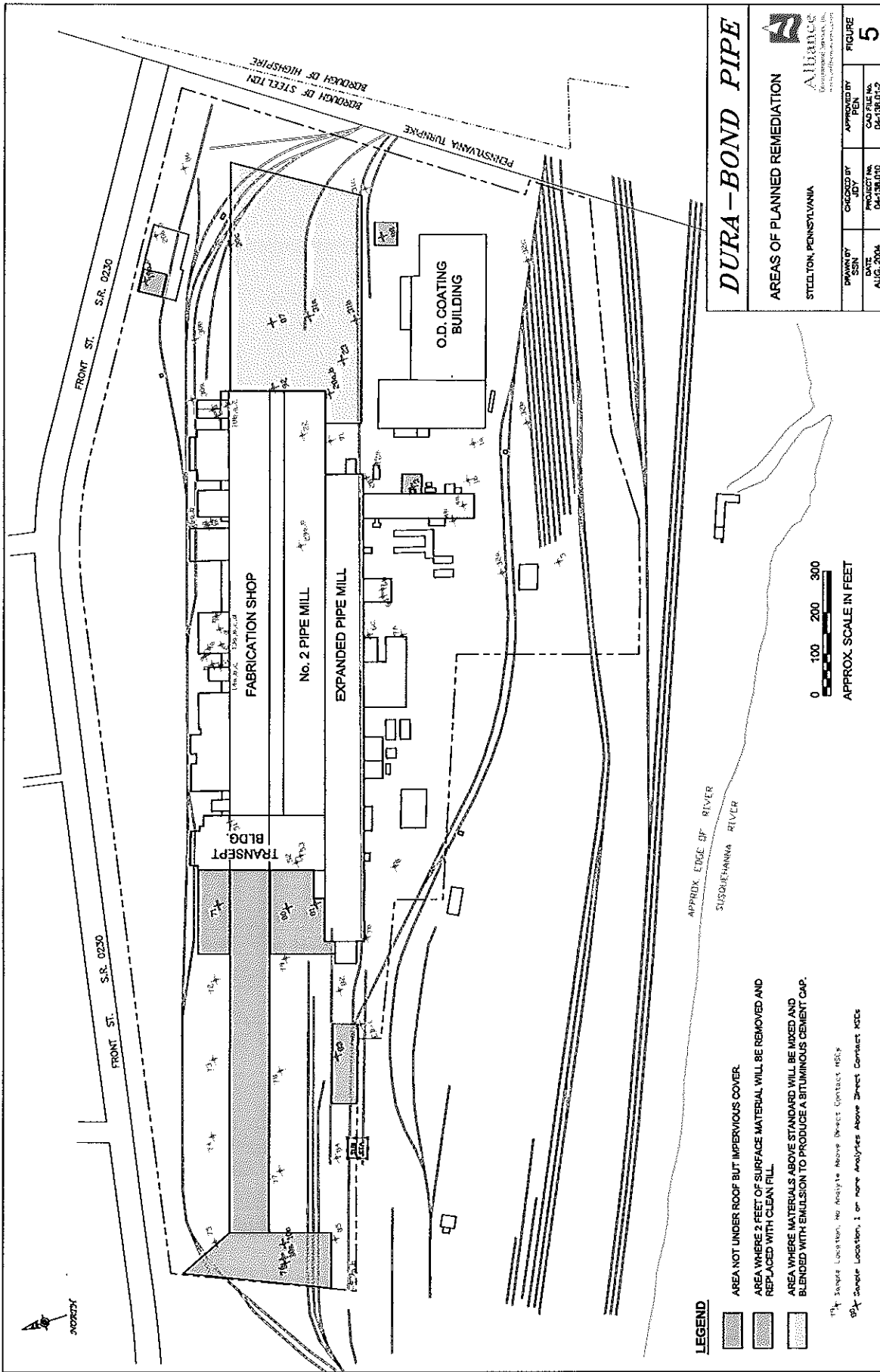
The site is located within a Special Industrial Area and nearly adjacent to the Susquehanna River. There are no water supply wells located on the property and none are expected to be developed at any time.

Recognizing the intrinsic variability of site cover materials and the potential for inorganic or organic constituents to exist sporadically beyond capped areas, a site Health and Safety Plan (HASP) will be developed to prescribe procedures for assessing direct contact risks at areas of future site development activities. For example, recognizing the potential for future building structures, and therefore excavation of site materials, the HASP will prescribe protocols for determining if constituents of concern reside in that work area, the pathways for exposure to site workers, and appropriate personal protective equipment or waste management procedures.

Finally, a deed notation will be recorded with the property deed. The notification will specifically identify site concerns and limitations for future site use to industrial manufacturing activity (unless additional remediation is required for an alternate use). CREDC and Dura-Bond are prepared to enter into a Consent Order and Agreement (CO&A) with PADEP that outlines the actual remedial plans, inclusive of maps showing areas of remedial work. A Final Report will ultimately be submitted to PADEP upon completion of remediation and attainment sampling, as may be applicable. That report will also present documentation of public notifications as required for the remediation process. Construction of the CO&A can commence immediately upon PADEP acceptance of this Baseline Remedial Investigation Report.

Based on work performed for this site, ALLIANCE concludes that the site is suitable for remediation to a Special Industrial Area Standard. Therefore, on behalf of Dura-Bond and CREDC, we recommend that the Department grant approval of a Special Industrial Area Standard for this site.





DURA - BOND PIPE

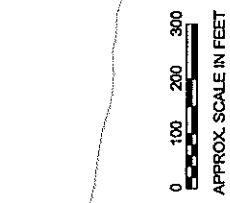
AREAS OF PLANNED REMEDIATION

STELTON, PENNSYLVANIA

ALURANCE
Environmental Services, Inc.
www.alurance.com

DRAWN BY SSN	CHECKED BY JUDY	APPROVED BY PEN
DATE AUG. 2004	PROJECT NO. 04-156010	CAD FILE NO. 04-156012

FIGURE
5



- LEGEND**
- AREA NOT UNDER ROOF BUT IMPERVIOUS COVER.
 - AREA WHERE 2 FEET OF SURFACE MATERIAL WILL BE REMOVED AND REPLACED WITH CLEAN FILL.
 - AREA WHERE MATERIALS ABOVE STANDARD WILL BE MIXED AND BLENDED WITH EMULSION TO PRODUCE A BITUMINOUS CEMENT CAP.

17A Inverse Location, No Analyte Above Direct Contact HSCs
 17X Inverse Location, 1 or more Analytes Above Direct Contact HSCs